

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

E

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REP23/CAC
December 2023

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX ALIMENTARIUS COMMISSION

Forty-sixth Session

FAO headquarters, Rome, Italy

27 November to 2 December 2023

REPORT

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EXECUTIVE SUMMARY

CAC46 was opened by the Directors-General of FAO and WHO. The session was attended by delegates from 158 Member countries, one Member Organization, and Observers of nine international governmental organizations (IGOs), 30 non-governmental organizations (NGOs) and one other United Nations agency. Of these, six Member countries and eight Observers participated in the meeting only remotely.

Main decisions of CAC46:

Final adoption of more than 500 new and revised Codex standards (including numerical standards), guidelines and codes of practice, including:

- Revised *Standard for Follow-up Formula (CXS 156-1987)* (renamed as the *Standard for Follow-up Formula for Older Infants and Product for Young Children*)
- Maximum residues limits (MRLs) for zilpaterol hydrochloride in cattle liver, kidney and muscle
- MRLs for ivermectin (sheep, pigs and goats – fat, kidney, liver and muscle)
- MRLs for nicarbazin (chicken)
- MRLs extrapolated to ruminants and finfish
- 426 MRLs for different combinations of pesticides/commodity(ies)
- Maximum level (ML) for lead in ready-to-eat meals for infants and young children
- ML for lead in soft brown, raw and non-centrifugal sugars
- ML for total aflatoxins in dried chilli and nutmeg, and ML for ochratoxin A in dried chilli, paprika, and nutmeg
- *Guidelines for the Control of Shiga Toxin-Producing Escherichia coli (STEC) in Raw Beef, Fresh Leafy Vegetables, Raw Milk and Raw Milk Cheeses, and Sprouts* (General Section, Annex I on raw beef and Annex III on raw milk and raw milk cheeses)
- *Guidelines for the Safe Use and Reuse of Water in Food Production and Processing* (General Section and Annex I on Fresh Produce)
- *Guidelines on Recognition and Maintenance of Equivalence of National Food Control Systems (NFCS)*
- *Principles and Guidelines on the Use of Remote Audit and Inspection in Regulatory Frameworks*
- Revised *General Guidelines on Sampling (CXG 50-2004)*
- Revised *Class Names and the International Numbering System for Food Additives (CXG 36-1989)*
- *Code of Practice for Prevention and Reduction of Mycotoxin Contamination in Cassava and cassava-based products*
- Revised *Classification of Foods and Animal Feeds (CXA 4-1989)*
- Revised *General Standards for Food Additives (CXS 192-1995)*
- Revised *Recommended Methods of Analysis and Sampling (CXS 234-1999)*

Final adoption of new regional standards:

- *Regional standard for Soybean Products Fermented with Bacillus species* (Asia)
- *Regional standard for Cooked Rice Wrapped in Plant Leaves* (Asia)
- *Regional Standard for Fermented Noni Fruit Juice* (North America and South-West Pacific)

Adoption at Step 5:

- Regional standard for Quick Frozen Dumpling (Asia)
- Regional standard for Maamoul (Near East)
- Revision to the *General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985)*: Provisions relevant to allergen labelling
- General Principles for the Establishing Nutrient Reference Values (NRVs-R) for Persons Aged 6 – 36 Months
- Guidelines on the Provision of Food Information for Pre-packaged Foods to be offered via E-Commerce
- Guidelines on the Use of Technology to Provide Food Information

New work:

- Amendments to the *General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985)*: Labelling of pre-packaged foods in joint presentation and multipack formats
- Code of Practice /Guidelines for the prevention or reduction of ciguatera poisoning
- Guidelines for food hygiene control measures in traditional markets for food
- Guidance for monitoring the stability and purity of reference materials and related stock solutions of pesticides during prolonged storage
- Revision of the *Guidelines on the Application of the General Principles of Food Hygiene to the Control of Pathogenic Vibrio Species in Seafood (CXG 73-2010)*

- Review and update of the *Principles for Traceability/Product Tracing as a Tool within a Food Inspection and Certification System* (CXG 60-2006)

CAC46:

Re-elected, as **Chairperson**, Mr Steve Wearne (United Kingdom) and, as **Vice-Chairpersons**, Mr Allan Azegele (Kenya), Mr Raj Rajasekar (New Zealand) and Mr Diego Varela (Chile).

Re-appointed Saudi Arabia and Fiji as **Coordinators** for Near East and North America and South-West Pacific, respectively.

Elected as Member of the Executive Committee elected on a geographic basis:

Costa-Rica (Latin America and the Caribbean), India (Asia), and Morocco (Africa)

Re-elected as Member of the Executive Committee elected on a geographic basis:

Canada (North America), Finland (Europe), Iran (Near East), and Vanuatu (South-West Pacific)

CAC46 discussed and agreed as follows on general items as proposed by the Executive Committee:**Codex Strategic Plan 2026-2031:**

Appreciated the process to develop the Codex Strategic Plan 2026-2031 so far and looked forward to the consultations foreseen on goals and outcomes' formulation.

Statements of principle concerning the role of science in the Codex decision-making process and the extent to which other factors are taken into account (SoP):

Reiterated that the draft guidance remained serviceable and available as practical guidance for Chairpersons of Codex Commission and its subsidiary bodies and for Members in situations when there is agreement on science but differing views on other factors/considerations, although differences or concerns remained on certain aspects of the draft guidance; and agreed on the need to gain more experience on application of the draft guidance and to revisit it in light of new experiences gained.

New food sources and production systems (NFPS):

Highlighted the importance of addressing challenges posed by NFPS and the important role Codex could play in this, noted that the current working mechanisms were adequate to address any new work on NFPS that Members might propose, and encouraged Members to submit proposals for new work on NFPS.

CAC46 also endorsed the way forward on the development of the Codex Strategic Plan 2026-2031 and a model for future Codex work.

LIST OF ABBREVIATIONS AND ACRONYMS

ADI	Acceptable Daily Intake
AfCFTA	African Continental Free Trade Area
CAC	Codex Alimentarius Commission
CCAFRICA	FAO/WHO Coordinating Committee for Africa
CCASIA	FAO/WHO Coordinating Committee for Asia
CCCF	Codex Committee on Contaminants in Foods
CCCPL	Codex Committee on Cereals, Pulses and Legumes
CCEURO	FAO/WHO Coordinating Committee for Europe
CCEXEC	Executive Committee of the Codex Alimentarius Commission
CCFA	Codex Committees on Food Additives
CCFH	Codex Committee on Food Hygiene
CCFICS	Codex Committee on Food Import and Export Inspection and Certification Systems
CCFL	Codex Committee on Food Labelling
CCGP	Codex Committee on General Principles
CCLAC	FAO/WHO Coordinating Committee for Latin America and the Caribbean
CCMAS	Codex Committee on Methods of Analysis and Sampling
CCMMP	Codex Committee on Milk and Milk Products
CCNASWP	FAO/WHO Coordinating Committee for North America and South-West Pacific
CCNE	FAO/WHO Coordinating Committee for Near East
CCNFSDU	Codex Committee on Nutrition and Foods for Special Dietary Uses
CCPR	Codex Committee on Pesticide Residues
CCPFV	Codex Committee on Processed Fruits and Vegetables
CCRVDF	Codex Committee on Residues of Veterinary Drugs in Foods
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CL	Circular Letter
COVID-19	Coronavirus disease 2019
CRD	Conference Room Document
CTF	Codex Trust Fund
CWBC	Committee working by correspondence

CXL	Codex maximum residue limit for pesticides
EPA	United States Environmental Protection Agency
EU	European Union
EWG	electronic working group
FAO	Food and Agriculture Organization of the United Nations
FC	Food Category
GEMS/Food	The Global Environment Monitoring System – Food Contamination Monitoring and Assessment Programme
GM	Genetically modified
GMP	Good Manufacturing Practice
GSFA	General Standard for Food Additives
GSLPF	General Standard for the Labelling of Pre-packaged Foods
IGO	international governmental organization
INS	International numbering system
JECFA	Joint FAO/WHO Expert Committee on Food Additives
JMPR	Joint FAO/WHO Meeting on Pesticide Residues
LOAEL	the lowest observed adverse effect level
ML	maximum level
MRL	maximum residue limit
NFCS	National Food Control Systems
NFPS	new food sources and production systems
NGO	non-governmental organization
NRVs	Nutrient Reference Values
OCS	Codex Online Commenting System
OIV	International Organisation of Vine and Wine
PM	Codex Procedural Manual
RCC	FAO/WHO Regional Coordinating Committee
SoP	Statements of Principle concerning the role of Science
SPS	Sanitary and Phytosanitary Measures
STEC	Shiga Toxin-Producing <i>Escherichia coli</i>

TFFJ	Task Force on Fruit and Vegetable Juice
UHT	Ultra-high temperature processing
UN	United Nations
WG	Working Group
WHA	World Health Assembly
WHO	World Health Organization

INTRODUCTION

1. The Codex Alimentarius Commission convened its forty-sixth session (CAC46) at the Headquarters of the Food and Agriculture Organization of the United Nations (FAO), Rome, Italy, from 27 November 2023 to 2 December 2023. Remote participation (via Zoom) was possible for listening and verbal interventions; however, all Members had been invited to plan to have at least one in-person delegate attend the session for possible in-person voting.
2. CAC46 was chaired by Mr Steve Wearne (United Kingdom), Chairperson of the Commission assisted by the Vice-Chairpersons Mr Allan Azegele (Kenya), Mr Raj Rajasekar (New Zealand), and Mr Diego Varela (Chile). The session was attended by delegates from 158 Member countries, one Member Organization, and Observers of nine international governmental (IGOs), 30 non-governmental organizations (NGOs) and one other United Nations (UN) agency, of which six Members and eight Observers attended the meeting virtually only. The list of participants is contained in Appendix I.

OPENING

Welcome addresses by FAO and WHO

3. The Director-General of FAO, Dr QU Dongyu¹ and the Director-General of the World Health Organization (WHO), Dr Tedros Adhanom Ghebreyesus² welcomed participants and addressed the Commission as part of a special opening ceremony to celebrate the 60th anniversary of the Codex Alimentarius Commission (Codex@60). The Directors-General recalled that since its foundation Codex had contributed to protecting consumer health and ensuring fair practices in the food trade, underlined the need to now look to what Codex could do in the future in the context of transformation of agrifood systems and expressed appreciation to all those that had contributed to the work of Codex over the past 60 years.

Division of competence³

4. CAC46 noted the division of competence between the European Union (EU) and its Member States in accordance with Rule II, paragraph 5, of the CAC Rules of Procedure.

ADOPTION OF THE AGENDA (Agenda item 1)⁴

5. CAC46 adopted the provisional agenda as its agenda for the Session and agreed to discuss a proposal for the development of a group standard for certain types of millets (India)⁵, under Agenda Item 14, Other Business.

REPORT BY THE CHAIRPERSON ON THE 84TH AND 85TH SESSIONS OF THE EXECUTIVE COMMITTEE (INCLUDING MATTERS REFERRED) (Agenda item 2)⁶

6. The Chairperson introduced this item noting that the recommendations from the critical review conducted by the 84th and 85th Sessions of the Executive Committee to the Codex Alimentarius Commission (CCEXEC84 and CCEXEC85) would be addressed in conjunction with Agenda Items 4 and 6, and that the recommendations of CCEXEC85 relating to Codex Budgetary and Financial Matters, and Matters from FAO and WHO, would be referred to during discussions of the dedicated agenda items 10 and 11, respectively. CAC46 noted the information provided and made the following comments.

Blueprint on the future of Codex

7. The Chairperson recalled that what had begun as a blueprint for the future of Codex had branched into two separate pathways, with one section of the document now being considered in the context of the Codex Strategic Plan 2026-2031, while the other key element on the Model for Future Codex Work had been the subject of this discussion. Members shared a range of views as follows.
 - a. The Model for Future Codex work remained a living document which could continue to capture experiences and developments in the area of working modalities and meeting formats, and the benefits of virtual and hybrid meeting formats in terms of increased transparency, participation and inclusivity in Codex work.

¹ FAO - Speeches detail: 46th Session of the Codex Alimentarius Commission Opening Statement By Dr QU Dongyu, FAO Director-General

² <https://www.fao.org/webcast/home/en/item/6385/icode/> from 17:42

³ Division of Competence between the European Union and its Member States (CRD01)

⁴ CX/CAC 23/46/1 Rev. 1; CRD09 (Benin, India, Kenya); CRD43 (Mauritius); CRD46 (Liberia); CRD48 (Burundi)

⁵ CRD09 (India); CRD33 (India)

⁶ REP23/EXEC1; REP23/EXEC2; CRD02 (FAO); CRD04 (Panama); CRD06 (CCLAC Regional Coordinator, Member of the Executive Committee elected on a geographic basis by CCLAC and Costa Rica as its advisor); CRD10 (Benin, Kenya); CRD36 (United States of America); CRD43 (Mauritius); CRD46 (Liberia); CRD48 (Burundi)

- b. There was a need to codify procedural guidance related to these different meeting modalities (in person, virtual, in person with virtual participation).
 - c. The Codex Secretariat should present to CCEXEC86 data and information on participation, working practices and costs linked to the various meeting formats.
 - d. CCEXEC86 should update the Model for Future Codex work (CX/EXEC 23/85/3, Appendix II) in light of receipt of the afore-mentioned data and information from the Codex Secretariat and comments in reply to former Circular Letter (CL) 2023/82/OCS-EXEC, and discuss the opportunity of developing guidelines and criteria on the use of digital tools.
 - e. Timely availability of documents supported effective participation in Codex meetings.
8. The Chairperson noted that the above comments and proposals were generally in line with CCEXEC85 conclusions. One Observer underlined the importance of virtual tools to support participation in Codex work.

Codex Strategic Plan 2026-2031

9. Members appreciated the process to develop the Codex Strategic Plan 2026-2031 so far and looked forward to the consultations foreseen on goals and outcomes' formulation. Several Members highlighted that Codex should focus on its statutory purpose. Other Members highlighted the opportunity of the strategic plan development to articulate how Codex could contribute to the transformation of agrifood systems. One Observer stressed the need to address coherence with policies of WHO, a One Health approach, biodiversity, environmental protection, and more transparency on composition of delegations.

Regional standards, with particular reference to challenges with application of the criteria for new work

10. Members expressed their views including:
- a. their expectation that the practical guidance on new work proposals would be developed by the Codex Secretariat;
 - b. the value of the working documents presented by the Codex Secretariat to CCEXEC84 and CCEXEC85 on this topic which were applicable to all regions;
 - c. the importance of well researched discussion papers and project documents which provided a clear rationale for any new work;
 - d. the ongoing interest to develop regional standards; and
 - e. the need for hands-on support in developing new work proposals, which might also include support from FAO and WHO.

Proposal for the investigation and development of recycling guidance on food safety considerations related to recycled materials in food packaging in the Codex Alimentarius⁷

11. Members supported the CCEXEC85 recommendation to request the Codex Secretariat to issue a Circular Letter (CL) prepared by the United States of America to Codex Members and Observers to gauge whether there was interest, value or need for new work which might lead to Codex guidance on food safety considerations related to the use of recycled materials in food packaging, and to consider next steps based on the response of Members and Observers to the CL.
12. Several Members emphasized that, should CAC decide to issue the proposed CL, it would constitute a preliminary step, and aspects such as risk assessment and which Codex committee should undertake this work would then need to be discussed. One Member underlined that this matter was a good example of how Codex could tackle sustainability issues without compromising its purpose.
13. Members suggested the following additional issues that could be included in the proposed CL, such as:
- a. the need to develop a general food safety standard on food packaging beyond use of recycled materials;
 - b. including outer packaging materials and not just materials in direct contact with food; and
 - c. information on Members' regulations on recycled materials for packaging.
14. The FAO Representative noted that a substantial amount of scientific data was available on this issue and that a risk assessment could be undertaken, should this be requested.
15. The Codex Secretariat clarified that decisions on the relevant Codex committee to undertake any new work would be taken by CAC, upon recommendation from CCEXEC.

⁷ CRD36 (United States of America)

Conclusion

16. CAC46 noted the discussions of CCEXEC84 and CCEXEC85 and endorsed the conclusions and recommendations contained in the respective reports. In particular, CAC46:
 - i. encouraged international non-governmental organisations with Observer status to be proactive and to provide information on their membership in other organizations with Observer Status with Codex in line with the Procedural Manual (PM); and
 - ii. requested the Secretariat to issue a CL to Codex Members and Observers to gauge whether there was interest, value or need for new work which might lead to Codex guidance on food safety considerations related to the use of recycled materials on food packaging, noting that this would be a preliminary step.

AMENDMENTS TO THE PROCEDURAL MANUAL (Agenda Item 3)⁸

17. The Codex Secretariat introduced the item, noting the proposed amendments to the PM from the 33rd Session of the Codex Committee on General Principles (CCGP33), which included moving the section on Membership from the PM to the Codex website, and editorial changes in Section 2, 3 and 7. A further amendment concerning food labelling in the PM to formalize the submission of labelling provisions for non-retail containers to the Codex Committee on Food Labelling (CCFL) was proposed for endorsement.
18. In reply to a proposal on the use of the term "Codex Secretariat" in place of "Joint FAO/WHO Codex Secretariat" in the PM after its first use, the Codex Secretariat explained that the issue had been discussed at CCGP33, noting that CCGP33 had agreed to refer to the "Joint FAO/WHO Codex Secretariat" throughout the PM, for ease of reference when accessing different parts of the document.
19. A Coordinator recalled the discussions held at CCGP33 regarding the translation of the PM in other languages, highlighting the impacts inaccurate translations could have on the use and understanding of a text and requested the Codex Secretariat to ensure linguistic consistency across all languages of the PM.
20. The Codex Secretariat noted the language issue, highlighted its commitment to continuously improve and ensure consistency of terminology in Codex texts, and welcomed feedback from Members on this issue.
21. In response to a request for clarification on adding a section on the Codex Trust Fund (CTF) in the PM and possible rules regulating its funding, the Representatives of FAO and WHO clarified that the CTF was not governed by the provisions contained in the PM, but rather the administrative and funding rules of WHO, stressing, at the same time, that the CTF was entirely funded by governments.

Conclusion

22. CAC46 approved:
 - i. the move of the first part of Section 6 (Membership), entitled "Membership of the Codex Alimentarius Commission" from the PM to the Codex website with a link to the list provided in the PM;
 - ii. the editorial changes to Section 2 (Elaboration of Codex standards and related texts), Section 3 (Guidelines for subsidiary bodies), and Section 7 (Relations with other organizations) of the PM as listed in Annex I of CX/CAC 23/46/2; and
 - iii. the amendment to formalize the submission of labelling provisions for non-retail containers to CCFL for endorsement.
23. CAC46 highlighted the importance of ensuring linguistic consistency in future editions of the PM.

WORK OF CODEX COMMITTEES (ADOPTION, NEW WORK APPROVAL, REVOCATION, DISCONTINUATION AND AMENDMENTS TO CODEX TEXTS PROPOSED BY THE COMMITTEE) (Agenda item 4)⁹

24. CAC46 considered the standards setting work of each Codex committee under the following categories: Final adoption and Adoption of editorial amendments; Adoption at Step 5; Approval of new work; Revocation; Discontinuation; and other issues, in each case taking into account the recommendations of CCEXEC84 and CCEXEC85 as relevant.

FAO/WHO COORDINATING COMMITTEE FOR ASIA (CCASIA) (Agenda item 4.1)¹⁰

Final adoption

⁸ CX/CAC 23/46/2; CRD04 (Panama); CRD11 (Argentina, Benin, Ghana, India, Kenya, Mali and Senegal); CRD38 (Indonesia); CRD42 (Nigeria); CRD43 (Mauritius); CRD46 (Liberia); CRD48 (Burundi)

⁹ REP23/EXEC1; REP23/EXEC2

¹⁰ CX/CAC 23/46/3 & Add.1; CRD12 (India, Kenya, Philippines, Suriname); CRD38 (Indonesia); CRD43 (Mauritius)

25. CAC46 adopted at Steps 5/8 the Regional Standards for:
- i. Soybean Products Fermented with *Bacillus* species (Asia); and
 - ii. Cooked Rice Wrapped in Plant Leaves (Asia), noting that the food additive provisions would be those as revised and endorsed by the 53rd Session of the Codex Committee on Food Additives (CCFA53).

Adoption at Step 5

26. CAC46 adopted at Step 5 the Regional Standard for Quick Frozen Dumpling (Asia).

Adoption of amendments

27. The Codex Secretariat informed CAC46 that the *Regional Standard for Laver Products (Asia)* (CXS 323R-2017) had been inadvertently omitted from CX/CAC 23/46/3.
28. CAC46 adopted the amendment of the provisions for labelling of non-retail containers in the *Regional Standards for Fermented Soybean Paste (Asia)* (CXS 298R-2009), *Laver Products (Asia)* (CXS 323R-2017), and *Edible Sago Flour (Asia)* (CXS 301R-2011), and the *Standards for Gochujang* (CXS 294-2009) and *Chilli Sauce* (CXS 306-2011) to align with the *General Standard for the Labelling of Non-retail Containers of Foods* (CXS 346- 2021).

Conversion of two regional standards to international standards

29. CAC46 recalled that CAC43 had adopted the revised *Regional Standard for Gochujang* (CXS 294R-2009) and *Regional Standard for Chilli Sauce* (CXS 306R-2011) as international standards (i.e. CXS 294-2009 and CXS 306-2011) and that the food labelling provisions in these two international standards had been endorsed. CAC46 noted that the amended provisions for labelling of non-retail containers in the two regional standards would be transferred to the international standards, and the two international standards could be published with the food additive provisions also adopted at this session (Agenda item 4.7).

FAO/WHO COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN (CCLAC) (Agenda item 4.2)¹¹

Adoption

30. CAC46 adopted the:
- i. amendment to the provisions for labelling of non-retail containers in the *Regional Standards for Culantro Coyote* (Latin America and the Caribbean) (CXS 304R-2011), *Lucuma* (Latin America and the Caribbean) (CXS 305R-2011), and *Yakon* (Latin America and the Caribbean) (CXS 324R-2017); and
 - ii. food additive provisions in the *Regional Standards for Culantro Coyote* (Latin America and the Caribbean) (CXS 304R-2011) and *Lucuma* (Latin America and the Caribbean) (CXS 305R-2011), noting that the proposed food additive provisions ("No food additives are permitted in foods conforming to this standard") had been endorsed by CCFA53.

CODEX COMMITTEE ON FOOD HYGIENE (CCFH) (Agenda item 4.3)¹²

Final adoption

31. CAC46 adopted at Steps 5/8 the:
- i. Guidelines for the Control of Shiga Toxin-Producing *Escherichia coli* (STEC) in Raw Beef, Fresh Leafy Vegetables, Raw Milk and Raw Milk Cheeses, and Sprouts (General Section, Annex I on raw beef, and Annex III on raw milk and raw milk cheeses); and
 - ii. Guidelines for the Safe Use and Reuse of Water in Food Production and Processing (General Section and Annex I on Fresh Produce), with a correction to Figure 1 of the General Section of the guidelines, to reintroduce a decision option which was missing due to a transcription error, namely the insertion of a "YES" response option to the question "are microbiological hazards absent in re-use water or present at acceptable levels" with an arrow pointing to the "fit-for purpose" box.

Approval

32. CAC46 approved the:

¹¹ CX/CAC 23/46/4 & Add.1; CRD04 (Panama); CRD13 (Kenya, Suriname)

¹² CX/CAC 23/46/5 & Add.1; CRD04 (Panama); CRD14 (Argentina, Benin, Ghana, India, Kenya, Mali, Philippines, Rwanda, Senegal, Singapore, South Africa, Suriname); CRD35 (El Salvador); CRD38 (Indonesia); CRD42 (Nigeria); CRD43 (Mauritius); CRD46 (Liberia); CRD48 (Burundi); CRD58 (Russian Federation)

- i. new work proposal on the development of guidelines for food hygiene control measures in traditional markets for food, and agreed to request CCFH to carefully consider the relationship between the *General Principles of Food Hygiene* (CXC 1-1969), the regional texts on street vended foods, and this proposed guideline; and
 - ii. revision of the *Guidelines on the Application of the General Principles of Food Hygiene to the Control of Pathogenic Vibrio Species in Seafood* (CXG 73-2010).
33. One Member emphasised the need for careful consideration of the existing regional texts on street vended food and the proposed guidelines for food hygiene control measures in traditional markets for food to ensure consistency and avoid duplication between these texts.

FAO/WHO COORDINATING COMMITTEE FOR NORTH AMERICA AND THE SOUTH-WEST PACIFIC (CCNASWP) (Agenda item 4.4)¹³

Adoption

34. CAC46 adopted the:
- i. Regional Standard for Fermented Noni Fruit Juice (North America and South-West Pacific) at Step 8, noting that the methods of analysis would be removed and replaced by a general reference to CXS 234-1999; and
 - ii. amendment to the labelling provisions for non-retail containers in the *Regional Standard for Kava Products for Use as a Beverage When Mixed with Water* (North America and the South West Pacific) (CXS 336R-2020).
35. A Member from outside the NASWP region raised a concern regarding the lack of a safety evaluation of scopoletin, a natural toxicant known to occur in noni juice. The Chairperson recalled that this concern had also been considered by CCEXEC84, which had noted that noni juice itself had a history of safe use in the NASWP region, and that scopoletin remained on the Joint FAO/WHO Expert Committee on Food Additives (JECFA) priority list for evaluation. The Chairperson further recalled that the adoption of regional standards was determined by the Members belonging to the region proposing the standard, but should there be a future request to convert the regional standard to a worldwide standard, it would be the decision of all Members.

CODEX COMMITTEE ON RESIDUES OF VETERINARY DRUGS IN FOODS (CCRVDF) (Agenda item 4.5)¹⁴

Final adoption

36. CAC46 adopted at Steps 5/8 the:
- i. maximum residue limits (MRLs) for ivermectin (sheep, pigs, and goats – fat, kidney, liver, and muscle);
 - ii. MRLs for nicarbazin (chicken); and
 - iii. MRLs extrapolated to ruminants and finfish i.e.:

All other ruminants

- a. Amoxicillin (muscle, fat, liver, kidney, milk)
- b. Benzylpenicillin (muscle, liver, kidney, milk)
- c. Tetracyclines (muscle, liver, kidney, milk)
- d. Cyhalothrin (muscle, fat, liver, kidney, milk)
- e. Cypermethrin (muscle, fat, liver, kidney)
- f. Deltamethrin (muscle, fat, liver, kidney)
- g. Moxidectin (muscle, fat, liver, kidney)
- h. Spectinomycin (muscle, fat, liver, kidney, milk)
- i. Levamisole (muscle, fat, liver, kidney)
- j. Tilmicosin (muscle, fat, liver, kidney)

All other finfish

- a. Deltamethrin (muscle)
- b. Flumequine (muscle)

37. CAC46 noted reservations to the adoption of the MRLs as described below.
38. The European Union expressed its reservation on the:

¹³ CX/CAC 23/46/6 & Add.1; CRD15 (Kenya, Suriname)

¹⁴ CX/CAC 23/46/7 & Add.1; CRD04 (Panama), CRD16 (Argentina, Benin, Ghana, India, Kenya, Mali, Philippines, Senegal, Suriname, HealthforAnimals), CRD34 (Ecuador), CRD35 (El Salvador), CRD38 (Indonesia), CRD41 (European Union), CRD42 (Nigeria), CRD46 (Liberia), CRD48 (Burundi), CRD53 (Mauritius), CRD58 (Russian Federation)

- MRLs for ivermectin in kidney and liver of sheep and goats and for all tissues of pigs as the MRLs were lower than the corresponding EU MRLs;
 - MRL for nicarbazin in kidney of chicken as the MRL was higher than the corresponding EU MRL; and
 - MRLs for tetracyclines in ruminant muscle, liver, and kidney; deltamethrin in ruminant muscle, fat, liver, and kidney; spectinomycin in ruminant muscle, fat, and liver; and tilmicosin in ruminant muscle and fat. These MRLs were higher than the corresponding EU MRLs and might represent a safety concern as the Acceptable Daily Intake (ADI) would be exceeded if assessed with the Theoretical Maximum Daily Intake (TDMI) approach used by the European Union.
39. Georgia, North Macedonia, Norway, Switzerland, Tunisia, Türkiye, and the United Kingdom also expressed reservations on the aforesaid MRLs for the reasons explained by the European Union in paragraph 38.
40. Colombia expressed its reservation on the MRLs for ivermectin in pigs and nicarbazin in chicken as they were higher than the corresponding national MRLs.
41. The Russian Federation expressed its reservation on the MRLs for ivermectin and nicarbazin for the reasons explained in CRD58.
42. The Syrian Arab Republic expressed its reservation on the MRL for tetracyclines.
43. CAC46 further noted the support for the adoption of the MRLs by several Members from the FAO/WHO Coordinating Committee for Africa (CCAFRICA) region, as most of these compounds were extensively used for therapeutic purposes, noting, e.g. the challenges in the region related to the high prevalence of tick resistance against other ectoparasiticides. These Members indicated that the adoption of these MRLs by Codex would provide a reference for national harmonization to ensure consumers' health protection and trade facilitation.

Approval of new work

44. CAC46 approved the Priority List of veterinary drugs for evaluation or re-evaluation by JECFA (Parts I and V).

Revocation of MRLs

45. CAC46 revoked MRLs for nicarbazin (chicken) in view of the adoption of the new MRLs (see paragraph 36).

Discontinuation of work

46. CAC46 discontinued work on the previous MRLs for ivermectin (sheep, pigs, and goats – fat, kidney, liver, and muscle) in view of the adoption of the new MRLs (see paragraph 36).

Other issues

47. CAC46 acknowledged the successful application by CCRVDF of the extrapolation procedure, which while of benefit to all Members, is of particular benefit to low- and middle-income countries (LMICs). The procedure is in line with the *Risk Analysis Principles applied by CCRVDF* and an example of forward thinking in risk management practice. This work complemented rather than replaced the need to have sound and scientifically based MRLs in the first place, to which the extrapolation procedure might then be applied.

CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES (CCNFSDU) (Agenda item 4.6)¹⁵

Final adoption

48. CAC46 adopted at Steps 5/8 and 8 the revised *Standard for Follow-up Formula* (CXS 156-1987) (renamed as the Standard for Follow-up Formula for Older Infants and Product for Young Children), noting that the list of food additives would be replaced by the texts recommended by CCFA53 (see agenda item 4.7).
49. CAC46 also noted the reservations of Costa Rica, the European Union, Norway, Panama, Switzerland, and the United States of America for the reasons as detailed below.

Discussion

50. There was unanimous support for the final adoption of the revised Standard at Steps 5/8 and 8. However, several delegations, while supporting the final adoption, expressed their reservations as follows:
- a. The United States of America to the second sentence of the preamble, as it was unnecessary and might confuse readers of the standard; and to provisions in Section B of the revised standard with

¹⁵ CX/CAC 23/46/8 & Add.1; CRD04 (Panama); CRD17 (Benin, Ghana, India, Kenya, Mali, Philippines, Senegal, South Africa, Suriname); CRD35 (El Salvador); CRD42 (Nigeria); CRD48 (Burundi); CRD53 (Mauritius); CRD58 (Russian Federation)

respect to carbohydrate sources in non-milk-based products, because they did not treat milk-based and non-milk-based products equally, and because the provisions lacked scientific support and objective methods.

- b. The European Union, Norway and Switzerland to the maximum level of Vitamin A in Section B of the Standard as the current level was too high and would lead to the upper tolerable intake levels being exceeded. The European Union further informed the Commission that the Vitamin A maximum level in Section A of the Standard was higher than the regulated level in the European Union.
 - c. Panama expressed the view that the preamble was not necessary, but in the spirit of compromise could accept its inclusion in the Standard. However, Panama expressed a reservation to paragraph 2 as, in their view, its inclusion was contrary to the consensus that had been reached at CCFNSDU, and it was not in line with international trade requirements.
 - d. Costa Rica to paragraphs 2 and 3 of the preamble as their inclusion could lead to ambiguity in the scope and application of the standard, which should be consistent with national health and nutrition policies.
51. With regard to the preamble, a Member noted that paragraphs 2 and 3 were important to contextualise the standard, indicating that its development had considered guidelines and policies of the WHO and World Health Assembly (WHA) resolutions and that these paragraphs guided the application of the Standard, i.e. that it should be applied in a manner that was consistent with national health and nutrition policies, taking into account the recommendations outlined in the International Code of Marketing of Breast Milk Substitutes.
52. One Observer noted that they had not been in favour of the standard, as in their view, it encouraged and grew a market of unnecessary products that were not in line with WHO guidelines and policies and World Health Assembly (WHA) resolutions. However, with the growing market in these commodities, a standard was needed to address composition of the product, labelling and their marketing.

Adoption of amendments

53. CAC46 adopted the amendments to the:
- i. *Standard for Canned Baby Foods* (CXS 73-1981); and
 - ii. *Advisory list of nutrient compounds for use in foods for special dietary uses intended for infants and young children* (CXG 10-1979).
54. One Observer commented that CXS 73-1981 was a very old standard and not fit for purpose, and that the amendment would give the impression that the standard was up to date, whereas in their view, it should have been revoked. The Chairperson clarified that the review of all current standards falling under the purview of CCFNSDU, including the *Standard for Canned Baby Foods*, was on the agenda for CCFNSDU44 and that a document would be prepared by the Secretariat to this effect.

Adoption at Step 5

55. CAC46 adopted at Step 5 the General Principles for Establishing Nutrient Reference Values for Persons Aged 6 – 36 Months.

CODEX COMMITTEE ON FOOD ADDITIVES (CCFA) (Agenda item 4.7)¹⁶

Final adoption

56. CAC46 adopted the inclusion of the provision for trisodium citrate (INS 331(iii)) in Food Category (FC) 01.1.1 “fluid milk (plain)” in the *General Standard for Food Additives* (GSFA, CXS 192-1995) at Step 8, noting the reservations of Burkina Faso, Burundi, Cameroon, Chad, Cuba, Ethiopia, Gambia, Kenya, Mauritania, Morocco, Nigeria, Russian Federation, Senegal, Seychelles, South Africa, Sudan, Syrian Arab Republic, United Republic of Tanzania, Uganda, Zambia, and Zimbabwe for the reasons explained under paragraph 57.

Discussion

57. In light of the above decision, the following general views were noted:
- a. Members reiterated their concerns expressed at CCFA53 regarding this provision and highlighted that the justification presented for its use in sterilized and ultra-high temperature processing (UHT) milk was insufficient and had a potential to mislead consumers regarding the true nature of the product,

¹⁶ CX/CAC 23/46/9 & Add.1; CRD04 (Panama); CRD18 (Argentina, Benin, Ghana, India, Kenya, Mali, Morocco, Philippines, Senegal, South Africa, Suriname); CRD35 (El Salvador); CRD38 (Indonesia); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD49 (United Republic of Tanzania); CRD50 (Uganda); CRD53 (Mauritius); CRD58 (Russian Federation)

potentially compromising its quality. These Members emphasized that sterilization and UHT treatment had been carried out effectively for many years without the necessity of using stabilizers and that permitting the use of this food additive would contradict the definition of “plain fluid milk”.

- b. A Member, while expressing its support for the adoption of this provision, clarified that the use of trisodium citrate (INS 331(iii)) in FC 01.1.1 was related to specific environmental conditions; however, it would not be permitted for use in sterilized and UHT milk within its territory.
 - c. A Member supporting adoption pointed out that:
 - the provision for trisodium citrate (INS 331(iii)) in FC 01.1.1 had been thoroughly discussed by CCFA following the principles on the use of food additives in the GSFA;
 - according to the Note associated with this provision, this food additive would be used only to compensate for natural low citrate content resulting from specific environmental conditions; and
 - the proposed maximum use level of the food additive under the proposed conditions was considered safe.
 - d. Responding to a question regarding safety concerns related to the use of trisodium citrate (INS 331(iii)), the JECFA Secretariat confirmed that there were no safety concerns associated with its proposed use.
 - e. A Member commented on the potential adoption of the provision relating to trisodium citrate (INS 331(iii)), despite reservations from a number of Members from one region. The Chairperson observed that it was not unusual for Codex to adopt a provision with reservations from the majority of Members from one region.
58. CAC46 adopted the inclusion of the provisions for food additives in FC 14.2.3 “Grape wines” in the GSFA at Steps 5/8 and 8, noting the reservation of the United Republic of Tanzania due to the inclusion of the International Organisation of Vine and Wine (OIV) in the Note associated with these provisions, and noting that the Note represented an exceptional approach that should not be considered as a precedent in any other circumstances as it was specific to the unique situation involving use of these additives in grape wine.

Discussion

59. In light of the above decision, the following views were noted:
- a. Members expressed their support for the adoption of these provisions, acknowledging the extensive and comprehensive discussions that had taken place at CCFA on these additives. They emphasized the exceptional nature of the Note accompanying these provisions, which referenced the OIV, recalling that this had been highlighted in the reports of both CCFA53 and CCEXEC84. One Member drew the attention of CAC to the difference in membership between Codex and OIV, highlighting that only approximately a quarter of Codex Members were also members of OIV.
 - b. OIV, referring to the discussions at CCFA53, clarified that a reference to OIV had already been mentioned in the descriptor of the relevant FC in the GSFA and that the Note represented a compromise position, serving as an exceptional solution aimed at addressing divergent perspectives within a complex situation. It was emphasized that this did not imply that all Codex Members should be consistent with the maximum use levels established by OIV.
 - c. Another Observer supported OIV’s view, noting that while the Good Manufacturing Practice (GMP) level for these provisions had been established as a general rule, the provisions were allowing certain Members to specify numerical limits in line with OIV guidelines. This approach would help prevent trade barriers and facilitate the international trade of wines.
60. CAC46 adopted the:
- i. revision to the descriptors to FCs 12.2.1 and 12.2.2 in the GSFA;
 - ii. inclusion of the provisions for riboflavin, synthetic (INS 101(i)), riboflavin 5'-phosphate sodium (INS 101(ii)), riboflavin from *Bacillus subtilis* (INS 101(iii)), riboflavin from *Ashbya gossypii* (INS 101(iv)) and spirulina extract (INS 134) in Table 3 in the GSFA at Steps 5/8;
 - iii. revision of the *Class Names and the International Numbering System for Food Additives* (CXG 36-1989) at Steps 5/8;
 - iv. specifications for the *Identity and Purity of Food Additives for inclusion in the List of Codex Specifications for Food Additives* (CXA 6-2021) at Steps 5/8, noting the specifications for

Phospholipase A2 from *Streptomyces violaceoruber* expressed in *S. violaceoruber* should be changed from revised specifications (R) to new specifications (N); and

- v. food additive provisions of the GSFA and revisions to adopted provisions at Steps 8 and 5/8.

Discussion

- Regarding the revised provisions for carotenoids (REP23/FA Paragraphs 117(i) and Appendix VI, Part E.1), one Member highlighted the importance of the new call for data by JECFA on carotenoids that was in preparation and that this call would ensure that JECFA's update of the exposure assessment relied on the actual uses of these food additives, and that this information should enable CCFA to review as soon as possible the GSFA provisions on carotenoids.

61. CAC46 adopted the:

- i. inclusion of mono- and diglycerides of fatty acids (INS 471) in FC 02.1.2 in the GSFA at Steps 5/8;
- ii. inclusion of the provisions for polyglycerol esters of fatty acids (INS 475), sorbitan esters of fatty acids (INS 491-495), and stearyl lactylates (INS 481(i), 482(i)) in FC 02.1.2 in the GSFA at Step 8;
- iii. revisions to Notes 488 and 502 in the GSFA;
- iv. deletion of Note 301 from the provision for BENZOATES in FC 14.1.4 in the GSFA;
- v. inclusion of riboflavin from *Ashbya gossypii* (INS 101(iv)) in the group header RIBOFLAVINS in Tables 1 and 2 of the GSFA;
- vi. revised food additive provisions of the GSFA in relation to the alignment of seven standards under the Codex Committee on Milk and Milk Products (CCMMP), three standards under the Codex Committee on Processed Fruits and Vegetables (CCPFV), six standards under the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU), one standard under CCAFRICA, one standard under the FAO/WHO Coordinating Committee for Europe (CCEURO), and one set of guidelines under CCNFSDU;
- vii. revisions to the adopted provisions for sweeteners in different FCs in the GSFA; and
- viii. revised food additive sections of seven standards for CCMMP, three standards for CCPFV, six standards for CCNFSDU, and one set of guidelines for CCNFSDU.

Approval of new work

62. CAC46 approved the:

- i. proposals for new food additive provisions of the GSFA; and
- ii. Priority List of substances proposed for evaluation by JECFA.

Revocation

63. CAC46 revoked certain food additive provisions of the GSFA.

Discontinuation

64. CAC46 discontinued work on certain draft and proposed draft food additive provisions of the GSFA.

Other matters

65. The Chairperson noted the remarkable productivity and the substantial volume of texts presented for adoption, acknowledging the exceptional efforts of CCFA and China as the host country in effectively managing the agenda and creating a harmonious atmosphere for committee delegates.
66. CAC46 noted the statement contained in the CCFA53 report, emphasizing the importance of robust and globally applicable use data being provided to JECFA in response to a call for exposure data. Such data were necessary to ensure that JECFA's assessment could be appropriately applied to the risk management decisions of CCFA when setting maximum use levels for food additive provisions in the GSFA.
67. CAC46 encouraged stakeholders to provide JECFA with precise and reliable data and information relating to food additives and their uses.

CODEX COMMITTEE ON CONTAMINANTS IN FOODS (CCCF) (Agenda item 4.8)¹⁷Final adoption

68. CAC46 adopted at Step 8 the:
- i. Code of Practice for Prevention and Reduction of Mycotoxin Contamination in Cassava and cassava-based products; and
 - ii. Maximum Level (ML) for lead in ready-to-eat meals for infants and young children.
69. CAC46 adopted at Steps 5/8 the:
- i. ML for lead in soft brown, raw and non-centrifugal sugars; and
 - ii. ML for total aflatoxins in dried chilli and nutmeg, and ML for ochratoxin A in dried chilli, paprika, and nutmeg. The MLs could be reviewed in 3 years' time if sufficient data were submitted through the Global Environment Monitoring System – Food Contamination Monitoring and Assessment Programme (GEMS/Food).
70. CAC46 noted the reservations as described below in relation to the adoption of MLs for total aflatoxins and ochratoxin A for the selected spices.
71. The European Union, Norway and Switzerland expressed their reservations on the ML of 20 µg/kg for total aflatoxins in dried chilli and nutmeg since aflatoxins were genotoxic carcinogens and thus a public health issue, and therefore levels should be set as low as reasonably achievable. They indicated that through the application of good practices, lower levels were achievable.
72. Egypt expressed its reservation on the ML for total aflatoxins in dried chilli and nutmeg, and the ML for ochratoxin A in dried chilli and nutmeg since these mycotoxins were genotoxic carcinogens and thus a public health issue, and consumption of chilli pepper and nutmeg was high in Egypt. Consequently, levels should be set as low as reasonably achievable as proposed in CRD19.

Discussion

73. A Member, while supporting the adoption of the MLs for total aflatoxins and ochratoxin A in the selected spices, referred to the decision of adopting MLs on the understanding that they would be reviewed within three years' time subject to availability of data and enquired how this decision would be carried out in practice by CCCF. The Member referred to the various MLs for aflatoxins in cereals and cereal-based products adopted on this premise by CAC45 (2022).
74. An Observer stressed the need to follow-up on the MLs adopted for spices in three years' time and to consider the establishment of MLs for other spices and herbs for which there was currently no international reference. The Observer further noted that increasing variability in climate could affect fungal growth on these products which were globally traded and whose consumption could thereby pose a food safety risk.
75. CAC46 noted:
- a. the intention of the CCCF Chairperson to issue a letter that set out an approach for the potential review of MLs for total aflatoxins in various cereal products as agreed by CAC45, subject to the availability of data; and
 - b. that this approach would provide flexibility to consider proposals for additional MLs for which no Codex references were yet available.

Discontinuation

76. CAC46 discontinued work on the MLs for total aflatoxin in paprika, ginger, black and white pepper, and turmeric and MLs for ochratoxin A in ginger, black and white pepper, and turmeric.

Approval of new work

77. CAC46 approved new work on a Code of Practice/Guidelines for the prevention or reduction of ciguatera poisoning.

¹⁷ CX/CAC 23/46/10 & Add.1; CRD04 (Panama); CRD19 (Benin, Egypt, Ghana, India, Kenya, Mali, Philippines, Senegal, South Africa, Suriname); CRD34 (Ecuador); CRD38 (Indonesia); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD50 (Uganda); CRD53 (Mauritius); CRD58 (Russian Federation)

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS (CCFICS) (Agenda item 4.9)¹⁸

Final Adoption

78. CAC46 adopted at Steps 5/8 the:
- i. Guidelines on Recognition and Maintenance of Equivalence of National Food Control Systems (NFCS), noting that any further comments should be made in the context of the ongoing work on consolidating the Codex guidelines relating to equivalence; and
 - ii. Principles and Guidelines on the Use of Remote Audit and Inspection in Regulatory Frameworks, noting that any proposed amendments or revision should be submitted to the next session of CCFICS for consideration.
79. CAC46 applauded the pace and responsiveness CCFICS had demonstrated regarding the work on the Principles and Guidelines on the use of remote audit and inspection in regulatory frameworks.
80. CAC46 requested CCFICS to prioritize completion of the work on consolidation of the Codex guidelines related to equivalence.

Discussion

81. A Member repeated the call it had made at CAC45¹⁹, that inter-governmental bodies provide technical support to countries to raise awareness and build capacity in technologies related to remote audit and verification for small local producers who had technological challenges. To avoid any potential negative impact to trade and damage to small producers in terms of fair trade, the Member also requested that CCFICS ensured clarity on the requirements for determining equivalence and clarified the terms for recognition and maintenance of equivalence.
82. Members highlighted the importance of CCFICS prioritizing the completion of the work on consolidation of the existing Codex texts on equivalence.
83. Members also shared the following experiences:
- a. Remote auditing and inspection had been successfully applied during the COVID-19 pandemic and had assisted in the protection of consumers and facilitation of trade.
 - b. Codex Standards had been used in the development of a smart phone application which was used to provide advice to food business operators and inspectors in different locations in one country.
84. The CCFICS Chairperson informed the Commission that it had taken close to 10 years to develop the Guidelines on recognition and maintenance of equivalence of National Food Control Systems (NFCS), and that CCFICS had an ongoing mandate to consolidate the Codex texts on equivalence under which the technical issues raised at CAC46 could be submitted for consideration.
85. The needs of small producers had been considered while preparing the guidelines on remote audit and inspection and as these had been elaborated for the very first time, there would be an opportunity to revise them as need be to take into account experiences gained during their implementation.
86. The FAO Representative reminded Members that FAO was ready to assist Members in their efforts to implement Codex standards. However, such capacity development activities required a specific expression of need from Members to FAO. The Representative underlined that FAO would only be able to provide capacity development assistance when requested and agreed by the Member.

Approval of new work

87. CAC46 approved new work on Reviewing and updating of the *Principles for Traceability/Product Tracing as a Tool within a Food Inspection and Certification System* (CXG 60-2006).

CODEX COMMITTEE ON FOOD LABELLING (CCFL) (Agenda item 4.10)²⁰

Adoption at Step 5

¹⁸ CX/CAC 23/46/11; CX/CAC 23/46/11 Add.1; CRD04 (Panama); CRD20 (Argentina, Benin, Ghana, India, Kenya, Mali, Senegal, South Africa and Suriname); CRD37 (Egypt); CRD38 (Indonesia); CRD39 (Madagascar); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD53 (Mauritius); CRD57 (Guyana).

¹⁹ REP22/CAC paragraph 176

²⁰ CX/CAC 23/46/12 & Add.1; CRD04 (Panama); CRD21 (Argentina, Benin, Ghana, India, Kenya, Mali, Philippines, Senegal, South Africa, Suriname); CRD35 (El Salvador); CRD38 (Indonesia); CRD39 (Madagascar); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD53 (Mauritius); CRD57 (Guyana)

88. CAC46 adopted at Step 5 the:
- i. revision to the *General Standard for the Labelling of Pre-packaged Foods* (CXS 1-1985) (GSLPF): Provisions relevant to allergen labelling;
 - ii. Guidelines on the Provision of Food Information for Pre-packaged Foods to be offered via e-Commerce; and
 - iii. Guidelines on the Use of Technology to Provide Food Information.
89. CAC46 noted the views of two Observers that the revision to the GLSPF: provisions related to allergen labelling, and the Guidelines on the use of technology to provide food information in food labelling, respectively, were not ready for adoption at Step 5 for reasons spelled out in their written comments (CX/CAC 23/46/12 Add.1).
90. The Chairperson reminded Members and Observers that the texts were still under discussion and that comments could be submitted at Step 6 for further consideration by CCFL at its next session.

Approval of new work

91. CAC46 approved new work on amendment to the *General Standard for the Labelling of Pre-packaged Foods* (CXS 1-1985): Labelling of pre-packaged foods in joint presentation and multipack formats.

CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING (CCMAS) (Agenda item 4.11)²¹

Final adoption

92. CAC46 adopted at Steps 5/8 and 8 the:
- i. proposed methods of analysis/performance criteria for provisions in Codex standards for inclusion in CXS 234–1999, and the sampling plans for total aflatoxins in certain cereals and cereal-based products including foods for infants and young children for inclusion in CXS 193-1995 (CXS 234-1999, CXS 193-1995), noting that as a consequence, the section on methods of analysis and sampling in Codex commodity standards for fats and oils; cereals, pulses and legumes; and processed fruits and vegetables would be amended by replacing the current methods with the reference to CXS 234-1999 as per the PM.
 - ii. Revised *General Guidelines on Sampling* (CXG 50-2004).

Revocation

93. CAC46 revoked the:
- i. Methods of analysis for provisions in relevant Codex standards and CXS 234–1999; and
 - ii. *General Methods of Analysis for Contaminants* (CXS 228-2001).

Other issues

94. The CCMAS Chairperson expressed his appreciation to delegates for supporting CCMAS work and recalled the decision to develop a database for methods of analysis and sampling as a means of making the outputs of the committee more accessible. The CCMAS Chairperson asked for additional support from Members and the Codex Secretariat so that the development of the database for methods of analysis and sampling could start.

CODEX COMMITTEE ON PESTICIDE RESIDUES (CCPR) (Agenda item 4.12)²²

Adoption

MRLs for pesticides

95. CAC46 adopted new/revised MRLs for different combinations of pesticides/commodities in/on foods and animal feeds at Steps 5/8 and noted reservations from:
- Egypt and the United Arab Emirates, on the MRLs for Broflanilide (326) due to the lack of available toxicological data on this pesticide at national level. Another Member further noted that according to the United States Environmental Protection Agency (EPA) evaluation report 2022, this compound was likely to be carcinogenic in humans.

²¹ CX/CAC 23/46/13 & Add.1; CRD04 (Panama); CRD22 (Benin, Ghana, Kenya, Mali, Philippines, Senegal); CRD38 (Indonesia); CRD46 (Liberia); CRD48 (Burundi); CRD53 (Mauritius); CRD58 (Russian Federation)

²² CX/CAC 23/46/14 & Add.1; CRD04 (Panama); CRD23 (Benin, Egypt, European Union, Ghana, India, Kenya, Mali, Senegal, Singapore, South Africa); CRD34 (Ecuador); CRD35 (El Salvador); CRD38 (Indonesia); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD53 (Mauritius); CRD56 (National Health Federation); CRD58 (Russian Federation)

- the European Union, North Macedonia, Norway, and Switzerland, on the MRLs for different combinations of pesticides/commodities as listed in, and for the reasons explained in CRD23.
96. The WHO Representative explained that Broflanilide (326) was evaluated by the Joint FAO/WHO Meeting on Pesticides Residues (JMPR) using the standard procedure and on the basis of data available to JMPR. Tumours were observed at the lowest observed adverse effect level (LOAEL) of 95 mg/kg bw per day in rats. An ADI was set at 0.02 mg/kg bw per day. This allowed for a margin of safety of at least 4750. JMPR concluded that this ADI was adequately protective.
97. CAC46 adopted the consequential amendments to the existing MRLs (CXLs) for peppers groups/subgroups to cover okra, martynia and roselle.
- Classification of Foods and Animal Feeds (CXA 4-1989)
98. CAC46 adopted at Steps 5/8 the revision to the *Classification of Foods and Animal Feeds*: Revised Class B – Primary commodities of animal origin and Class E – Processed foods of animal origin, which completed the revision of the Classification.

Discussion

99. The European Union, supported by Switzerland, expressed its concern on the inclusion of endangered species in the *Classification of Foods and Animal Feeds (CXA 4-1989)* which could lead to contradictions with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Agreement. The European Union and Switzerland expressed their reservation on the Foreword of the Classification, since it did not include a clarification indicating that the Classification was not meant to contradict international agreements in other areas, and that the presence, in the revised Classification, of species recognised as endangered by the CITES Agreement was not to be considered as an attempt to facilitate trade of commodities from such species.
100. A Member expressed its support for the revised Classification pointing out that nothing in the Codex voluntary standards and related texts altered or changed the treaty obligations that Members might have undertaken in other fora. As it would not be productive to start listing all those obligations in Codex texts, which might vary by Member, the best way to proceed was therefore to keep the Classification unchanged in line with the conclusion of CCPR54.
101. This view was shared by another Member which also recalled that the Codex statutory purpose was to protect consumer health and ensure fair practices in the food trade without excluding specific commodities or available risk management options. While recognizing the importance of biodiversity loss, matters related to endangered species should, in their view, not be considered by Codex as they were outside of its purpose.

Consequential amendments

102. CAC46 adopted the:
- i. Consequential amendments to the *Principles and Guidance on the Selection of Representative Commodities for the Extrapolation of MRLs for Pesticides to Commodity Groups (CXG 84-2012)*:
 - a. Tables of representative commodities for Class B and Class E.
 - b. Revised Subgroup 12C: Eggplant and eggplant-like commodities, Table 2.
 - ii. Consequential amendments to the *Classification of Foods and Animal Feeds (CXA 4-1989)*:
 - a. Revised definitions for the portion of the commodity to which MRLs apply and which is analysed for Group 006 – Assorted tropical and subtropical fruits of inedible peel, and Group 023 – Oilseeds and oilfruits.
 - b. Additional commodity groups in Class A – Primary food commodities of plant origin, and Class D – Processed foods of plant origin.

Approval of new work

103. CAC46 approved the:
- i. Priority List of pesticides for evaluation by JMPR; and
 - ii. Development of Guidance for monitoring the stability and purity of reference materials and related stock solutions of pesticides during prolonged storage.

Revocation

104. CAC46 revoked the:

- i. Guidelines on *Portion of Commodities to which MRLs Apply and which is Analysed* (CXG 41-1993) as the *Classification of Foods and Animal Feeds* (CXA 4-1989) should be the single, authoritative reference for the establishment of MRLs for pesticides in/on food and feed; and
- ii. CXLs for different combinations of pesticides/commodities.

Discontinuation

105. CAC46 discontinued work on MRLs for different combinations of pesticides/commodities as recommended by CCPR.

Other issuesCoordination of work between CCPR and CCRVDF

106. CAC46:

- i. noted the progress of work of the Joint CCPR/CCRVDF Electronic Working Group (EWG) on dual-use compounds;
- ii. commended the continuing excellent collaboration between CCRVDF and CCPR as stated by CCEXEC85²³; and
- iii. endorsed the revised terms of reference for the joint EWG, including the addition of Brazil and New Zealand as co-Chairs of the Joint EWG.

Timely availability of monographs

107. A Member organization raised a concern regarding the timely availability of monographs which were only published after the CCPR and CAC meetings. As a consequence, Codex Members did not have access to the complete information from the risk assessment performed by JMPR at the time decisions were taken. The Member organization called for improvements of this important aspect of risk communication.

108. The JMPR Secretariat clarified that the output from a JMPR meeting included:

- a summary report, which was published approximately two weeks after the JMPR meeting;
- a full report, which was made available in advance of the subsequent session of CCPR so that delegates were informed of important aspects of the evaluations; and
- two monograph publications (residues and toxicology) which included summaries of all data reviewed in the evaluation and were prepared for publication after completion of the full report.

109. The JMPR Secretariat further clarified that the report and monographs required technical editing and publication clearance by both FAO and WHO. As current publication clearance procedures in FAO and WHO took a substantial amount of time, editing and publication of the JMPR report was prioritized in order to inform CCPR in a timely manner.

110. Considering the above information, CAC46 encouraged FAO and WHO to explore ways to expedite the process of publishing monographs to ensure their timely availability.

Database for MRLs for pesticides

111. China, as host country of CCPR, expressed its appreciation for the support of the Codex Secretariat and the Chairs of CCPR working groups. The Vice-Chairperson of CCPR, also on behalf of the Chairperson of CCPR, stressed the importance of launching the project on the review of the Codex database to reflect the changes of the MRLs due to the revision of the *Classification of Foods and Animal Feeds* (CXA 4-1989) which was of utmost importance for Codex work on MRLs for pesticides.

Cumulative and synergistic effects of pesticides

112. An Observer questioned whether the risk assessment carried out by JMPR to derive MRL recommendations had considered the cumulative and synergistic effects of pesticides to determine the true food safety risk, and referred to CRD56 expressing concerns regarding certain pesticides.

113. The WHO Representative recognized the need for consideration of co-exposure to residues from multiple hazards and informed the Commission that the issue had been addressed by FAO/WHO scientific advice

²³ REP23/EXEC2, paragraph 23

bodies. However, current solutions were limited to situations where the chemicals under evaluation had similar characteristics and exposure scenarios. Thus, this was an area of science that needed further development.

FAO/WHO COORDINATING COMMITTEE FOR NEAR EAST (CCNE) (Agenda item 4.13)²⁴

Adoption at Step 5

114. CAC46 adopted at Step 5 the Regional Standard for Maamoul (Near East).

CODEX COMMITTEE ON GENERAL PRINCIPLES (CCGP) (Agenda item 4.14)²⁵

Approval

115. CAC46 approved the:

- i. review of the procedures in Section 3 of the PM, guidelines for subsidiary bodies, to be undertaken by host country secretariats; and
- ii. issuance of a CL soliciting proposals from Members on inconsistencies in language, and superseded content of the PM, apart from Section 3.

Other matters

116. CAC46 noted the confirmation of the existing procedures by the FAO/WHO Legal Offices, that a representative from an NGO could only represent its own organization in Codex Committees, including EWGs, Physical Working Groups (PWG) and when sending comments via the Codex Online Commenting System (OCS) and other means.

DRAFT MRLs FOR ZILPATEROL HYDROCHLORIDE IN CATTLE LIVER, KIDNEY AND MUSCLE (Agenda item 4.15)²⁶

Introduction

117. The Chairperson recalled the working methods for the discussion of the draft MRLs for zilpaterol hydrochloride, as set out in his letter of 17 November 2023 to Members and Observers,²⁷ and confirmed the shared understanding that all further discussion of these draft MRLs should be retained in the Commission.

JECFA risk assessment of human health risks associated with residues of zilpaterol hydrochloride

118. The Chairperson recalled the conclusion of CAC45 that “The JECFA risk assessment provided a robust basis for the elaboration for MRLs for zilpaterol hydrochloride in cattle, liver, kidney and muscle”, noting the reservations from three Members for reasons as set out in the report of that session. The Chairperson further recalled the informal regional consultations that he and the Vice-Chairpersons had held with around 90 Members earlier in 2023. Further outreach undertaken in October 2023 through the Coordinators seeking details of any concerns in relation to the risk assessment and the underlying science had yielded no further concerns. The Chairperson proposed that CAC46 reconfirm that the JECFA risk assessment continued to provide a robust basis for the elaboration of MRLs for zilpaterol hydrochloride in cattle liver, kidney and muscle.
119. While not disagreeing with the robustness of the JECFA risk assessment in relation to cattle liver, kidney and muscle, some concerns were raised with regard to the limited number of animal tissues considered in the risk assessment, as it did not reflect the range of animal tissues highly consumed in some countries, and hence the MRLs proposed would not be sufficient to protect consumers.
120. The Chairperson noted that work on other tissues could be proposed at CCRVDF for consideration as new work.
121. An Observer expressed its concerns with regard to the safety of residues of zilpaterol hydrochloride in food and the risk assessments that had been undertaken by JECFA, and was of the view that no risk assessment based upon realistic exposure scenarios had been conducted. Another Observer expressed concerns about

²⁴ CX/CAC 23/46/15 & Add.1; CRD24 (Kenya)

²⁵ CX/CAC 23/46/16 & Add.1; CRD04 (Panama); CRD25 (Benin, Ghana, India, Kenya, Mali, South Africa); CRD38 (Indonesia); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD53 (Mauritius); CRD58 (Russian Federation)

²⁶ CX/CAC 23/46/17 & Add.1; CRD03 (HealthforAnimals); CRD04 (Panama); CRD07 Rev. (Regional Coordinator of Latin America and the Caribbean with the support of Antigua and Barbuda, Argentina, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay and Venezuela (Bolivarian Republic of)); CRD26 (Benin, Egypt, Ghana, Kenya, Mali, Mexico, Senegal, South Africa, Suriname); CRD42 (Nigeria); CRD46 (Liberia); CRD48 (Burundi); CRD49 (United Republic of Tanzania); CRD50 (Uganda); CRD56 (National Health Federation); CRD58 (Russian Federation).

²⁷ The letter is available in [Arabic](#), [Chinese](#), [English](#), [French](#), [Russian](#), and [Spanish](#).

the safety of milk due to the use of zilpaterol, noting that the adoption of the MRLs would boost its trade, and that its use was not in line with the One Health approach.

Conclusion on the JECFA risk assessment of human health risks associated with residues of zilpaterol hydrochloride

122. CAC46 reconfirmed the decision of CAC45 that the JECFA risk assessment continued to provide a robust basis for the elaboration of MRLs for zilpaterol hydrochloride in cattle liver, kidney and muscle.

Risk management considerations

123. The Chairperson recalled the extensive discussion at CAC45 and the comprehensive report of expressed positions, which were reiterated again and reported on by the Chairperson and Vice-Chairpersons as the result of the informal consultations with around 90 Members of the Commission during July and August 2023.
124. Based on this, the Chairperson proposed advancement to Step 8, which led to two other proposals from two Members: i) use of a footnote in the standard as a means of finding a consensual way forward; and ii) advancement conditional on holding the standard at Step 8.

Use of a footnote in the standard

125. One Member expressed its ongoing desire for a negotiated outcome and a strong preference for the inclusion of a footnote in the standard, as it might allow Members to make a reservation or use the Statements of Principle Concerning the Role of Science in the Codex Decision-making Process and the extent to which Other Factors are taken into account (SoP) to abstain from acceptance. The Member recalled that there were many footnotes that had been adopted by CAC on a case-by-case basis to be applied at the discretion of the Members. Recalling the different types of footnotes used to date, the Member proposed the following text for consideration as inclusion as a footnote to the draft MRLs:

“Any trade in meat produced with zilpaterol hydrochloride should only be on the basis of mutual agreement between the countries concerned, and without prejudice to trade with other countries”.

126. Acknowledging the proposal, the Chairperson noted his first objective was to explore any proposed options to determine whether they might provide the basis for a consensus or a negotiated agreement. A Member reiterated its support for any solution that avoided the Commission needing to vote.
127. The Chairperson also noted observations he had received from the FAO and WHO Legal Offices regarding footnotes, generally advising against the use of notes or footnotes that would reflect the process of adoption of a standard, rather than the content of a standard or its application, noting that the proposed option would refer to the application of the standard.
128. Views among the Members on this proposal were mixed. Some Members noted the proposal with interest as a possible means to consensus. One Member suggested that the possible approach of a footnote might allow more Members to abstain from acceptance. Other Members indicated that they would need further time to consider such a proposal. Other Members were not supportive, indicating their preference for adoption without any footnote, as in their view such a footnote could de-value or lead to second class standards. A Member further recalled that trade between Members was based on mutual agreement of the parties, and that the PM recognized the voluntary nature of Codex standards which defeated the need for any footnote.

Conclusion on footnote

129. The Chairperson, while acknowledging the effort to achieve consensus, noted that there was no consensus on inclusion of a proposed footnote, and confirmed that this was not accepted as a way forward. The Chairperson therefore proceeded to discuss the second proposal.

Holding the draft MRLs at Step 8

130. One Member organization stated that it could only support advancement to Step 8 if it was thereafter possible to hold the draft MRLs at Step 8.
131. The Chairperson sought views on whether Members were willing to consider holding the draft MRLs at Step 8.
132. This proposal was also met with mixed views:
- a. Those supporting noted that it would allow more time to achieve consensus and reiterated their concerns regarding adoption of the draft MRLs.
 - b. Those not supporting considered that it was in conflict with the conclusion on the robustness of the JECFA risk assessment and the principle that Codex decisions should be based on science, and

reiterated their support for adoption of the draft MRLs. They further noted that holding at Step 8 meant the item would not be concluded at CAC46.

- c. Other Members were of the view that it was premature to consider holding at Step 8 when CAC had yet to advance the draft MRLs to Step 8 and that this would be pre-empting a decision by CAC.

Conclusion on holding the draft MRLs at Step 8

133. The Chairperson noted that there was no agreement on the proposal to hold the standard at Step 8 upon their advancement and therefore this option was not further considered by CAC46.

Advancement to Step 8

134. The Chairperson recalled that in the course of earlier discussions on this item, some Members had expressed their support to the advancement of the draft MRLs to Step 8 and some had expressed reservations: Iraq, Kazakhstan, and Saudi Arabia. The Chairperson asked whether there were any objections to advance the draft MRLs to Step 8. Some Members took the opportunity to express their reservations to this point: Algeria, Botswana, Iraq, the Islamic Republic of Iran, Qatar, Syrian Arab Republic, Thailand, and Tunisia, while the United Kingdom noted their intention to abstain from acceptance. In response to the question from the Chairperson, the following Members objected and stated their sustained opposition to advance the draft MRLs: Belarus, China, the European Union, Kyrgyzstan, North Macedonia, Norway, Russian Federation, Switzerland, Türkiye, and the United Arab Emirates.
135. Noting the range of views, the Chairperson concluded that there was no consensus on the issue of advancement. The Chairperson proposed, and CAC46 accepted, that the Commission should vote on the proposal of advancing the draft MRLs for zilpaterol hydrochloride in cattle liver, kidney and muscle to Step 8, a vote which would be determined by a simple majority.
136. The FAO Elections Officer recalled the framework for voting in Codex, which was regulated by Rule 8 of the Rules of Procedure of the Codex Alimentarius Commission and complemented by Rule 12 of the General Rules of FAO. The Elections Officer clarified that the default vote was a vote by show of hands, which would be conducted through the electronic voting system and would mean a vote without recording names and the report of the session would therefore not record the votes of each Member.
137. Before proceeding with the vote, it was noted that there were 161 Members registered and the electronic voting system confirmed that 144 Members were present meaning that a quorum (minimum 81) was established. Furthermore, the number of EU Member States present was established (26) as the European Union would vote on behalf of the EU Member States according to CRD01.

Result of the vote

138. The vote had the following result:

- Votes cast: 137
- Majority required: 69
- Votes in favour: 86
- Votes against: 51
- Abstaining: 11

139. Result: Proposal adopted.

Conclusion on Advancement to Step 8

140. The draft MRLs for zilpaterol hydrochloride for cattle muscle, liver and kidney were advanced to Step 8 (by vote), and the results of the vote are contained in Appendix VIII Part A.

Adoption at Step 8

141. Noting that CAC46 had agreed to advance the draft MRLs for zilpaterol hydrochloride in cattle liver, kidney and muscle to Step 8, the Chairperson proposed adoption of the draft MRL at Step 8, recalling the support for adoption in the previous rounds of discussion.
142. In response to the proposal from the Chairperson to adopt the draft MRLs at Step 8, the following Members objected and stated their sustained opposition: Belarus, China, European Union, Iraq, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, North Macedonia, Norway, Republic of Moldova, Russian Federation, Switzerland, Syrian Arab Republic, Thailand, Türkiye, United Arab Emirates and Uzbekistan.
143. The Chairperson concluded that there was no consensus on the issue of adoption. The Chairperson proposed, and CAC46 accepted, that the Commission should vote on whether to adopt the draft MRLs for zilpaterol

hydrochloride in cattle liver, kidney and muscle at Step 8, a vote which would be determined by a simple majority.

144. The United Kingdom noted their abstention from acceptance (Appendix IX).
145. Before proceeding with the vote, it was noted that there were 161 Members registered and the electronic voting system confirmed that 147 Members were present meaning that a quorum (minimum 81) was established. Furthermore, the number of EU Member States present was established (26) as the European Union would vote on behalf of the EU Member States according to CRD01.

Result of the vote

146. The vote had the following result:

- Votes cast: 137
- Majority required: 69
- Votes in favour: 88
- Votes against: 49
- Abstaining: 11

147. Result: Proposal adopted.

Conclusion

148. CAC46 adopted the MRLs for zilpaterol hydrochloride in cattle liver, kidney and muscle at Step 8 (by vote), and the results of the vote are contained in Appendix VIII Part B.
149. Following the conclusion of the item, the Chairperson invited Members to make final statements, which would be included in the report of CAC46.
150. The statements of Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Belarus, Belize, the Bolivarian Republic of Venezuela, Bosnia and Herzegovina, Botswana, Brazil, Cameroon, Chile, China, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, European Union, Georgia, Grenada, Guatemala, Guyana, Haiti, Honduras, Indonesia, the Islamic Republic of Iran, Jamaica, Jordan, Kazakstan, Kyrgyzstan, Malta, Mauritania, Mauritius, Mexico, Nicaragua, Norway, Oman, Panama, Paraguay, Peru, Qatar, Republic of Moldova, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, South Africa, Suriname, Switzerland, Thailand, Tunisia, Türkiye, Trinidad and Tobago, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, and Uzbekistan are included in Appendix IX.

EDITORIAL AMENDMENTS TO CODEX TEXTS PROPOSED BY THE CODEX SECRETARIAT (Agenda Item 5)²⁸

151. The Codex Secretariat, in introducing the item, noted that changes in layout were for information, and that the inclusion of a table at the beginning of a standard, guideline or code of practice aimed to provide a clear record to changes made for the purpose of transparency.
152. The Secretariat noted that the two corrections that had been made to the *Standard for Named Vegetable Oils* (CXS 210-1999) were transcription errors, and the correction ensured that the standards reflected the decision of CAC, hence changes had been made once identified.
153. The Codex Secretariat furthermore welcomed feedback on the proposed change to translate “Standards for” in French using “Norme sur” instead of “Norme pour”.

Discussion

154. A Member was of the view that the new table which showed amendments to texts could be included somewhere other than the front page and that the column title “printed text” was unclear, and it might be more appropriate to title it “amendment”.
155. An Observer expressed the view that the term “established history of apparent safe use” used in the *Standard for infant formula and formulas for special medical purposes intended for infants* (CXS 72-1981) and *Standard for follow-up formula* (CXS 156-1987) was nonsensical and should be removed. The Codex Secretariat noted that such a change was beyond editorial and a proposal to change or remove the term should be presented to CCNFSDU.

²⁸ CX/CAC 23/46/18; CRD04 (Panama); CRD27 (Kenya); CRD47 (Algeria); CRD48 (Burundi)

Conclusion

156. CAC46 noted the information provided and adopted the proposed editorial amendments to the French version of Codex texts.

OTHER MATTERS RELATED TO CODEX SUBSIDIARY BODIES (Agenda item 6)²⁹

Proposal for an amendment of the *General Standard for Fruit Juices and Nectars* (CXS 247-2005)

157. The Codex Secretariat introduced the item, providing the history of the issue within CCEXEC and CAC, and explained that CX/CAC 23/46/19 contained the information requested by CCEXEC83, namely the original proposal for amendment by Brazil, the responses to the CL requesting comments from Members and Observers on the proposed amendment, any further observations that Brazil wanted to make on the responses to the CL, and any procedural guidance that would be helpful to the Commission in deciding how to proceed.
158. The Codex Secretariat further recalled that the “Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts in the Codex Procedural Manual” in particular paragraph 32 applied, and that: “In cases where replies do not appear to offer an uncontroversial solution then the Commission should be informed accordingly, and it would be for the Commission to determine how best to proceed”.
159. Brazil presented the proposal for an amendment, which concerned the Brix level for *Vitis labrusca* and hybrids thereof, in the Annex of the standard and its justification. It was clarified that while originally it was proposed to stratify, in the table of the Annex, the minimum Brix levels for *Vitis vinifera* L. and *Vitis labrusca* (and hybrids thereof) to indicate different minimum Brix levels, 16 and 14, respectively, CRD51 proposed an explanatory note rather than a stratification stating that “It is recognized that in different countries, the Brix level may naturally differ from this value. In cases where the Brix level is consistently lower than this value, reconstituted juice of lower Brix from these countries introduced into international trade will be acceptable, provided it meets the authenticity methodology listed in the *General Standard for Fruit Juices and Nectars* and the level will not be below 14°Brix for grape juice from *Vitis labrusca* and hybrids thereof”. Such an approach was considered to better align with other food commodities in the table such as apple and pineapple.

Discussion

160. In response to questions on whether the procedures set out in the PM had been followed, the Codex Secretariat confirmed that the relevant procedures had been followed in a timely manner. The following views were expressed:
- a. The available science justified the proposed amendment.
 - b. The proposed modification would go beyond a simple amendment.
 - c. It would be preferable to review the whole standard.
 - d. As the issue was substantial and of a technical nature, there was a need for a forum to address the issue from a technical perspective prior to any decision by the Commission.
161. OIV expressed support for the amendment, noting that the standard setting work of the organization on this topic had been put on hold pending the decision on Codex standard in order to avoid inconsistencies between international standards.
162. Another Observer was of the view that the proposed amendment required thorough technical analyses and that consideration should be given to revise the *General Standard for Fruit Juices and Nectars* (CXS 247-2005) as the current one had been in place for almost 20 years. The Observer further noted that such work should be undertaken by a task force to ensure a comprehensive analysis of the standard and facilitate input from all stakeholders.
163. Considering the technical nature of the proposed amendment, the comments received, and the fact that CRD51 contained an alternative way for how to present the amendment, there was an overall agreement to continue technical discussions in an appropriate forum before returning to the Commission for a decision. However, views differed regarding what that forum for discussion should be.
164. Proposals included reestablishing the previous ad hoc Codex Intergovernmental Task Force on Fruit and Vegetable Juice (TFFJ) or establishing an EWG under CAC to consider the proposed amendment.
165. The Codex Secretariat recalled the established working mechanisms for technical discussions, namely committees or task forces, which might work with the support of EWGs (to prepare a proposal for consideration by the subsidiary body). The Codex Secretariat noted that this ensured that there was a technical forum for

²⁹ CX/CAC 23/46/19; CRD28 (India); CRD48 (Burundi); CRD51 (Brazil)

discussion which could then make recommendations to CAC, and distinguished the role of a technical committee from that of an EWG which focused on preparatory work to facilitate subsidiary body discussions.

166. One Member, drawing from the experience of the Codex Committees on Fish and Fishery Products (CCFFP):
- emphasized the difference between a committee working by correspondence (CWBC) and an EWG, highlighting that a CWBC could make decisions unlike an EWG which could only make recommendations to a committee;
 - noted that a CWBC would be able to use the same tool (online platform) as an EWG and that when the working mechanism was deployed by correspondence it was not overly burdensome compared to work in an EWG; and
 - noted that the scope of work should not be a determining factor in the establishment of a task force.
167. The Secretariat noted that establishing an EWG under the Commission meant that Members did not have at their disposal all means of making technical decisions for proposed adoption by the Commission.
168. A Member proposed that an informal mechanism, including the Chairperson and Vice-Chairpersons of CAC and Chairpersons of Codex subsidiary bodies, could take this work forward. The Chairperson highlighted that irrespective of the mechanism deployed, the importance of a fully inclusive discussion, so as to avoid raising technical issues for discussion at CAC, should be underlined.
169. Brazil suggested to the Commission that an EWG chaired by Brazil be established under CAC, and that Brazil would offer translation to English, French and Spanish. In response to a question from the Chairperson, Brazil was of the view that the establishment of TFFJ was not warranted given the narrow scope of the work and the desire for prompt action. The need for pragmatism and efficiency were highlighted, while noting that this was an exceptional approach rather than the norm.
170. OIV informed CAC of its intent to consult its Members and to provide data to the process. This proposal was welcomed.
171. While noting the information from the Codex Secretariat, as well as the exceptional circumstances faced, Members agreed that an EWG under CAC presented a way to progress the technical discussion, and highlighted the importance of the relevant technical experts engaging in the work of the EWG.

Conclusion

172. CAC46 agreed to establish an EWG under CAC, chaired by Brazil and working in English, French, and Spanish, with the following Terms of Reference:
- To consider the proposal to amend the *General Standard for Fruit Juices and Nectars* (CXS 247-2005) as set out in CRD51 regarding the Brix levels for *Vitis labrusca* and hybrids thereof, and submit a report to the Codex Secretariat for consideration by CCEXEC's critical review for further recommendations to the Commission.
 - To make its best endeavour to report back to the Codex Secretariat at least 3 months ahead of CAC47.

REPORTS FROM FAO/WHO COORDINATING COMMITTEES (Agenda Item 7)³⁰

173. Vice-Chairperson Raj Rajasekar chaired this agenda item. The six Coordinators presented reports from the last session of their respective FAO/WHO Coordinating Committee (RCC) meetings, highlighting issues for the attention of CAC other than standards setting work.

Report of the 24th Session of the FAO/WHO Coordinating Committee for Africa (Agenda Item 7.2)³¹

174. The Coordinator recalled the adoption of the *Guidelines for developing harmonized food safety legislation for the CCAFRICA region* (CXG 98-2022), noting their timeliness and importance for the effective implementation of the African Continental Free Trade Area (AfCFTA) as well as in contributing to meeting the objectives set out in the food safety strategy for Africa. The Coordinator stressed that Members in the CCAFRICA region would benefit from further support in the implementation of these guidelines within their national systems, through ongoing programmes of FAO/WHO and/or ad hoc donor support.
175. The Coordinator also highlighted the importance for the region of having guidance on the application of the criteria for the establishment of work priorities, including the preparation of discussion papers and project documents, and in particular hands-on practical support to assist Members in generating robust work proposals for the development of new regional standards.

³⁰ CX/CAC 23/46/20; CRD04 (Panama); CRD48 (Burundi); CRD50 (Uganda)

³¹ REP22/AFRICA

Report of the 22nd Session of the FAO/WHO Coordinating Committee for Asia (Agenda Item 7.3)³²

176. The Coordinator recalled that due to the COVID-19 pandemic, CCASIA22 was held virtually in October 2022, and thanked the Codex Secretariat for its support in organizing the meeting. CCASIA22 had noted the positive and negative aspects of the COVID-19 pandemic, highlighting the importance of maintaining the good hygienic practices implemented during the pandemic, and the usefulness of sharing good practices in this context within the region.
177. The Coordinator highlighted the positive discussions on the implementation of the Codex Strategic Plan 2020-2025 in the region. CCASIA22 had noted that novel foods were consumed and produced in many Asian countries and that regulating these foods was an emerging issue that needed to be addressed. The Coordinator concluded by recalling that three new work proposals, on traditional sweets, cooked rice and canned congee, would be discussed during CCASIA23.

Report of the 32nd Session of the FAO/WHO Coordinating Committee for Europe (Agenda Item 7.1)³³

178. The Coordinator highlighted that CCEURO32 had requested the Codex Secretariat to further explore the possibility of webcasting Codex meetings, including CCEXEC, and to bring this to the attention of the Commission. However, due to time constraints, CAC45 could not discuss this topic.
179. The Coordinator recalled the legal advice given to CCEXEC80 that sessions of CCEXEC should be held in private unless the Commission decided otherwise. The Coordinator noted that CCEXEC had in the past agreed to publish audio recordings of its sessions. In order to promote confidence in the integrity of meeting practices and the conduct of CCEXEC, and to allow potential future CCEXEC Members to learn about CCEXEC's ways of working, the Coordinator suggested that webcasting of CCEXEC could be started on a pilot basis in 2024.

Discussion

180. Some Members supported webcasting of CCEXEC as in their view it would improve transparency and provide an opportunity for delegates participating in CAC to better prepare for the meeting.
181. Other Members noted that to further consider the webcasting of CCEXEC, more information was needed, including on how similar committees operated in FAO. These Members recalled that CCEXEC Members represented the interests of the entire Commission, that CCEXEC discussions were captured in the meeting report, and that some aspects of their discussions, such as the critical review, were sensitive in nature and that webcasting might neither be necessary nor appropriate.
182. The Codex Secretariat recalled that CCEXEC was different from all other Codex committees, including the Commission, and had a well-defined and closed membership. The Codex Secretariat also referred to the preliminary advice received from the FAO Legal Office at CCEXEC80 noting that CAC would need to agree on webcasting of CCEXEC meetings.
183. The Codex Secretariat noted that, based on a request from CAC46, they could prepare a paper which would explore the issue, including the legal implications of webcasting CCEXEC.

Report of the 22nd Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (Agenda Item 7.4)³⁴

184. The Coordinator thanked the Members of the region for their active and effective participation which helped achieve consensus-based decisions on important matters for CCLAC.
185. The Coordinator mentioned a series of issues which were noted throughout regional meetings and surveys, which included, *inter alia*, a proposal to amend the *General Standard for Fruit Juices and Nectars* (CXS 247-2005), the SoP, and new food technologies. The Coordinator recalled the ongoing work on the development of a regional Codex standard for lulo de castilla (naranja), thanking the Chairpersons of the EWG, namely, Colombia and Mexico, for their work.

Report of the 16th Session of the FAO/WHO Coordinating Committee for North America and the South West Pacific (Agenda Item 7.5)³⁵

186. The Coordinator noted the importance for the region of the adoption of the *Regional Standard for Fermented Noni Fruit Juice* (North America and the South West Pacific), and of the MRLs for zilpaterol hydrochloride, which would contribute to monitoring and regulating the levels of such MRLs in food products imported to the region.

³² REP22/ASIA

³³ REP22/EURO

³⁴ REP23/LAC

³⁵ REP23/NASWP

187. The Coordinator recalled the ongoing regional activities, noting that as countries identified challenges and national priorities, they were engaging with the CTF to submit a proposal on improving Codex engagement in the region, and seeking regional collaboration and technical support on key related areas.

Report of the 11th Session of the FAO/WHO Coordinating Committee for the Near East (Agenda Item 7.6)³⁶

188. The Coordinator recalled the efforts of the Members of its region in contributing to the work of Codex and thanked the Codex Secretariat for their continuous support throughout the process. The Coordinator noted that Saudi Arabia, in their role as Coordinator, was committed to supporting the region in enhancing engagement in Codex work, recalling that this was also a goal of the Codex Strategic Plan 2020-2025, namely, Goal 4, which aimed to facilitate the participation of all Members in the various stages of standard setting.

189. The Coordinator highlighted that the CCNE11 keynote speech "Transformation of Food Systems for Sustainable Food for Better Health" provided an opportunity for a lively debate where Members exchanged experiences on this theme and started to work on a coordinated approach to achieve healthy diets and sustainable agrifood systems. The Coordinator stressed the importance of supporting the work of Codex in this area and encouraged all CCNE Members to actively participate in the relevant discussions.

Conclusion

190. CAC46:

- i. welcomed the reports from the six FAO/WHO Regional Coordinating Committees;
- ii. noted that the reports provided indicated that the RCCs were providing a forum for exchange on a broad range of issues as envisaged by the revitalization process of the last decade; and
- iii. noted the interest in webcasting of CCEXEC and requested the Codex Secretariat to further explore this issue considering the existing practices in other similar FAO bodies, and to present a paper at CAC47 (2024).

APPLICATION OF THE STATEMENTS OF PRINCIPLE CONCERNING THE ROLE OF SCIENCE IN THE CODEX DECISION-MAKING PROCESS AND THE EXTENT TO WHICH OTHER FACTORS ARE TAKEN INTO ACCOUNT (SoP) (Agenda item 8)³⁷

191. Vice-Chairperson Raj Rajasekar chaired this agenda item and introduced the item recalling the discussion and agreement at CAC45 regarding the work on the SoP and explained that the agenda item document had been developed based upon an analysis of comments received in response to the CL³⁸ on the draft guidance. So far, no comments had been received from Chairpersons of subsidiary bodies.

Discussion

192. The Vice-Chairperson noted there was a growing awareness of various provisions of the draft guidelines. Members welcomed the document and commended the work, including the thorough analysis undertaken by the Chairperson and Vice-Chairperson and the Codex Secretariat on this topic. The following overall comments were made:

- a. The draft guidance, while not finalized, was a serviceable and useful practical tool for the operationalization of the SoP that could be applied by Chairpersons of subsidiary bodies and Members.
- b. The draft guidance could help to promote consistent application across Codex committees and gaining experience with its application could inform future refinements.
- c. The flow chart included in the draft guidance was useful to guide discussions and assist Chairpersons of subsidiary bodies.
- d. The scope of the work was to develop practical guidance to operationalize the SoP and excluded reopening or changing the SoP in the PM.
- e. Further work on the draft guidance, while important, should await further experience on its application.
- f. A number of substantial issues still needed to be addressed.

³⁶ REP23/NE

³⁷ CX/CAC 23/46/21; CRD04 (Panama); CRD05 (Panama); CRD29 (Argentina, Benin, Mali, Singapore, South Africa); CRD38 (Indonesia); CRD45 (IUFOST); CRD46 (Liberia); CRD48 (Burundi); CRD50 (Uganda); CRD53 (Mauritius)

³⁸ CX/CAC 23/46/21 Add.1

- g. There were concerns regarding the inclusion of the option of using footnotes, which alluded to the manner in which the standard was adopted, noting that this might devalue the standard and create the perception of second-class standards.
 - h. The PM already contained all guidance for Members to either abstain from acceptance or express reservations without preventing adoption of standards.
 - i. Support for including the option of using footnotes in standards were expressed by other Members, who noted that footnotes were already on some occasions used in Codex standards and might be used as a tool for the Chairpersons to address the different views and advance Codex work, keeping in mind the advice of CCEXEC and CAC on the use of footnotes.
 - j. The text in square brackets could remain for now while experience was gained on the application of the draft guidance before it was revisited.
 - k. There was a need to provide further clarity on the terms “other legitimate factors”, “abstention from acceptance” and “reservation”.
 - l. There was a practical definition for abstention from acceptance in the draft guidance.
 - m. There was a possibility of including the practical guidance to operationalize the SoP, once finalized, in the Handbook for Chairpersons.
193. The Vice-Chairperson, while recognizing the diversity of views, noted that the draft guidance was considered useful in its current state to be shared with Members and Chairpersons of subsidiary bodies. It was further noted that additional experience needed to be gained on the application of the draft guidance to inform future discussions on this issue. One Member highlighted the need for clarity on the preliminary and voluntary nature of the guidance. The Vice-Chairperson confirmed that the use of the guidance remained voluntary. Another Member suggested that in order to gain additional experience on the application of the draft guidance, the Chairpersons of Codex subsidiary bodies should be informed of the draft guidance and make use of it as appropriate.

Conclusion

194. CAC46:

- i. noted the further comments in response to CL 2023/32/OCS-CAC on the draft guidance on the application of the Statements of Principle concerning the role of science in the Codex decision making process and the extent to which other factors are taken into account;
- ii. reiterated its previous conclusion that the draft guidance remained serviceable and available as practical guidance for Chairpersons of Codex Commission and its subsidiary bodies and for Members in situations when there is agreement on science but differing views on other factors/considerations;
- iii. noted the ongoing differences among Members on the outstanding issue regarding the use of footnotes in the context of operationalisation of the Statements of Principle;
- iv. noted the ongoing concern among Members about the lack of clarity around the meaning of ‘abstention from acceptance’ and ‘reservation’;
- v. confirmed that the scope of developing the draft guidance excluded revision of the SoP in the PM;
- vi. agreed on the need to gain more experience on application of the draft guidance; and
- vii. agreed to revisit the draft guidance in the light of experience gained.

NEW FOOD SOURCES AND PRODUCTION SYSTEMS (Item 9)³⁹

195. Vice-Chairperson Diego Varela chaired this agenda item and introduced the item noting that discussions on this topic had been initiated at CAC44, had been extensively considered by both CCEXEC and CAC45 since then, and that Members had also provided their written comments on two occasions. The FAO Representative highlighted some of the recent activities of the FAO Food Safety Foresight Programme relevant to discussion on new food sources and production systems (NFPS) including a recent expert meeting that addressed plant-based foodstuffs, precision fermentation, and 3-D printing⁴⁰. The WHO Representative highlighted work regarding NFPS in the context of healthy diets.

³⁹ CX/CAC 23/46/22; CRD02 (FAO); CRD04 (Panama); CRD30 (Argentina, Benin, India, Kenya, Mali, Singapore, South Africa, Suriname); CRD38 (Indonesia); CRD40 (Saudi Arabia); CRD44 (Malaysia); CRD45 (IUFoST); CRD54 (Good Food Institute)

⁴⁰ CRD02 (FAO)

196. The Vice-Chairperson focused the discussion on the question of how Codex as an international standard setting body could contribute to addressing the issues related to NFPS, and then on the possible mechanisms by which to undertake such work.

Discussion

Role of Codex

197. There was a general recognition of the importance and relevance of NFPS among Members and Observers and the key role that Codex could play in this area. The importance of scientific data and risk assessment as a basis for any work Codex might do in this area was highlighted with the valuable work FAO and WHO had done to date and could do in the future.
198. In terms of the types of work Codex might undertake, Members and Observers shared a range of ideas as follows:
- a. developing a definition of NFPS since the term was very broad and there was a need for Codex to define the areas in which it could add value;
 - b. focusing on cell-based meat and seafood and precision fermentation to promote consistent regulatory approaches and risk management measures to these new foods across countries and regions;
 - c. developing general principles on risk analysis of NFPS to support national authorities in the management of NFPS;
 - d. addressing food safety aspects of seaweed as there had been an increase in global trade and an absence of standards;
 - e. developing food hygiene guidelines and a code of practice on the production of new foods;
 - f. reviewing existing horizontal texts to identify gaps that might need to be addressed to ensure they would also be applicable to NFPS;
 - g. addressing novel risks introduced by NFPS;
 - h. considering halal requirements in any discussions regarding NFPS;
 - i. using an analysis of the national legislation, regulation and risk management measures to determine key work areas; and
 - j. identifying those products that had a history of consumption in some countries compared to those that did not to better define work areas and approaches.
199. A Member highlighted the challenges arising due to cell-based technology leading to alternative production methods of traditional products or derivatives thereof, noting that the concerns went beyond food safety and also related to food trade. Several Members were of the view that a horizontal approach to NFPS would be more appropriate. Some Members also noted the role of NFPS in the transition to sustainable agrifood systems and the related need for standards.
200. Several Members recalled that CCEXEC had requested the Codex Secretariat to develop guidance on new work proposals, which was planned for 2024, and considered that it would also be a useful future resource for Members planning to submit new work proposals in the area of NFPS.

Working mechanisms

201. Many Members were of the view that the existing working mechanisms in Codex were sufficient to address new work proposals in NFPS. The breadth of topics covered by Codex general subject committees as well as commodity committees provided a lot of flexibility, and the revision of TORs of these committees, or the establishment of an ad hoc intergovernmental task force, were not necessary at this time, but remained options if needed.
202. There were a few Members that considered a new mechanism, such as a task force that focused on the unique food safety aspects of NFPS, including, but not limited to, media used in cultured food, would be valuable and would fill an existing gap. Others considered that in the absence of concrete work proposals, it was premature to consider such a mechanism. A Member urged pragmatism and flexibility in terms of the approach and encouraged CAC46 to make full use of the range of working modalities Codex had available to it.
203. A concern was expressed regarding prioritization of work on NFPS, particularly within existing subsidiary bodies.
204. Whatever mechanism was used, ensuring inclusivity as well as ongoing efforts to gather accurate and up to date information about this dynamic and changing field was considered paramount.

205. A Member expressed the need to accelerate the work on NFPS in Codex.

Conclusion

206. CAC46:

- i. highlighted the importance of addressing challenges posed by NFPS and the important role Codex could play in this;
- ii. noted that the current working mechanisms were adequate to address any new work on NFPS that Members might propose;
- iii. noted the range of issues expressed by Members and Observers and encouraged Members to submit discussion papers or new work proposals, either to active Codex committees or to the Executive Committee through the Codex Secretariat; and
- iv. thanked FAO and WHO for their continuing work relevant to this issue.

CODEX BUDGETARY AND FINANCIAL MATTERS (Agenda Item 10)⁴¹

Introduction

207. Vice-Chairperson Allan Azegele chaired this agenda item. The Codex Secretariat presented the document which contained a report on expenditure for the calendar year 2022, provided an estimate of expenditure for 2023, and contained a budget proposal for 2024-25.
208. During 2022-23, the Codex Secretariat had an increase in interpretation and translation costs due to inflation and holding meetings with both in-person and virtual dimensions and/or with an increased number of meeting days. Staff costs were also higher in 2022-2023 compared to the budget. This generated a deficit that was covered by a special allotment by FAO in 2023.
209. The Codex Secretariat noted that the proposed budget for the 2024-2025 biennium was in line with the set objectives of the Codex Strategic Plan 2020-2025. The Codex Secretariat would continue to try to identify efficiency savings, noting that a deficit was still expected in the next biennium.
210. The extra-budgetary contributions of Japan, the Republic of Korea, and Singapore were appreciated. The Codex Secretariat noted that it was seeking extra-budgetary contributions to support work under Goal 3 of the Strategic Plan on recognition and use of Codex texts. The Codex Secretariat noted that additional resources would be required to support the ongoing project to increase accessibility to all Codex texts in the six official languages, which were estimated at about United States Dollars (USD) 1.5 Million over a period of 5 years. Also, to continue and expand work on monitoring the use and impact of Codex texts, extra-budgetary resources would be required.

Discussion

211. Members welcomed the document, commended the discussion in CCEXEC85 on financial matters, and:
- a. requested a more detailed breakdown of the cost types by programme and activity to allow for more informed decision-making on areas of prioritization and redistribution of Codex resources;
 - b. expressed concerns regarding the budgetary situation and highlighted the need to focus on core activities, and prioritize allocation of resources accordingly;
 - c. noted the importance of comprehensive, transparent, and more regular financial reporting;
 - d. cautioned Members on expanding Codex' work in the context of strategic planning, given the budget constraints;
 - e. appreciated the ring-fenced nature of the Codex budget in FAO's and WHO's respective budgets;
 - f. expressed support for the work of the Codex Secretariat; and
 - g. noted their willingness to work with FAO and WHO to ensure Codex was adequately resourced.
212. One Member, while thanking FAO for supporting Codex work through an additional exceptional allocation in 2022-23, noted the lack of discipline in implementing the approved budget. The Member suggested that CAC46 might therefore wish to reflect on the need for an assessment of the Codex Secretariat to be presented at CAC47.
213. The Codex Secretariat:
- a. noted the request for additional information;

⁴¹ CX/CAC 23/46/23

- b. noted that in managing its budget, the Codex Secretariat was abiding by FAO financial rules and reported accordingly on its expenditures through FAO reporting channels;
- c. clarified that the budget proposal 2024-2025 only considered the regular programme of work of the Secretariat, as detailed in CX/CAC 23/46/23 and remained unchanged from previous years; and
- d. that extra-budgetary resources were sought for the project to increase accessibility to all Codex texts in the six official languages and to support work on the use and impact of Codex texts.

Conclusion

214. CAC46:

- i. endorsed the conclusions of CCEXEC83 and CCEXEC85 on Codex budgetary and financial matters;
- ii. thanked FAO and WHO for their ongoing recognition and support for the work of the CAC and the ring-fencing of its budget;
- iii. noted the progress report 2022-2023, and proposal 2024-2025, including the FAO special allocation to cover the budgetary shortfall for the current biennium;
- iv. noted the need for a continued flexible approach, the prioritization and redistribution of resources to support the delivery of the Codex work programme, and the need for sustainable funding for Codex to address current and anticipated shortfalls;
- v. urged Members to advocate with their government representatives to FAO and WHO for adequate funding for the Codex programme;
- vi. acknowledged the extra-budgetary contributions from Japan, Republic of Korea and Singapore to Codex;
- vii. noted the increasing difficulty of delivering the Codex work plan, thanked Members already contributing extra-budgetary resources to Codex, and encouraged Members to consider extra-budgetary funding of the ongoing project to increase accessibility to Codex texts in the six official languages and work on monitoring the use and impact of Codex texts; and
- viii. requested more detailed information, particularly regarding the breakdown of cost types by programme and activity, to better understand areas of expenditure, identify future needs and priorities, and requested that an interim report containing this information be presented exceptionally at CCEXEC86.

MATTERS ARISING FROM FAO AND WHO (Agenda Item 11)⁴²

215. Vice-Chairperson Allan Azegele chaired this agenda item. The Representatives of FAO and WHO introduced the item and summarized the issues included in the document.

Discussion

216. Members expressed their appreciation for the work of FAO and WHO and their contribution to the work of Codex. Members also made the following comments:

- a. the importance of sustainable funding for the scientific advisory programme in budget discussions at the relevant governance meetings of FAO and WHO;
- b. the contribution of Members and national experts to the scientific advisory programme;
- c. the importance of scientific advice as a basis for Codex texts and to avoid unnecessary barriers in food trade;
- d. the importance of the information disseminated through the GM Foods Platform, in particular for LMICs, and the potential need to enlarge its mandate;
- e. the need for UN Organizations carrying out risk assessment work to coordinate and avoid duplication in their work; the importance of the work performed by FAO with regards to food safety considerations of environmental inhibitors;
- f. international organizations should not conduct duplicative reviews of food use chemicals that are within the purview of the joint FAO/WHO expert bodies;
- g. the importance of the work performed by FAO with regards to food safety considerations of environmental inhibitors;

⁴² CX/CAC 23/46/24; CRD02 (FAO), CRD08 (Regional Coordinator of Latin America and the Caribbean); CRD31 (Benin); CRD52 (FAO)

- h. the need to assist Members in the implementation of food control systems assessments using the FAO/WHO Food Control Systems assessment tool as robust, evidenced-based and participatory approach, laying foundations for strengthening Members capacities in food safety and official food control programmes;
- i. the importance of the work on healthy diets, nutrition and food security, including through the food safety element of the Quadripartite One Health Joint Plan of Action;
- j. encouraged FAO and WHO to work on a joint implementation plan of their respective food safety strategies;
- k. the need for continued efforts to broaden representation in risk assessment bodies;
- l. the need to better highlight the important work of the CTF in the CAC agenda;
- m. the possibility for the CTF to consider strengthening regional projects; and
- n. the importance of FAO and WHO country and regional offices to support Members in addressing food safety issues.

217. The FAO Representative welcomed and appreciated all the positive feedback received. The Representative noted the encouragement for Members to consider an extension of the mandate of the GM Foods Platform to consider the inclusion of gene-edited organisms and recognition of other capacity development work, underlining that the side events on the margins of the Commission would provide additional information on how the work of FAO supported use of Codex texts. The Representative highlighted the need for continued funding of the CTF and encouraged all Members interested in funding CTF activities to contact FAO and WHO, respectively. The Representative encouraged all Members that were interested in staying abreast of the publications relevant to Codex work from FAO and WHO, respectively, to contact their Codex Contact Points who would be informed about all the releases of relevant publications. Alternatively, publications were also available on the webpages of the FAO⁴³ and WHO⁴⁴.

218. The WHO Representative welcomed the encouraging comments from Members and their support for scientific advice through ensuring availability of scientific experts and provision of funding. The Representative emphasized the organization's objective to prevent unnecessary duplication of risk assessments, noted that FAO and WHO continued to give scientific guidance, improve risk communication, and engage with Members on data generation and the subsequent use of such data for risk assessment and standard setting. The Representative further encouraged Members to attend the CTF side event to learn more about the programme's successes and challenges.

219. A Coordinator referred to CRD08 highlighting the work carried out jointly with FAO and WHO, as well as with other international cooperation organizations, highlighting the importance of the use of virtual tools in the region to ensure broad access to the information.

Conclusion

220. CAC46:

- i. noted the information provided and thanked FAO and WHO for their continued support to Codex Alimentarius;
- ii. encouraged FAO and WHO to continue their fruitful collaboration when implementing the FAO Food Safety Priorities and WHO Global Strategy for Food Safety, including through the food safety element of the Quadripartite One Health Joint Plan of Action;
- iii. recognized the benefits to Codex Members of capacity building and awareness raising events delivered virtually, and supported their continuation as part of an appropriately blended approach that continues to build engagement; and
- iv. encouraged Codex Members to consider:
 - a. supporting the safeguarding of enhanced funding for the scientific advisory programmes in budget discussions at the relevant governance meetings of FAO and WHO; and
 - b. providing extra-budgetary resources to further enhance the capacity of the scientific advisory programmes.

⁴³ <https://www.fao.org/food-safety/en/>

⁴⁴ <https://www.who.int/teams/nutrition-and-food-safety/standards-and-scientific-advice-on-food-and-nutrition>

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS AND MEMBERS ELECTED ON A GEOGRAPHICAL BASIS AND APPOINTMENT OF COORDINATORS (Agenda Item 12)⁴⁵

Election of the Chairperson and Vice-Chairpersons of the Codex Alimentarius Commission

221. CAC46 elected by general consent the following persons to hold office from the end of its present Session to the end of the next regular Session of the Commission (CAC47):

Chairperson: Steve Wearne (United Kingdom)

Vice-Chairpersons: Allan Azegele (Kenya)
Raj Rajasekar (New Zealand)
Diego Varela (Chile)

Election of Members Elected of the Executive Committee on a Geographical Basis

222. CAC46 elected/re-elected by general consent the following Members of the Executive Committee on a geographic basis for the period from the end of its present Session to the end of the second succeeding regular Session of the Commission (CAC48):

Africa: Morocco (Kingdom of) (elected)

Asia: India (elected)

Europe: Finland (re-elected)

Latin America and the Caribbean: Costa Rica (elected)

Near East: Iran (Islamic Republic of) (re-elected)

North America: Canada (re-elected)

South-West Pacific: Vanuatu (re-elected)

Appointment of Coordinators

223. The Codex Secretariat informed CAC46 that two of the FAO/WHO Coordinating Committees (RCCs) had met since CAC45, namely, the FAO/WHO Coordinating Committee for North America and South-West Pacific (CCNASWP) and the FAO/WHO Coordinating Committee for the Near East (CCNE). The Codex Secretariat further informed CAC46 that CCNASWP and CCNE had nominated the current Coordinators, namely, Fiji and Saudi Arabia, respectively, for re-appointment.

Conclusion

224. In accordance with Rule IV.2 of the Commission's Rule of Procedure, and on the basis of the nominations made by the FAO/WHO Coordinating Committees, the following Members of the Commission were reappointed as Coordinators to hold office from the end of CAC46 until the end of the first regular session of the Commission following the next session of the relevant RCC (in accordance with current plans this would be until the end of CAC48 (2025)).

CCNASWP: Fiji (re-appointed)

CCNE: Saudi Arabia (re-appointed)

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX SUBSIDIARY BODIES (Agenda Item 13)⁴⁶

225. The Chairperson of the Commission expressed appreciation to the Member countries responsible for appointing Chairpersons of Codex subsidiary bodies recalling their relentless efforts to ensure Codex achieved its mandate.

Conclusion

226. CAC46 confirmed the designation of countries responsible for appointing the Chairpersons of Codex subsidiary bodies as in Appendix X.

ANY OTHER BUSINESS (Agenda item 14)⁴⁷

Proposal for the development of a group standard for certain types of millets

⁴⁵ CX/CAC 23/46/25; CRD32 (Argentina and Benin); CRD35 (El Salvador)

⁴⁶ CX/CAC 23/46/26

⁴⁷ CRD33 (India)

227. CAC46 addressed a proposal for the development of a group standard for certain types of millets presented by India, noting its timelines in the context of 2023 being the International Year of Millets. While noting the broad interest for the proposal, Members indicated that such a proposal should consider the relevant safety and quality issues and could be further considered in line with procedures and the relative priority determined in light of other work.

Conclusion

228. CAC46 welcomed the proposal from India to develop a group standard for certain types of millets to reflect the growing international trade in these products, and that the Codex Secretariat would further assess the proposal for completeness and issue a CL to solicit comments from Members and Observers before possibly bringing it to the attention of CCEXEC for critical review and thereafter consideration by CAC47 for approval as new work.

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APPENDIX II**LIST OF ADOPTED STANDARDS AND RELATED TEXTS**

Codex body	Standards and related texts	Reference	Job No.	Status
CCASIA	<i>Regional standard for Soybean Products Fermented with Bacillus species (Asia)</i>	REP23/ASIA, Paragraph 50(i), Appendix VI	N02-2020	5/8
	<i>Regional standard for Cooked Rice Wrapped in Plant Leaves (Asia)</i>	REP23/ASIA, Paragraph 83(i), Appendix VII	N04-2020	5/8
CCLAC	Food additive provisions in the <i>Regional Standards for Culantro Coyote (Latin America and the Caribbean) (CXS 304R-2011)</i> and <i>Lucuma (Latin America and the Caribbean) (CXS 305R-2011)</i>	REP23/LAC, Paragraph 39, Appendix III	-	Adopted
CCFH	<i>Guidelines for the Control of Shiga Toxin-Producing Escherichia coli (STEC) in Raw Beef, Fresh Leafy Vegetables, Raw Milk and Raw Milk Cheeses, and Sprouts (General Section, Annex I on raw beef and Annex III on raw milk and raw milk cheeses)</i>	REP23/FH, Paragraph 75, Appendix III	N02-2019	5/8
	<i>Guidelines for the Safe Use and Reuse of Water in Food Production and Processing (General Section and Annex I on Fresh Produce)</i>	REP23/FH, Paragraph 124, Appendix IV	N05-2020	5/8
CCNASWP	<i>Regional Standard for Fermented Noni Fruit Juice (North America and the South West Pacific)⁴⁸</i>	REP23/NASWP, Paragraph 73(i, ii), Appendix VII Part A	N01-2013	8
CCRVDF	Maximum residues limits (MRLs) for Ivermectin (sheep, pigs and goats – fat, kidney, liver and muscle)	REP23/RVDF, Paragraphs 24-27, Appendix II	-	5/8
	MRLs for Nicarbazin (chicken)	REP23/RVDF, Paragraph 31, Appendix II	-	5/8
	MRLs extrapolated to ruminants and finfish i.e.:			
	<u>All other ruminants</u>			
	<ul style="list-style-type: none"> ○ Amoxicillin (muscle, fat, liver, kidney, milk) ○ Benzylpenicillin (muscle, liver, kidney, milk) ○ Tetracyclines (muscle, liver, kidney, milk) ○ Cyhalothrin (muscle, fat, liver, kidney, milk) ○ Cypermethrin (muscle, fat, liver, kidney) ○ Deltamethrin (muscle, fat, liver, kidney) ○ Moxidectin (muscle, fat, liver, kidney) ○ Spectinomycin (muscle, fat, liver, kidney, milk) ○ Levamisole (muscle, fat, liver, kidney) ○ Tilmicosin (muscle, fat, liver, kidney) 	REP23/RVDF, Paragraphs 34-36 and 50(i), Appendix III	-	5/8
<u>All other finfish</u>				
	<ul style="list-style-type: none"> ○ Deltamethrin (muscle) ○ Flumequine (muscle) 			
	MRLs for zilpaterol hydrochloride in cattle liver, kidney and muscle	REP21/RVDF, Paragraph 87, Appendix II	-	8

⁴⁸ Section 10.1 Methods of Analysis would be removed and replaced by a general reference to the *Recommended Methods of Analysis and Sampling* (CXS 234-1999).

Codex body	Standards and related texts	Reference	Job No.	Status
CCNFSDU	Revised <i>Standard for Follow-up Formula</i> (CXS 156-1987) (renamed as the <i>Standard for Follow-up Formula for Older Infants and Product for Young Children</i>) ⁴⁹	REP23/NFSDU, Paragraph 50, Appendix II	N07-2013	5/8 and 8
	Inclusion of the provision for trisodium citrate (INS 331(iii)) in Food Category (FC) 01.1.1 “fluid milk (plain)” in the <i>General Standard for Food Additives</i> (GSFA, CXS 192-1995)	REP23/FA, Paragraph 171, Appendix VI, Part G	-	8
	Inclusion of the provisions for food additives in FC 14.2.3 “Grape wines” in the GSFA	REP23/FA, Paragraph 190(i), (ii) Appendix VI, Part H	-	5/8 and 8
	Revision to the descriptors to FCs 12.2.1 and 12.2.2 in the the GSFA	REP23/FA, Paragraph 97, Appendix VI, Part E.11	-	Adopted
	Inclusion of the provisions for riboflavin, synthetic (INS 101(i)), riboflavin 5'-phosphate sodium (INS 101(ii)), riboflavin from <i>Bacillus subtilis</i> (INS 101(iii)), riboflavin from <i>Ashbya gossypii</i> (INS 101(iv)) and spirulina extract (INS 134) in Table 3 in the GSFA	REP23/FA, Paragraph 29(iii), (iv), Appendix VI, Parts B.3 and B.4	-	5/8
	Revision of the <i>Class Names and the International Numbering System for Food Additives</i> (CXG 36-1989)	REP23/FA, Paragraph 130(i), Appendix X	-	5/8
	Specifications for the <i>Identity and Purity of Food Additives for inclusion in the List of Codex Specifications for Food Additives</i> (CXA 6-2021)	REP23/FA, Paragraph 33, Appendix III	-	5/8
CCFA	Food additive provisions of the GSFA and revisions to adopted provisions	REP23/FA, Paragraphs 117(i) and 97, Appendix VI, Parts D and E.1- E.11	-	5/8 and 8
	Inclusion of mono- and diglycerides of fatty acids (INS 471) in FC 02.1.2 in the GSFA	REP23/FA, Paragraph 11, Appendix VI, Part A.1	-	5/8
	Inclusion of the provisions for polyglycerol esters of fatty acids (INS 475), sorbitan esters of fatty acids (INS 491-495), and stearyl lactylates (INS 481(i), 482(i)) in FC 02.1.2 in the GSFA	REP23/FA, Paragraph 13(i), Appendix VI, Part A.2	-	8
	Revision to Notes 488 and 502 in the GSFA	REP23/FA, Paragraph 13(ii), Appendix VI, Part A.3	-	Adopted
	Deletion of Note 301 from the provision for BENZOATES in FC 14.1.4 in the GSFA	REP23/FA, Paragraph 29(i), Appendix VI, Part B.1	-	Adopted
	Inclusion of riboflavin from <i>Ashbya gossypii</i> (INS 101(iv)) in the group header RIBOFLAVINS in Tables 1 and 2 of the GSFA	REP23/FA, Paragraph 29(ii), Appendix VI, Part B.2	-	Adopted
	Revised food additive provisions of the GSFA in relation to the alignment of seven standards for CCMMP, three standards for CCPFV, six standards for CCNFSDU, one standard for CCAFRICA, one standard for CCEURO, and one set of guidelines for CCNFSDU	REP23/FA, Paragraph 67, Appendix VI, Part C	-	Adopted
	Revisions to the adopted provisions for sweeteners in different FCs in the GSFA	REP23/FA, Paragraph 108(i), Appendix VI, Part F	-	Adopted

⁴⁹ The list of food additives would be replaced by the texts recommended by CCFA53 and adopted by CAC46.

Codex body	Standards and related texts	Reference	Job No.	Status
	Revised food additive sections of seven standards for CCMMP, three standards for CCPFV, six standards for CCNFSDU, and one set of guidelines for CCNFSDU	REP23/FA, Paragraph 67, Appendix V	-	Adopted
CCCF	Code of Practice for Prevention and Reduction of Mycotoxin Contamination in Cassava and cassava-based products	REP23/CF, Paragraph 36, Appendix III	N05-2021	8
	Maximum level (ML) for lead in ready-to-eat meals for infants and young children	REP23/CF, Paragraph 28(ii), Appendix II	N05-2019	8
	ML for lead in soft brown, raw and non-centrifugal sugars	REP23/CF, Paragraph 28(i), Appendix II	N05-2019	5/8
	ML for total aflatoxins in dried chilli and nutmeg, and ML for ochratoxin A in dried chilli, paprika, and nutmeg	REP23/CF, Paragraph 69(i)(iv), Appendix V	N08-2019	5/8
CCFICS	<i>Guidelines on Recognition and Maintenance of Equivalence of National Food Control Systems (NFCS)</i>	REP23/FICS, Paragraph 44, Appendix II	N25-2017	5/8
	<i>Principles and Guidelines on the Use of Remote Audit and Inspection in Regulatory Frameworks</i>	REP23/FICS, Paragraph 104, Appendix III	N07-2022	5/8
CCMAS	The proposed methods of analysis/performance criteria for provisions in Codex standards for inclusion in CXS 234–1999	REP23/MAS, Paragraphs 57(i), 60, 63 and 65, Appendix II, Part 1	-	5/8 and 8
	Sampling plans for total aflatoxins in certain cereals and cereal-based products including foods for infants and young children for inclusion in CXS 193-1995	REP23/MAS Paragraph 31, Appendix II, Part 1	N20-2017	5/8
	Revised <i>General Guidelines on Sampling</i> (CXG 50-2004)	REP23/MAS, Paragraph 81(i), Appendix IV	-	8
CCPR	New/revised MRLs for different combinations of pesticides/commodities in/on foods and animal feeds	REP23/PR54, Paragraph 176(i)(a), Appendix II	-	5/8
	Revision to the <i>Classification of Foods and Animal Feeds</i> (CXA 4-1989): Revised Class B – Primary commodities of animal origin and Class E – Processed foods of animal origin, which completes the revision of the Classification	REP23/PR54, Paragraph 209(i)(a), Appendices VIII and IX	-	5/8

APPENDIX III**LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5**

Codex body	Standards and related texts	Reference	Job No.
CCASIA	Regional standard for Quick Frozen Dumpling (Asia)	REP23/ASIA, Paragraph 70(i), Appendix VIII	N03-2020
CCNSFDU	General Principles for the Establishing Nutrient Reference Values (NRVs-R) for Persons Aged 6 – 36 Months	REP23/NFSDU, Paragraph 72, Appendix III	N06-2008
CCFL	Revision to <i>the General Standard for the Labelling of Pre-packaged Foods</i> (CXS 1- 1985): Provisions relevant to allergen labelling	REP23/FL, Paragraph 53(i), Appendix II	N10-2019
	Guidelines on the Provision of Food Information for Pre-packaged Foods to be offered via E-Commerce	REP23/FL, Paragraph 101(i), Appendix III	N09-2019
	Guidelines on the Use of Technology to Provide Food Information	REP23/FL, Paragraph 135(i), Appendix IV	N07-2021
CCNE	Regional standard for Maamoul (Near East)	REP23/NE11, Paragraph 58, Appendix II	N06-2020

APPENDIX IV**LIST OF REVOKED STANDARDS AND RELATED TEXTS**

Codex body	Standards and related texts	Reference
CCRVDF	MRLs for nicarbazin (chicken) ⁵⁰	REP23/RVDF, Paragraphs 27, 31 Appendix II
CCFA	Certain Food additive provisions of the GSFA	REP23/FA, Paragraphs 29(iv), 108(ii), 116 and 117(ii), Appendix VII
CCMAS	Methods of analysis for provisions in relevant Codex standards and CXS 234–1999	REP23/MAS, Paragraphs 57(ii), 60, 63 and 65, Appendix II, Part 2
	<i>General Methods of Analysis for Contaminants (CXS 228- 2001)</i>	REP23/MAS, Paragraph 57(ii)
CCPR	<i>Guidelines on Portion of Commodities to which MRLs Apply and which is Analyzed (CXG 41-1993)</i> ⁵¹	REP23/PR54, Paragraph 209(ii)
	CXLs for different combinations of pesticide/commodities	REP23/PR54, Paragraph 176(i)(b), Appendix III

⁵⁰ Revoked in view of the adoption of the new MRLs.

⁵¹ The *Classification of Foods and Animal Feeds (CXA 4-1989)* should be the single, authoritative reference for the establishment of MRLs for pesticides in/on food and feed.

APPENDIX V**LIST OF APPROVED NEW WORK**

Codex body	Text	Reference and project document	Job No.
CCFH	New work proposal on the development of guidelines for food hygiene control measures in traditional markets for food	CX/CAC 23/46/5, Annex I	N01-2023
	Revision of the <i>Guidelines on the Application of the General Principles of Food Hygiene to the Control of Pathogenic Vibrio Species in Seafood</i> (CXG 73-2010)	CX/CAC 23/46/5, Annex II	N02-2023
CCRVDF	Priority list of veterinary drugs for evaluation or re-evaluation by JECFA (Parts I and V)	REP23/RVDF, Paragraph 144, Appendix IV (Parts I and V)	-
CCFA	Proposals for new food additive provisions of the GSFA	REP23/FA, Paragraph 117(iv), Appendix IX	N03-2023
	Priority List of substances proposed for evaluation by JECFA	REP23/FA, Paragraph 143(i), Appendix XI	-
CCCF	Code of Practice /Guidelines for the prevention or reduction of ciguatera poisoning	CX/CAC 23/46/10, Annex I	N04-2023
CCFICS	Review and update of the <i>Principles for Traceability/Product Tracing as a Tool within a Food Inspection and Certification System</i> (CXG 60-2006)	CX/CAC 23/46/11, Annex I	N05-2023
CCFL	Amendments to the <i>General Standard for the Labelling of Pre-packaged Foods</i> (CXS 1-1985): Labelling of pre-packaged foods in joint presentation and multipack formats	CX/CAC 23/46/12, Annex I	N06-2023
CCPR	Priority list of pesticides for evaluation by JMPR	REP23/PR54, Paragraph 247, Appendix XIV	-
	Development of Guidance for monitoring the stability and purity of reference materials and related stock solutions of pesticides during prolonged storage	CX/CAC 23/46/14, Annex I	N07-2023

APPENDIX VI**LIST OF DISCONTINUED WORK**

Codex body	Text	Reference
CCRVDF	Maximum residues limits (MRLs) for Ivermectin (sheep, pigs, and goats – fat, kidney, liver, and muscle) ⁵²	REP23/RVDF, Paragraph 28, Appendix II
CCFA	Certain draft and proposed draft food additive provisions of the GSFA	REP23/FA, Paragraph 117(iii), Appendix VIII
CCCF	Maximum levels (MLs) for total aflatoxins in paprika, ginger, black and white pepper, and turmeric and MLs for ochratoxin A in ginger, black and white pepper, and turmeric	REP23/CF, Paragraph 69(iii)
CCPR	MRLs for different combinations of pesticide/commodities withdrawn from the Step Procedure	REP23/PR54, Paragraph 176(ii)(a), Appendix IV

⁵² Discontinued in view of the adoption of the new MRLs.

APPENDIX VII**LIST OF AMENDMENTS**

Codex body	Standards and related texts	Reference
CCASIA	Amendment of the provisions for labelling of non-retail containers in the <i>Regional Standards for Fermented Soybean Paste</i> (Asia) (CXS 298R-2009), <i>Laver Products</i> (Asia) (CXS 323R-2017), and <i>Edible Sago Flour</i> (Asia) (CXS 301R-2011), and the <i>Standards for Gochujang</i> (CXS 294-2009) and <i>Chilli Sauce</i> (CXS 306-2011)	REP23/ASIA, Paragraph 28(iv)
CCLAC	Amendment of the provisions for labelling of non-retail containers in the <i>Regional Standards for Culantro Coyote</i> (Latin America and the Caribbean) (CXS 304R-2011), <i>Lucuma</i> (Latin America and the Caribbean) (CXS 305R-2011), and <i>Yakon</i> (Latin America and the Caribbean) (CXS 324R-2017)	REP23/LAC, Paragraph 32(iii), Appendix II
CCNASWP	Amendment to the labelling provisions for non-retail containers in the <i>Regional Standard for Kava Products for Use as a Beverage When Mixed with Water</i> (North America and the South West Pacific) (CXS 336R-2020)	REP23/NASWP, Paragraph 28ii, Appendix II
CCNFSDU	Amendments to the Standard for <i>Canned Baby Foods</i> (CXS 73-1981)	REP23/NFSDU, Paragraphs 100
	Amendments to the <i>Advisory list of nutrient compounds for use in foods for special dietary uses intended for infants and young children</i> (CXG 10-1979)	REP23/NFSDU, Paragraphs 101
CCPR	Consequential amendments to the existing MRLs (CXLs) for peppers groups/subgroups to cover okra, martynia and roselle	REP23/PR54, Paragraph 176(i)(c), Appendix VII
	Consequential amendment to the <i>Classification of Foods and Animal Feeds</i> (CXA 4-1989): <ul style="list-style-type: none"> ○ Revised definitions for the portion of the commodity to which MRLs apply and which is analysed for Group 006 – Assorted tropical and subtropical fruits of inedible peel, and Group 023 – Oilseeds and oilfruits. ○ Additional commodity groups in Class A – Primary food commodities of plant origin and Class D – Processed foods of plant origin. 	REP23/PR54, Paragraph 209(i)(b), Appendix X
	Consequential amendment to the <i>Principles and Guidance on the Selection of Representative Commodities for the Extrapolation of MRLs for Pesticides to Commodity Groups</i> (CXG 84-2012): <ul style="list-style-type: none"> ○ Tables of representative commodities for Class B and Class E. ○ Revised Subgroup 12C: Eggplant and eggplant-like commodities, Table 2 	REP23/PR54, Paragraph 209(i) (a, c-d), Appendix VIII, IX, XI Parts I and II
CCGP	Move of the first part of Section 6 (Membership of the Codex Alimentarius Commission) from the Procedural Manual (PM) to the Codex website	REP23/GP, Paragraph 36 i.
	Changes to the PM to align with modern technologies and current practices	REP23/GP, Paragraph 36 i. Appendix II

APPENDIX VIII**Part A**

46th SESSION OF THE CODEX ALIMENTARIUS COMMISSION,
ROME, ITALY, 27 November – 2 December 2023

VOTE RESULT SHEET

Proposal: to advance draft MRLs for Zilpaterol HCl to Step 8

28 November 2023, 17:00

RESULT SHEET/RESULTATS/RESULTADOS

**Vote without recording names/ vote ne faisant pas référence aux noms
des votants/ voto sin consignar los nombres**

Number of votes cast/ Nombre de suffrages exprimés/ Número de votos emitidos	137
Majority required/ Majorité requise/ Mayoría requerida	69
Votes for/ Votes pour/ Votos en favour	86
Votes against/ Votes contre/ Votos en contra	51
Abstentions/ Abstenciones	11

ADOPTED/ADOPTÉE/ACEPTADA



Elections Officer/ Fonctionnaire électorale/ El oficial de elecciones

**46th SESSION OF THE CODEX ALIMENTARIUS COMMISSION,
ROME, ITALY, 27 November – 2 December 2023**

VOTE RESULT SHEET

Proposal: to adopt draft MRLs for Zilpaterol HCl at Step 8

28 November 2023, 17:30

RESULT SHEET/RESULTATS/RESULTADOS

**Vote without recording names/ vote ne faisant pas référence aux noms
des votants/ voto sin consignar los nombres**

Number of votes cast/ Nombre de suffrages exprimés/ Número de votos emitidos	137
Majority required/ Majorité requise/ Mayoría requerida	69
Votes for/ Votes pour/ Votos en faveur	88
Votes against/ Votes contre/ Votos en contra	49
Abstentions/ Abstenciones	11

ADOPTED/ADOPTÉE/ACEPTADA



Elections Officer/ Fonctionnaire électorale/ El oficial de elecciones

APPENDIX IX**STATEMENTS ON ADOPTION AT STEP 8 (BY VOTE) OF THE DRAFT MRLs FOR ZILPATEROL HYDROCHLORIDE IN CATTLE LIVER, KIDNEY AND MUSCLE**

The following statements were received by the Codex Secretariat:

Algeria

L'Algérie soucieuse de la préservation de la santé de ces citoyens (consommateurs) exprime des réserve quant à l'adoption des LMR pour le chlorhydrate de Zilpatérol dans le foie, les reins et les muscles de bovins, car il est estimé, que les travaux sur l'évaluation des risques de ces LMR du zilpatérol sur la santé des consommateurs n'ont pas pris en compte d'autres organes d'animaux (intestins, estomacs, cinquième quartier d'une manière générale,...) largement consommés en Algérie et dans plusieurs pays.

Les réserves exprimées par l'Algérie s'inscrivent dans le strict respect du principe de précaution consacré par les lois du pays et aussi par référence aux principes des organisations internationales (OMS, OIE...) relatives à la mise en œuvre des objectifs légitimes en matière de protection de la santé et de la sécurité des personnes.

A cet effet, il est signaler que les hormones et facteurs de croissances ne sont pas réglementairement tolérés dans les produits d'origine animale en Algérie.

Antigua and Barbuda, Argentina, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay, and Venezuela (Bolivarian Republic of)

English

The countries of the CCLAC* region express their satisfaction for finalizing the process of developing the standard that establishes the maximum residue limits (MRL) for zilpaterol hydrochloride in cattle liver, kidney and muscle, which concluded with a vote for its adoption. This milestone is important to reaffirm the unwavering commitment of Codex to the development of science-based standards.

Spanish

Los países de la región de CCLAC* manifiestan su beneplácito por la finalización del proceso de elaboración de la norma que establece los límites máximos de residuos (LMR) para el clorhidrato de zilpaterol en hígado, riñón y músculo de vacuno, que concluyó con votación para la adopción de la misma. Este hito es importante para reafirmar el apego inquebrantable del Codex, en la elaboración de normas sobre base científica.

* Antigua and Barbuda, Argentina, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay, and Venezuela (Bolivarian Republic of).

Azerbaijan

Azerbaijan voted against the approval of the Codex MRLs for zilpaterol hydrochloride for the given reason:

Up until now, there has been no global agreement on risk management concerning growth promoters, and consequently, there is not any expectation of harmonization. We strongly believe that Codex should remove these kinds of substances from the agenda or avoid discussions on risk management options apart from global standards. Our viewpoint on this case is that MRLs for growth promoters will not be welcome globally, so it is not worth spending resources and time on this matter.

Belarus

Belarus voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

We have systematically opposed the development of Codex MRLs for growth promoters. Our opposition to growth promoters is based on concerns about the health and welfare of animals, consumer preferences, and

moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters. The One Health approach also recognises the interlinkages between these different aspects and the health of consumers.

Therefore, the use of growth promoters is not allowed in our country. We do neither authorize nor accept import of meat derived from animals that were administered with the substances. This policy on such substances is widely supported by our citizens and it is applied in a non-discriminatory manner.

Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

We also note the fact that the decision to adopt these MRLs was made by vote and not by consensus.

Bosnia and Herzegovina

Bosnia and Herzegovina would like to express its opposition to the decision made by the Codex Alimentarius Commission during their 46th Session, regarding point 4.15 - the adoption of Maximum Residue Limits (MRLs) for the growth promoter Zilpaterol.

Botswana

Botswana appreciates the work that has been done by Codex on MRLs for Zilpaterol Hydrochloride in cattle liver, kidney and muscle. However, Botswana maintains national legislation prohibiting the use of growth promoters in cattle, and has a compelling trade facilitation justification. Therefore, we submit our reservation on adoption of MRLs for zilpaterol hydrochloride in bovine tissues.

Cameroon

Le Cameroun souhaite s'abstenir sur la décision qui a été prise par rapport au zilpaterol.

China

China would like to record our objection to the adoption of the draft MRLs for Zilpaterol hydrochloride for the following reasons:

To begin with, Zilpaterol hydrochloride has been used as a growth promoter, which is not in line with the idea of ensuring health for animals and human beings, and is not in line with the "one health" principle. The use of Zilpaterol should not be encouraged, since it may cause a series of adverse effect related to pharmacological effects in the treated animals. Although in JECFA evaluation, these adverse effects and the higher death rate are not necessarily related to the use of Zilpaterol, the potential hazard cannot be ignored. We believe that ensuring food safety by implementing appropriate risk management is the fundamental principle of the CAC and all Codex members.

In addition, the use of zilpaterol in the long term as an animal growth promoter is inconsistent with the principle and policy on the use of veterinary drugs in most of the member countries. This was reflected in the positions of many members who opposed the adoption of this standard. These objections and concerns should be taken seriously. The draft standard should only be adopted when all the concerns and objections have been addressed.

Last but not the least, although member countries are voluntary to use Codex standards, the impact of each standard on international trade is significant. For some draft standards that are highly controversial and for which consensus has not been reached for a long time, it is more recommended to advance cautiously rather than forcibly adopt them. This will also better reflect the responsibility and transparency of the Codex.

The conclusion is disappointing. In our Codex journey these years, it is the second time we witnessed the failure of Codex, as the standard was adopted by voting. The way we came to the conclusion, and the conclusion itself undermined the spirit of negotiation, undermined the principle of consensus, and even undermined all the efforts we've made all these years communicating, discussing, and consulting on this issue. Codex, as a consensus-based organization had not been well served by what had happened at this session

of the Commission. For the above reasons, China would like to record objection to the adoption of the MRLs for Zilpaterol hydrochloride.

European Union

The European Union (EU) voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

The EU has systematically opposed the development of Codex MRLs for growth promoters. The EU opposition to growth promoters is based on concerns about the health and welfare of animals, consumer preferences, and moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters. The One Health approach also recognizes the interlinkages between these different aspects and the health of consumers.

Therefore, the use of growth promoters is not allowed in Europe. The EU does neither authorize nor accept import of meat derived from animals that were administered with the substances. The EU policy on such substances is widely supported by European citizens and it is applied in a non-discriminatory manner.

The EU upholds the core Codex values of inclusiveness, collaboration, consensus building and transparency. Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

The EU recalls its strong commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow, as stated by the Council Conclusions adopted by the EU Member States in 2022. The EU is dedicated to maintaining its collaboration with all Codex members and observers, and its effective contribution to the Codex Alimentarius in all its dimensions.

Georgia

Georgia supports the EU statement on MRLs for Zilpaterol hydrochloride.

Indonesia

As stated in our CL, Indonesia does not object or have any major concern on any option offered by Chair, including if Commission has to hold a vote to resolve the issue of Zilpaterol. With that, Indonesia takes note the decision of CAC46 to adopt the proposed MRL for Zilpaterol.

This note is to reiterate the fact that since 2017, Indonesia has established regulation that does not approve the use of growth promoter especially beta-agonist, including Zilpaterol Hydrochloride.

Iran (Islamic Republic of)

Following our voting on advancement of draft MRLs for zilpaterol to step 8, Iran would like to state that offals are consumed in Iran a lot, so we have concerns about health issues.

The proposed MRLs in the CL 2023/33/OCS-CAC are very high, due to comparison with clenbuterol that is the same class as zilpaterol. We believe that more study to have scientific data on carcinogenicity and mutagenicity of zilpaterol in cattle, liver, kidney and muscle. is necessary.

Jordan, Egypt and Oman

Jordan, Egypt and Oman, reiterate the commitments to the principles of Codex and to the science-based standard setting process. We respect the functioning and reputation of Codex as an international standard-setting body, and the sustained efforts to build consensus on a well-established scientific basis for the proposed MRLs for Zilpaterol to eliminate disruption to trade due to the lack of Codex MRLs for zilpaterol and enables trade between countries.

And we recognize that our national situation should not impede the establishment of an international standard. But our support should not be interpreted as an acceptance of MRLs for Zilpaterol to be adopted in our national regulations including not allowing the use of Zilpaterol or any other growth promoters in food of animal origin

in our countries or conducting risk assessment studies for the purpose of consumer health protection and trade facilitation, and to support the further development of our livestock economies to enable the safe use of this substance in our countries where it is allowed.

Kazakhstan

Kazakhstan voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

Kazakhstan has systematically opposed the development of Codex MRLs for growth promoters. Kazakhstan opposition to growth promoters is based on concerns about the health and welfare of animals, consumer preferences, and moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters. The One Health approach also recognizes the interlinkages between these different aspects and the health of consumers.

Kazakhstan upholds the core Codex values of inclusiveness, collaboration, consensus building and transparency. Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

Kazakhstan recalls its strong commitment to Codex Alimentarius. Kazakhstan is dedicated to maintaining its collaboration with all Codex members and observers, and its effective contribution to the Codex Alimentarius in all its dimensions.

Kyrgyzstan

Kyrgyz Republic voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

Kyrgyz Republic has systematically opposed the development of Codex MRLs for growth promoters. The EU opposition to growth promoters is based on concerns about the health and welfare of animals, consumer preferences, and moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters. The One Health approach also recognizes the interlinkages between these different aspects and the health of consumers.

Therefore, the use of growth promoters is not allowed in European Region. Kyrgyz Republic does neither authorize nor accept import of meat derived from animals that were administered with the substances. Kyrgyz Republic policy on such substances is widely supported by Kyrgyz Republic citizens and it is applied in a non-discriminatory manner.

Kyrgyz Republic upholds the core Codex values of inclusiveness, collaboration, consensus building and transparency. Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

Kyrgyz Republic recalls its strong commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow. Kyrgyz Republic is dedicated to maintaining its collaboration with all Codex members and observers, and its effective contribution to the Codex Alimentarius in all its dimensions.

Malta

Malta supports the statement regarding the report of CAC46 Zilpaterol, made on behalf of the EU and its Member States and although the Malta delegate was not present at the time of voting for logistical reasons, we would like to express our support for the vote against the adoption of the Codex MRLs for zilpaterol hydrochloride for the reasons as outlined in the EU statement.

Mauritania

Suite à la demande de la Président hier, le pays de la Mauritanie souhaite indiquer sa réserve sur :

Point 4.15 de l'ordre du jour : Projet de LMR pour le chlorhydrate de zilpatérol dans le foie, les reins et les muscles des bovins (CX/CAC 23/45/17 & CX/CAC 23/45/17 Add.1)

à travers une déclaration comme suit-

Après avoir des donnée sientique élaborée par le JECFA, la mauritanie comme les majourités des pays présent dans le CAC46 a approuvé l'adoption finale des LMR pour le chlorhydrate de zilpatérol pour resoudre le problème de chlorhydrate de zilpatérol pour les pays qui utilise. Cependant, Mauritanie souhaite informer que ces produits ne sont pas autorisés pour la production animale en Mauritanie. En effet, l'utilisation de médicaments vétérinaires à des fins de stimulation de la croissance des bovins n'est actuellement pas autorisée dans le but principal de maintenir la confiance des consommateurs de la viande.

Mauritius

Mauritius endorsed the final adoption of the MRLs for zilpaterol hydrochloride set by JECFA. We support the science-based and progressive approach to the resolution of the issue of zilpaterol hydrochloride and the risk assessment of JECFA. However, Mauritius, would like to inform that such products are not allowed for animal production in Mauritius. Indeed, the use of Veterinary medicinal products for the purpose of growth promotion in cattle is not currently permitted for the prime purpose of maintaining the confidence of meat consumers in the meat industry.

Norway

Norway voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

We have systematically opposed the development of Codex MRLs for growth promoters. Our opposition to growth promoters is based on concerns about the health and welfare of animals, consumer preferences, and moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters.

The One Health approach also recognises the interlinkages between these different aspects and the health of consumers.

Therefore, the use of growth promoters is not allowed in Norway. We do neither authorize nor accept import of meat derived from animals that were administered with the substances.

Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

We also underscore the fact that the decision to adopt these MRLs was made by vote and not by consensus.

Qatar

The State of Qatar would like to extend its thanks to the CAC Chairperson and Vice Chairpersons for their efforts in conducting informal consultations on Zilpaterol Hydrochloride and considering possible ways to reach a solution and consensus.

The State of Qatar acknowledges that the draft MRLs was based on the results of JECFA risk assessment report and fulfills all the requirements of Codex standard setting. With that being said, there are no studies on the toxic effects of Zilpaterol residues in offal other than the kidneys, liver and muscles. And therefore, moderate to high consumption of Zilpaterol-treated meat containing residues of the compound with various age groups is likely to raise long-term health concerns.

The State of Qatar would like to register its reservation on the MRLs for Zilpaterol Hydrochloride in cattle liver, kidney and muscle.

Republic of Moldova

The Republic of Moldova would like to subscribe to the EU Statement in connection to the Decision on Codex MRLs for zilpaterol hydrochloride, adopted on November 28. Would appreciate reflecting it in the report.

Russian Federation

English

The Russian Federation deeply regrets that the Commission was unable to reach a consensus on the issue of growth drivers due to differences of opinion.

The Russian Federation voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

Russia has systematically opposed the development of Codex MRLs for growth promoters.

Russia's opposition to growth promoters is carried out with the aim of preventing its unjustified use in agriculture, so as not to increase the risk to public health.

Consumption of food products containing zilpaterol at the suggested levels is unacceptable due to the unacceptable risk of functional impairment and cardiovascular disease in the population.

Zilpaterol is a growth promoter used to increase cattle size and feed efficiency. Just like ractopamine, zilpaterol belongs to the class of beta-agonists and has a similar mechanism of action.

The Russian position on prohibiting the use of beta-agonists to stimulate animal growth is based on available scientific data assessing the risk to public health and the current requirements of Russia and the Eurasian Economic Union. In accordance with the requirements of the EAEU, the use of beta-agonists to stimulate animal growth excludes its use in the production of meat supplied to the Russian market and the EAEU market. Therefore, Russia does neither authorize nor accept import of meat derived from animals that were administered with the substances.

In this regard, we reiterate our concern that zilpaterol may pose a risk to human health.

The Russian Federation is also deeply disappointed that Codex has failed to reach consensus on the issue of growth promoters due to divergent views and expectations regarding food production systems.

Russian

Российская Федерация глубоко сожалеет, что Комиссии не удалось прийти к консенсусу по вопросу стимуляторов роста из-за расхождения во мнениях.

Российская Федерация проголосовала против принятия Кодексом МДУ для zilпатерола гидрохлорида по следующим причинам.

Россия систематически выступает против разработки МДУ Кодекса для стимуляторов роста.

Противодействие России стимуляторам роста осуществляется с целью предотвращения их необоснованного использования в сельском хозяйстве, чтобы не увеличивать риск для здоровья населения.

Употребление пищевых продуктов, содержащих zilпатерол на предлагаемых уровнях недопустимо из-за риска функциональных нарушений и болезней сердечно-сосудистой системы у населения.

Zilпатерол — стимулятор роста, используемый для увеличения размера крупного рогатого скота и эффективности его кормления. Как и рактопамин, zilпатерол относится к классу бета-агонистов и имеет схожий механизм действия.

Позиция России о запрете использования бета-агонистов для стимуляции роста животных основана на имеющихся научных данных оценки риска для здоровья населения и текущих требованиях России и Евразийского экономического союза. В соответствии с требованиями ЕАЭС применение бета-агонистов для стимуляции роста животных исключает их использование при производстве мяса, поставляемого на российский рынок и рынок ЕАЭС. Таким образом, Россия не разрешает и не принимает импорт мяса, полученного от животных, которым вводили эти вещества.

В этой связи мы подтверждаем свою обеспокоенность, что zilпатерол может представлять угрозу для здоровья людей.

San Marino

San Marino aligns itself with the EU statement and in voting against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

We express our concern with the use of growth promoters for the health and welfare of animals, consumer preferences, as well as with moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters. The One Health approach also recognises the interlinkages between these different aspects and the health of consumers.

Therefore, the use of growth promoters is not allowed in Europe which does not authorize nor accept import of meat derived from animals that were administered with the substances.

The EU policy on such substances is widely supported by European citizens and it is applied in a non-discriminatory manner.

As San Marino we consider and uphold the core Codex values of inclusiveness, collaboration, consensus building and transparency and would have liked a consensus-based approval. Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

We do believe in the importance of a strong Codex Alimentarius fit for the challenges of today and tomorrow.

Saudi Arabia

The Kingdom of Saudi Arabia would like to extend its thanks to the CAC Chairperson and Vice Chairpersons for their efforts in conducting informal consultations on Zilpaterol Hydrochloride and considering possible ways to reach a solution and consensus.

The Kingdom of Saudi Arabia would like to register its reservation on the MRLs for Zilpaterol Hydrochloride in cattle liver, kidney and muscle.

Rationale

The Kingdom of Saudi Arabia acknowledges that the draft MRLs was based on the results of JECFA risk assessment report and fulfills all the requirements of Codex standard setting. With that being said, there are no studies on the toxic effects of Zilpaterol residues in offal other than the kidneys and liver, thus, moderate to high consumption of Zilpaterol-treated meat containing residues of the compound is likely to raise long-term health concerns. In addition, the Kingdom of Saudi Arabia would like to confirm that its national regulations prohibit the use of Zilpaterol Hydrochloride.

South Africa

South Africa wishes to thank the Chair and Vice Chairs in the process undertaken, working towards achieving consensus on the advancement of the MRLs for Zilpaterol Hydrochloride in liver, kidney and muscle in cattle for adoption at Step 8. Whereas we raised concerns in the discussions regarding the interchangeable use of current of the terms Objections or Reservations, there is a need for definitions to provide clarity on the use of these terms in the Commission. South Africa further appreciates the guidance that has been made available in terms of the acceptable MRLs as recommended by JECFA and the need for additional data to be reviewed on other tissues once submitted.

Switzerland

Switzerland opposes the adoption of the Codex MRLs of zilpaterol hydrochloride, as there are still outstanding safety concerns and because of the non-therapeutic use of the product. Switzerland regrets that a vote took place, and that the decision was not based on consensus. We ask our reservation to be included in the report of CAC46.

Thailand

Thailand has expressed its objection to the consideration and, eventually, the adoption of MRLs for zilpaterol hydrochloride in cattle liver, kidney, and muscle at Step 8. This objection arises from safety concerns about the high consumption of various edible offal tissues, particularly those other than liver and kidney, within the Thai population, posing an increased risk to these specific consumers.

Additionally, the use of zilpaterol hydrochloride for promoting animal growth conflicts with Thai national policy and regulations, which strictly prohibit the use of veterinary drugs for growth promotion. Our zero-tolerance stance on growth promoters is rooted in concerns for human health as well as animal health and welfare, aligning with the implementation of the One Health approach.

Thailand appreciates the efforts of the Chairperson, Vice-chairpersons, and the Commission in attempting to reach a consensual outcome for this agenda, given the polarized opinions among member countries. Regrettably, decisions to advance and adopt the MRLs for zilpaterol hydrochloride at Step 8 were determined through voting.

In light of the mentioned rationale, Thailand would like CAC to note our sustained opposition to the adoption of MRLs for zilpaterol hydrochloride. Thailand reserves the right to refrain from accepting and applying these MRLs at the national level.

Tunisia

La Tunisie reconnaît que les comités d'expert du Codex Alimentarius, dont le JECFA représentent une référence pour la recherche et les études scientifiques liées à l'alimentation et à la sécurité sanitaire et ne remet pas en cause l'importance de la science ou des résultats des travaux du JECFA.

Toutefois, sachant que l'évaluation des risques étant réalisée sur le zilpatérol n'a pas inclus toutes les parties comestibles (rognons, foie,...) d'une part, et n'a pas pris en compte l'exposition des tous les groupes d'âge, en particulier les enfants, la Tunisie souhaite émettre des réserves quant à l'adoption des limites du zilpatéro à l'étape8.

Türkiye

Türkiye, voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

We have systematically opposed the development of Codex MRLs for growth promoters. Our opposition to growth promoters is based on concerns about the health, consumer preferences.

Therefore, the use of growth promoters is not allowed in Türkiye. We do neither authorize nor accept import of meat derived from animals that were administered with the substances. This policy on such substances is widely supported by our citizens and it is applied in a non-discriminatory manner.

United Arab Emirates

The United Arab Emirates would like to extend its thanks to the CAC Chairperson and Vice Chairpersons for their efforts in conducting informal consultations on Zilpaterol Hydrochloride and considering possible ways to reach a solution and consensus.

The United Arab Emirates would like to register its opposition on the adoption of MRLs for Zilpaterol Hydrochloride in cattle liver, kidney and muscle.

Rationale

- The United Arab Emirates acknowledges that the draft MRLs was based on the results of JECFA risk assessment report and fulfills all the requirements of Codex standard setting process. However, JECFA DID NOT conduct any work on the potential toxic effects of Zilpaterol on other edible offal knowing that in our country many offals are consumed on daily basis.
- United Arab Emirates is preoccupied with issues related to consumer health, especially since the currently available studies DO NOT provide strong evidence on the consumer health following the long-term consumption of food containing Zilpaterol. Still there are concerns on data availability related to exposure and consumption which require more studies to be conducted before allowing zilpaterol hydrochloride
- Since, the use of growth promoters including Zilpaterol is prohibited by the local regulations, UAE is keen to adhere to the principles of One Health Concept that assumed to protect the consumer while ensuring the sustainability of natural resources among which welfare.
- Moreover, we believe that all producers should be aware of the best production practices while using Zilpaterol in meat producing systems. Noting that meat producers should be also aware that United Arab Emirates will not permit to import meat containing any growth hormones including Zilpaterol.

- The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) Basic Rights and Obligations Point 1. Members have the right to take sanitary and phytosanitary measures necessary for the protection of human, animal or plant life or health, provided that such measures are not inconsistent with the provisions of this Agreement.
- United Arab Emirates are committed to "one health approach" as an integrated, unifying approach that aims to sustainably balance and optimize the health of people, animals and ecosystems. Taking in consideration that FAO and WHO promote One Health approach as part of agrifood system transformation for the health of people, animals, plants, and the environment.

United Kingdom

The United Kingdom abstained from acceptance and in doing so refrained from formally approving or endorsing the decision to adopt the MRLs for zilpaterol hydrochloride at Step 8 as this compound is prohibited in national legislation. The United Kingdom further noted that the decision to adopt the zilpaterol MRLs at Step 8 was reached by vote and not consensus.

United Republic of Tanzania

Tanzania support supports the final adoption with reservations of the MRLs for zilpaterol hydrochloride set by JECFA in cattle to support human protection and trade facilitation for the countries were use of zilpaterol hydrochloride or materials/hormones which promote animal growth is not prohibited.

It should be noted that although Tanzania supports the science-based and progressive approach to the resolution of the issue of zilpaterol hydrochloride and the robust risk assessment of JECFA but in Tanzania to treat animal with materials with growth promoter is prohibited to be used for animal treatment. Therefore, the proposed maximum residue limit will not be adopted by Tanzania.

United States of America

The United States welcomes the final adoption of MRLs for zilpaterol at Step 8 and commends the Commission and its Members for coming together to advance this work.

To meet the global challenge of ensuring the availability and affordability of safe food to every country, community, and household, we must embrace innovation and science. In this spirit, the United States will continue to call on the Commission and Codex Members to uphold the institution's foundations by advancing international standards that are based on science and that serve the collective interests of global consumers and producers.

Uzbekistan

The Republic of Uzbekistan voted against the adoption of the Codex MRLs for zilpaterol hydrochloride for the following reasons.

The Republic of Uzbekistan has systematically opposed the development of Codex MRLs for growth promoters. The Republic of Uzbekistan opposition to growth promoters is based on concerns about the health and welfare of animals, consumer preferences, and moral and socio-economic concerns about the sustainability of farming practices that employ growth promoters. The One Health approach also recognises the interlinkages between these different aspects and the health of consumers.

The Republic of Uzbekistan upholds the core Codex values of inclusiveness, collaboration, consensus building and transparency. Unfortunately, consensus has never been reached in Codex on the question of growth promoters due to divergent conceptions and expectations regarding food production systems. This is in sharp contrast with the rest of Codex work since Codex has successfully adopted thousands of standards and other Codex texts by consensus.

The Republic of Uzbekistan is dedicated to maintaining its collaboration with all Codex members and observers, and its effective contribution to the Codex Alimentarius in all its dimensions.

APPENDIX X

**COUNTRIES RESPONSIBLE FOR APPOINTING
THE CHAIRPERSONS OF CODEX SUBSIDIARY BODIES
ESTABLISHED UNDER RULE XI.1(B)(I)**

CODE	SUBSIDIARY BODY	MEMBER RESPONSIBLE	STATUS
CX 703	CODEX COMMITTEE ON MILK AND MILK PRODUCTS	NEW ZEALAND	ADJOURNED <i>SINE DIE</i>
CX 708	CODEX COMMITTEE ON COCOA PRODUCTS AND CHOCOLATE	SWITZERLAND	ADJOURNED <i>SINE DIE</i>
CX 709	CODEX COMMITTEE ON FATS AND OILS	MALAYSIA	ACTIVE
CX 710	CODEX COMMITTEE ON SUGARS	COLOMBIA	ADJOURNED <i>SINE DIE</i>
CX 711	CODEX COMMITTEE ON FOOD ADDITIVES	CHINA	ACTIVE
CX 712	CODEX COMMITTEE ON FOOD HYGIENE	UNITED STATES OF AMERICA	ACTIVE
CX 713	CODEX COMMITTEE ON PROCESSED FRUITS AND VEGETABLES	UNITED STATES OF AMERICA	ADJOURNED <i>SINE DIE</i>
CX 714	CODEX COMMITTEE ON FOOD LABELLING	CANADA	ACTIVE
CX 715	CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING	HUNGARY	ACTIVE
CX 716	CODEX COMMITTEE ON GENERAL PRINCIPLES	FRANCE	ACTIVE
CX 718	CODEX COMMITTEE ON PESTICIDE RESIDUES	CHINA	ACTIVE
CX 719	CODEX COMMITTEE ON NATURAL MINERAL WATERS	SWITZERLAND	ADJOURNED <i>SINE DIE</i>
CX 720	CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES	GERMANY	ACTIVE
CX 722	CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS	NORWAY	ACTIVE ⁵³
CX 723	CODEX COMMITTEE ON MEAT HYGIENE	NEW ZEALAND	ADJOURNED <i>SINE DIE</i>
CX 728	CODEX COMMITTEE ON VEGETABLE PROTEINS	CANADA	ADJOURNED <i>SINE DIE</i>
CX 729	CODEX COMMITTEE ON CEREALS, PULSES AND LEGUMES	UNITED STATES OF AMERICA	ADJOURNED <i>SINE DIE</i>
CX 730	CODEX COMMITTEE ON RESIDUES OF VETERINARY DRUGS IN FOODS	UNITED STATES OF AMERICA	ACTIVE
CX 731	CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES	MEXICO	ACTIVE
CX 733	CODEX COMMITTEE ON FOOD IMPORT AND EXPORT CERTIFICATION AND INSPECTION SYSTEMS	AUSTRALIA	ACTIVE
CX 735	CODEX COMMITTEE ON CONTAMINANTS IN FOODS	THE NETHERLANDS	ACTIVE
CX 736	CODEX COMMITTEE ON SPICES AND CULINARY HERBS	INDIA	ACTIVE

⁵³ Working by correspondence