

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

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COMMENTS ON DRAFT STANDARDS AND RELATED TEXTS SUBMITTED BY THE 27TH SESSION OF THE CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

BACKGROUND

1. This document compiles the comments on the draft guidelines on prevention and control of food fraud, as indicated in the relevant Circular Letter ([CL 2024/83-CAC](#)). The comments are those received through the Codex Online Commenting Systems (OCS)¹, or via email by the time this document was issued. The comments are as shown in Appendix I.

EXPLANATORY NOTES ON APPENDICES I AND II

2. The comments received are presented in a table format, with two columns as follows:
 - **First column** – Presents the comments with the rationale.
 - **Second column** – Presents the provider of the comments (name of member or observer)

¹ OCS is an online tool that enables Codex Contact Points to submit comments on draft texts in a standardised way, thus providing more transparency and better management of comments on different Codex texts as requested through Circular Letters. Since its launching at CAC39 (2016), the OCS has been used for different Codex Committees.

DRAFT GUIDELINES ON PREVENTION AND CONTROL OF FOOD FRAUD**(AT STEP 5)****COMMENTS IN REPLY TO CL 2024-83**

Comments by Australia, Brazil, Burundi, Costa Rica, Egypt, Guatemala, Saudi Arabia, Somalia, United Kingdom, USA and FoodDrinkEurope

COMMENT	MEMBER / OBSERVER
<p>The Draft Guidelines on the Prevention and Control of Food Fraud is an important text that will support Codex members to manage risks and combat food fraud within their National Food Control System (NFCS), using approaches best suited to their national circumstances. The key challenging issues in the document have been resolved by CCFICS27. Australia supports adoption at Step 5.</p>	Australia
<p>Brazil would like to thank Codex Secretariat to for the opportunity to submit comments on the draft guidelines on prevention and control of food fraud.</p> <p>The draft guidelines on prevention and control of food fraud is NOT ready for adoption at Step 5 as there are text in square brackets and comments made at CCFICS27 on sections 3, 6, 7 and 8.</p> <p>Taking account on the Manual procedure: In Section 2, paragraph 19:</p> <p>19. Monitoring shall take place against the time line deemed necessary and revisions in the coverage of the standard shall need to be specifically endorsed by the Commission.</p> <p>This shall therefore include:</p> <ul style="list-style-type: none"> a) monitoring of progress in developing standards and advising what corrective action should be taken; b) examining proposed standards from Codex committees, before they are submitted to the Commission for adoption: <ul style="list-style-type: none"> i) for consistency with the mandate of Codex, the decisions of the Commission, and existing Codex texts; ii) to ensure that the requirements of the endorsement procedure have been fulfilled, where appropriate; iii) for format and presentation; and iv) for linguistic consistency. <p>Brazil believes that before sending to adoption (and it includes adoption at step 5) the text must be/have:</p> <ul style="list-style-type: none"> i) consistent with the mandate of Codex, the decisions of the commission, and existing Codex texts <p>There are still questions about the document that goes beyond the mandate of Codex Alimentarius and the document should be limited to it. Ex: animal feed</p> <ul style="list-style-type: none"> ii) to ensure that the requirements of the endorsement procedure have been fulfilled, where appropriate; <p>Even CCFICS27 had made significant progress in building consensus on sections 1, 2, 4, and 5 and resolved the substantial issues, the text is not completely consensual and the text itself with brackets demonstrates the fact (sections 3, 6, 7 and 8)</p> <ul style="list-style-type: none"> iv) for linguistic consistency. <p>In our view, there is no linguistic consistency for defining the scope, since it is not possible to identify the delimitation of the scope in the Organization's</p>	Brazil

<p>mandate, it is not possible to have clarity in the breadth of the animal feed context, and it is not possible to identify themes within or outside the scope.</p> <p>Considering: Part 3 Uniform procedure for the elaboration of Codex standards and related texts.</p> <p>The document would be more appropriately inserted in Step 4, where it is still under the aegis of the subsidiary body to provide comments, discussions and reach consensus.</p>	
Burundi supports the adoption of the guideline at step 5	Burundi
Costa Rica supports the adoption of the proposal to T5	Costa Rica
<p>Egypt agrees on the adoption of guidelines at step 5 & believes that the definitions in the proposed guidelines are essential and should be kept, as they are crucial for the text and for defining key concepts. Moreover, defining these terms will help reduce confusion and global inefficiency. There are also items in some international Codex standards that determine the authenticity of the product, for example clause 3.3 of the “General Standard for Fruit Juices and Nectars CXS 247-2005” in the definition of authenticity: “Maintaining the essential physical, chemical and sensory characteristics of the product of the fruit (fruit) from which it comes, and in the event of any deliberate change, it is considered food fraud.” Therefore, the authenticity of the product is closely linked to determining fraud and may be linked to food safety. Therefore, we emphasize the importance of adding these definitions when discussing the draft specification in later stages</p>	Egypt
Is ready for adoption at Step 5.	Guatemala
Saudi Arabia supports moving the draft guidelines on the prevention and control of food fraud to adoption at Step 5	Saudi Arabia
Somalia supports the adoption of this text at step5 because this Draft Guidelines on Preventing and Controlling Food Fraud is a valuable document designed to help Codex members address risks and tackle food fraud within their National Food Control Systems (NFCS).	Somalia
The UK appreciates the Chair’s efforts at CCFICS27 to broker compromises on key parts of the text that have proven to be sticking points in the past, in particular the definitions and scope sections of the draft guidelines. In light of the progress on these key sections and other parts of the text, the UK supports the recommendation to CAC47 to advance the draft guidelines to Step 5 and looks forward to completing the work on this important work at the next CCFICS session.	United Kingdom
<p>General Comment: The United States strongly supports progressing the Draft Guidelines on the Prevention and Control of Food Fraud (CL 2024/83-CAC) to Step 5 at CAC47. We appreciate that the Committee reached consensus on language explicitly excluding intellectual property (IP) from the scope section of the guidelines, and the additional clarification in the meeting report that the Committee agreed that geographical indications (GIs) are a type of IP. We look forward to further discussion of and finalizing the remaining sections of the document—including discussion of definitions and issues around animal feed—both during the intersessional period and at CCFICS28.</p>	USA
Under chapter 4 (Types of Food Fraud), FoodDrinkEurope proposes to add also “Enhancement”, which is a very prominent type of food fraud (e.g. melamine). In our view, this addition would ensure alignment with other global standards, e.g. GFSI.	FoodDrinkEurope