

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda item 4.1

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON GENERAL PRINCIPLES

Thirty-fourth Session

Lille, France

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### CODEX PROCEDURAL MANUAL: REVIEW OF THE PROCEDURES IN SECTION 3: GUIDELINES FOR SUBSIDIARY BODIES

*(Prepared by the Codex Secretariat with the support of the FAO Legal Office)*

1. In relation to the review of the procedures in Section 3, Guidelines for subsidiary bodies, of the *Codex Procedural Manual* and the amendments proposed by the working group and comments received in response to CL 2025/33-GP, the Codex Secretariat would like to provide the following information.

#### **Section 3.1, Guidelines to host governments of Codex committees and ad hoc intergovernmental task forces**

##### **Organization and duties**

##### ***Chairperson and host country***

##### **Paragraph 5 and inclusion of reference to “assistant” to the chairperson**

2. While clear definition for Chairperson and Vice-Chairperson is provided in the Codex Procedural Manual, there are no definitions nor references to the role of “assistant” as currently proposed in the document. In this context, it may be considered confusing to add such a new term and may even lead to the perception that an assistant must be designated. The Codex and host secretariat both support the Chairperson in undertaking their role. Further definition of roles may reduce the flexibility of secretariats to undertake their roles. However, not including such a term in the *Codex Procedural Manual* does not preclude the use of an assistant, and host secretariats are nevertheless free to designate assistants if they consider this useful.

##### **Sessions**

##### ***Date and place***

##### **Paragraph 9 and possible reference to “format” and “virtual participation”**

3. In line with the FAO Basic Texts and the Codex Rules of Procedure, the Directors-General of FAO and WHO shall determine when and where the session of a committee shall be convened, after consultation with the host country concerned. This principle is applied across the United Nations (UN) system to preserve the neutrality, impartiality and integrity of the work of the body concerned, confirming that arrangements are made in the interests of the membership as a whole without undue influence from any single Member Nation.
4. In response to the comments received regarding the inclusion of references to the “format” of meetings and “virtual participation” of delegates in the Guidelines for subsidiary bodies, it is noted that neither the FAO Basic Texts nor the Codex Rules of Procedure currently include provisions on meetings format or virtual participation. This does not, however, preclude the possibility of virtual participation on a case-by-case basis. In line with standard practice, the format of meetings and any related arrangements are addressed through the working methods communicated to Members in advance of each session. Formal rules on such matters need to be addressed within the broader

legal frameworks of FAO and WHO and would first require appropriate consultations across the parent Organizations to ensure consistency of approach between the procedural rules of the governing bodies of the parent Organizations and the procedural rules of statutory bodies established under their legal frameworks.

### ***Invitations and provisional agenda***

#### **Paragraph 14 and timeframe**

5. It is to be noted that Rule VI.3 of the Rules of procedure of the Codex Alimentarius Commission states that “Notice of the date and place of each session of the Commission shall be communicated to all Members of the Commission at least two months before the session”, that Rule VII.4 states that “The provisional agenda shall be circulated by the Directors-General of FAO and WHO to all Members of the Commission at least two months before the opening of the session” and that Rule XI.11 confirms that “The rules of procedure of the Commission shall apply *mutatis mutandis* to its subsidiary bodies”. This is consistent with the rules governing the FAO Council and its Technical Committees, which provide for notice of the date and place of the session and circulation of the provisional agenda at least two months in advance of the session.

### **Section 3.2, Guidelines on the conduct of meetings of Codex committees and ad hoc intergovernmental task forces**

#### ***Reports***

#### **Paragraph 36 and the proposal to include reference to adoption at Step 5/8**

6. While the Uniform procedure for the elaboration of Codex standards and related texts (Section 2.1, Part 3) does not formally refer to “Step 5/8”, this term has become a shorthand reference to describe the exceptional procedure set out in paragraph 6 of Section 2.1 of the Codex Procedural Manual allowing for the omission of Steps 6 and 7. Thus, it may be helpful to include a reference to this term in the *Codex Procedural Manual*.
7. The Codex Secretariat proposes that a footnote be inserted in Section 2.1, paragraph 6 after the first sentence, stating that: “This is commonly referred to as “adoption at Step 5/8””.

### **Section 3.3, Guidelines to Chairpersons of Codex committees and ad hoc intergovernmental task forces**

#### ***Designation***

#### **Paragraph 39 and inclusion of reference to “assistant” to the chairperson**

8. Refer to paragraph 2 above.