

CODEx ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda item 4.1

GP34/CRD05

Original Language Only

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEx COMMITTEE ON GENERAL PRINCIPLES

Thirty-fourth Session

Lille, France

2–6 June 2025

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

(Comment of Brazil, India, Indonesia, Philippines, South Africa and Thailand)

Brazil

Brazil considers that, though there is no mention of “virtual working groups” in the current version of the Procedural Manual (PM), it is important to make efforts to eventually contemplate this modality of work in it, considering the need of modernize the manual to the currently available tools.

India

- **Comment:** In section 3: Guidelines for subsidiary bodies: 3.1 India proposes to include “Regional coordinating Committee” (here in after “coordinating Committee”) in the first instance.

Proposal:

“3.1 Guidelines to host governments of Codex committees, Regional coordinating committees (here in after “coordinating Committee”) and ad hoc intergovernmental task forces”

Rationale:

For better understanding and more clarity as coordinating committee will be used across the document

3.1 Guidelines to host governments of Codex committees, coordinating committees and ad hoc intergovernmental task forces;

- **Comment:** In Paragraph 01 of section 3.1, India proposes to remove the word coordinating committee

Proposal:

.....“Procedures for the elaboration of Codex standards and related texts, ~~and~~ coordinating committees.....”

Rationale:

Since this word inserted inadvertently as the application of rules of procedure also applicable to coordinating committees as the same was clarified in the later sentences of the paragraph.

- **Comment:** In paragraph 5 of section 3.1 India proposes to modify the term one assistant or co-chairperson instead of one or more assistants or co-chairpersons

Proposal:

The chairperson may be supported by ~~one or more assistants or co-chairpersons~~ one assistant or co-chairperson designated by the host country.

Rationale:

In order avoid inconsistency in handling the work and smooth conduct of the meeting.

- **Comment :** In paragraph 7 of section 3.1 India proposes to use the term “communication technologies” instead of communications technology.

Proposal: disposal adequate information and communications technology communication technologies.....

Rationale: Editorial

- **Comment :** In paragraph 07 of section-3.1 India proposes revise the sentence

Proposal :

.....Simultaneous interpretation should be provided ~~from and into all~~ of the of all official working languages used at the session.....

Rationale : Editorial

- **Comment :** In paragraph 13 India proposes to add the term “from developing member country”

Proposal: “The host country may invite ~~the co-host country to appoint~~ an official from developing member country or co-host country to appoint as a co-chairperson for the session”.

Rationale: In order to do capacity building for developing countries.

- **Comment :** In revised paragraph 19 of section 3.1 India proposes to include the term “of the relevant committee” after the word “chairperson”

Proposal:

The Codex Secretariat is charged with the preparation of the draft report, in consultation with the rapporteurs (if any), the chairperson of the relevant committee and the host country secretariat.

Rationale:

In order to give more clarity

- **Comment :** In revised paragraph 22 of section-3.1 India proposes to include the term member nations after the word participants to provide more clarity.

Proposal:

Working documents for a session prepared by participants/ member nations and working group chairs must be submitted in one or more of the official working languages.....

Rationale: To provide more clarity as the same word is used subsequently across the document

- **Comment :** In revised paragraph 27, India proposes to include the word also after the word deadline “may”.

Proposal:

Comments related to the agenda items received after the established deadline may also be published as CRDs

Rationale: Editorial

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

- **Comment:** In Paragraph 27 of section 3.2, India proposes to remove the word coordinating committee

Proposal:

.....“Procedures for the elaboration of Codex standards and related texts, and coordinating committees.....

Rationale:

Since this word inserted inadvertently as the application of rules of procedure also applicable to coordinating committees as mentioned in the latter sentences.

- **Comment :** In paragraph 32 of section 3.2, India proposes to add the word “Member nations” instead members.

Proposal:

Delegations ~~from Member nations~~ [and delegations from Observer countries] who wish their opposition to a decision of the committee to be recorded may do so.....

Rationale : In order to align with same terminology used subsequently

- **Comment :** In paragraph 36 of section 3.2, India proposes to add the word step 5A (accelerated) instead of step 5

Proposal:

.....proposed draft standards or related texts at Steps 5, 8, [Step 5/8] or **Step 5A** (accelerated), with the indication of the date by which comments.....

Rationale : In order to align with the practice currently followed in the codex texts.

3.3 Guidelines to chairpersons of Codex committees, coordinating committees and ad hoc intergovernmental task forces

- **Comment:** In Paragraph 38 of section 3.3, India proposes to remove the word coordinating committee

Proposal:

.....“Procedures for the elaboration of Codex standards and related texts, ~~and~~ coordinating committees.....

Rationale:

Since this word inserted inadvertently as the application of rules of procedure also applicable to coordinating committees as mentioned in the latter sentences.

- **Comment:** In paragraph 39 section-3.3 it was proposed to add the term one assistant or co-chairperson instead of one or more assistants or co-chairpersons

Proposal:

The chairperson may be supported by ~~one or more assistants or co-chairpersons~~ one assistant or co-chairperson designated by the host country

Rationale: In order avoid inconsistency in handling the work and smooth conduct of the meeting.

3.6 Guidelines on electronic working groups

- **Comment :** In paragraph 120 section-3.6 India proposes to use the term “communication technologies” instead of communications technology

Proposal:

.....the use of information and ~~communications technology~~ communications technology.....

Rationale: Editorial

Indonesia

Indonesia extends its appreciation to the Host Secretariat Working Group for preparing the document “*Review of the Procedures in Section 3: Guidelines for Subsidiary Bodies*”. In general, Indonesia supports the proposed amendments, particularly those aimed at harmonizing terminology throughout the document.

Regarding specific issues, Indonesia wishes to provide the following comments:

Specific Issues**Para 32**

While acknowledging that observer countries do not hold voting rights in Codex decision-making processes, Indonesia notes that no issues have arisen until now from the current text, which permits observer countries to record statements of opposition to committee decisions. Indonesia therefore proposes to retain the existing text without modification.

Para 36

Indonesia agrees with the inclusion of the term "**Step 5/8**" in this paragraph to align with current practices.

Overarching issues

Indonesia wishes to emphasize the importance of including virtual modalities as an approved mechanism for working group operations. This position is based on our extensive experience with successfully conducting working groups through virtual formats.

Therefore, Indonesia is of the opinion that Option 2 would be most appropriate and practical for implementation at this time, as it properly accommodates virtual working modalities while maintaining the effectiveness of the working groups' outcomes.

Philippines

General Comments:

The Philippines commends the work of the host secretariats chaired by the United States of America and co-chaired by France to review the procedures in Section 3 (Guidelines for Subsidiary Bodies) of the Codex Procedural Manual. We generally agree to the proposed revisions in the relevant sub-sections of Section 3 (Guidelines for Subsidiary Bodies).

Specific Comments:

3.1 Guidelines to host governments of Codex committees, coordinating committees and ad hoc intergovernmental task forces

1. Introduction, Page 8, Paragraph 1

Codex Texts	Comments
1. By virtue of Article 7 of the statute of the Commission and Rule XI.1(b) of its rules of procedure, the Commission has established a number of Codex committees and ad hoc intergovernmental task forces to prepare standards and related texts in accordance with Section 2.1: Procedures for the elaboration of Codex standards and related texts and coordinating committees to exercise general coordination of its work in specific regions or groups of countries.	Proposed texts: "1. By virtue of Article 7 of the statute of the Commission and Rule XI.1(b) of its rules of procedure, the Commission has established a number of Codex committees, coordinating committees , and ad hoc intergovernmental task forces to prepare standards and related texts in accordance with Section 2.1: Procedures for the elaboration of Codex standards and related texts and coordinating committees to exercise general coordination of its work in specific regions or groups of countries.

Rationale: We propose the following editorial changes in the text for clarity.

2. Organization of work, Page 10, Paragraph 20

Codex Texts	Comments
20. Ad hoc working groups established to accomplish specific tasks shall be disbanded once the tasks have been accomplished as determined by the committee.	Proposed texts: "20. Ad hoc working groups established to accomplish specific tasks shall be disbanded adjourned or abolished once the tasks have been accomplished as determined by the committee."

Rationale: We propose replacing "disbanded" with either of the term "adjourned" or "abolished" for proper term. The term "adjourned" is also consistent with the term used to describe the status of a Codex Committee as stated in the Procedural Manual.

3.5 Guidelines on physical working groups

3. Introduction, Page 17, Paragraph 93

Codex Texts	Comments
93. Section 3.5: Guidelines on physical working groups (hereinafter, "working groups") established by Codex committees as described in these guidelines apply also to those established by regional coordinating committees and by Codex ad hoc intergovernmental task forces.	Proposed texts: "93. Section 3.5: Guidelines on physical working groups (hereinafter, "working groups") established by Codex committees as described in these guidelines apply also to those established by regional coordinating committees and by Codex ad hoc intergovernmental task forces."

Rationale: We propose the editorial change in the text consistent with the transversal updates on the terminology.

3.6 Guidelines on electronic working groups

4. Introduction, Page 19, Paragraph 123

Codex Texts	Comments
123. The guidelines applying to EWGs established by Codex committees, as described in these guidelines, apply also to those established by regional coordinating committees and by Codex ad hoc intergovernmental task forces.	Proposed texts: "123. The guidelines applying to EWGs established by Codex committees, as described in these guidelines, apply also to those established by regional coordinating committees and by Codex ad hoc intergovernmental task forces."

Rationale: We propose the editorial change in the text consistent with the transversal updates on the terminology.

South Africa

SA comments:

- South Africa supports the continued review of the sections in the PM.
- South Africa has noted the inclusions of the new provisions that were not provided for in the current PM, including the reference to the coordinating committees, etc. However, we are of the opinion that while the guidelines for PWG and EWG continues to evolve we should not develop a single guidelines as the working modalities would not be exactly the same. As such alignment with the working practices would guide where more experience is gained especially for other Members not only by "hosts/co-hosts" of working groups.

Rationale:

The revisions will ensure that the current working principles in the various Codex Subsidiary Bodies are supported/endorsed by the PM. Nonetheless, the Guidelines for both WGs (Physical and EWG) should not be single guidelines as the modalities are not exactly the same

Comments on Specific Issues

Conduct of meetings

Paragraph 32: mentions **[observer countries]**. While we appreciate inclusivity and transparency it is not clear why should observers be allowed to oppose the discussions of the Committee. The membership of Codex speaks about Members (member country and member organizations)?

Maybe there is a need for clarity of which are observer countries? The FAO and WHO should have standing rules wherein "observer countries" should only be allowed to observe to be informed and not have voting or allowed to oppose the discussions.

3.5 Guidelines on physical working groups

- South Africa request for further clarity on the **newly proposed paragraph 98**. As it is usually the norm for any Working Group (WG) to establish the chair or co-host before the work can be undertaken. This is usually done

as part of the Terms of Reference of the working group, which includes the languages to be used. This already covered in paragraph 97.

- Paragraph 100 should rather read “**Secretariat Services**” rather than “**Conference Services**”. Secretariat Services would encompass the support and the amenities required to facilitate meetings of the WG.

Para 36 on 3.2 “Guidelines on the conduct of meetings...”

- The step procedure must clearly explain what Step 5/8 is as some misunderstanding by Members confuse, when is text adopted at Step 5; Step 5/8 and Step 8.
- There should be text to explain that **Adoption of Codex text at Step 5/8 of the Step procedure means the omission of step 6 and 7 when the text is adopted at step 8 by the Commission**. This should be spelled out *Section 2 of the PM*

(d) Transversal updates on terminology

- Membership of Codex is constituted by Member countries, member organization and Observers.
- South Africa supports the use of terms “Member country” or “country” as this would differentiate between other members of Codex and should be the terminology use throughout codex text.
- It is the understanding that “Member states” is when we refer to members of either the WHO or FAO

Thailand

(The following comments include the previous Thailand’s comments on CL 2025/33-GP and additional comments from the CL 2025/33-GP.)

Thailand appreciates the host secretariat working group chaired by the United States of America and co-chaired by France for preparing the document. In general, Thailand does not object the proposed updates to the *Section 3: Guidelines for subsidiary bodies*. However, we would like to propose some specific comments as follows:

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

- **Paragraph 1:** Thailand has no objection to the inclusion of “and related texts” because it is clear and comprehensive. Moreover, we are of the view that the amendment should be done throughout Section 3: Guidelines for subsidiary bodies.

- **Paragraph 5:** In principle, Thailand has no objection to the amendment to allow the Chairperson to have assistants to support the work to increase efficiency by providing the host country’s opportunity to designate appropriate persons. However, we would like to seek clarification whether on, in cases where there is no co-hosting country, co-chairpersons should be appointed, or whether assistants or vice-chairpersons should be designated, in accordance with the current practice.

- **New paragraph 19:** Thailand would like to propose an amendment to the new paragraph 19 to ensure consistency with paragraph 7, which stipulates the use of official working languages of this session used at the session for simultaneous interpretation and the use of official working languages of the committee for the preparation of the report. Therefore, we suggest the following amendment:

“...The draft report should be made available in all the official working languages **of the committee** used at the session in sufficient time for consideration by the delegations...”

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

- **New paragraph 27:** Thailand would like to propose the CCGP to consider the amendment to the new paragraph 27 on Conference Room Documents (CRDs), to also include other working documents, such as discussion papers or proposals that may be additional delivered later during the meeting for consideration under the agenda item on “Other Business” that may be accessible as CRDs.

- **Paragraph 32:** Thailand would like to propose the deletion of the text “[and delegations from Observer countries]”. We consider that Observer countries may contribute information and express their views, which can be reflected in the meeting report. However, they should not be permitted to record their opposition or reservations regarding Codex standards or related texts, as they are not Members of the Codex

committees, coordinating committees or task forces.

- **Paragraph 33-34:** Thailand would like to propose editorial changes to paragraph 33 and paragraph 34, as the term 'standards' is used inconsistently with the term 'standards and related texts' found in other paragraphs. Moreover, we suggest editorial amending the wording to 'standards and related texts' for consistency throughout the document.

- **Paragraph 36:** Thailand has no objection to remove square brackets to allow the inclusion of 'step 5/8' in this context.

- **Paragraph 37:** Thailand is of the opinion that the texts in this sub-paragraph 37

b) are outdated, as it seems not to be in line with the current practices which may not be complete like these. Thus, we suggest the deletion of this sub-paragraph 37 b), or trying to update the details of the information that should be included in the preface of standards or related texts.

Section 3.3 Guidelines to chairpersons of Codex committees, coordinating committees and ad hoc intergovernmental task forces

- **Paragraph 39:** We would like to draw your attention to our previous comment in paragraph 5 of Section Guidelines to host governments of Codex committees, coordinating committees and ad hoc intergovernmental task forces.

- **Paragraph 52:** Thailand would like to final clarification whether the phrase of "and related texts" should be added in paragraph 52 a).

- **Paragraph 54:** In principle, we are of the view that concern form is overly specific and not generally applicable across Codex Committees. This practice is only specific to the Codex Committee on Pesticide Residues (CCPR) and the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF). In addition, referencing the use of concern form in the Codex Procedural Manual may set a precedent for requiring its use as a condition for raising scientific concerns to all Committees applying risk analysis principles. Such an implication may restrict the flexibility of Member Countries to express legitimate scientific issues during the standard-setting process. Consensus building at the committee stage can be effectively achieved through various mechanisms that reflect the working practices of each Codex committee, rather than relying on a single, committee-specific mechanism. Additionally, the suggestions of using a concern form are given in the *Section 4.6 Risk analysis principles applied by the Codex Committee on Residues of Veterinary Drugs in Foods* and *Section 4.8 Risk analysis principles applied by the Codex Committee on Pesticide Residues* in Codex Procedural Manual. Moreover, the explanation of concern(s) can be flexible provided by other ways, and these is covered by sub-small "i". Therefore, we would like to propose the deletion of sub-small "iv" as follows:

~~"iv. Where applicable under the risk analysis principles of the committees concerned, the use of a concern form to provide additional explanation on the specific concern(s) for consideration by the competent Joint FAO/WHO expert bodies."~~

Section 3.5 Guidelines on physical working groups

- **Paragraph 94-96:** Thailand proposes the deletion of this paragraph as the practices described therein are outdated and no longer reflect the current approaches.

- **Paragraph 116:** We noticed that both terms of 'conclusions' and 'recommendations' are used in this paragraph. Thus, we suggest to replace the term 'recommendations' with 'conclusions' to make it consistency with the others used in paragraph 115 to 117. Additionally, we are of the view that Members and Observers addressed in this paragraph are not clear that are of the Commission or the working group so we would like to seek for clarification of the sentence.

Section 3.6 Guidelines on electronic working groups

- **Paragraph 124-126:** We would like to draw your attention to our previous comment in paragraph 94-96 of Section 3.5 Guidelines on physical working groups.

- **Paragraph 145:** Thailand observes that the addition of the proposed text "as part of the EWG report" may cause confusion, as it could interpret to the recommendations of the EWG and the list of participants which are part of the EWG report, or to the Members and Observers whose name were listed as part

of the EWG report. Therefore, we would like to recommend CCGP to consider amending the text to improve clarity. For example, if this paragraph intentionally aims to allow Members and Observers who participate the EWG to consider the correction of recommendations and list of participants before including to working document of the Codex Committee, which has established the EWG, the text may be as read:

“The recommendations of an EWG and the list of participants shall be made available to all Members and Observers of the EWG ~~as part of the EWG report~~ by Codex Secretariat in the time to allow full consideration of the EWG’s recommendations.”

Discussion on consideration of the need to engage further revisions of the PWG and EWG guidelines

Thailand prefers the Option 2 suggesting that the revision of separate the PWG and EWG guidelines to align them with current working practices, especially virtual modalities. We are of the opinion that the procedures of working of the PWG and EWG are different. Moreover, the purpose of using virtual model of the EWG should differ from the PWG as the EWG should work based on electronic approach.