

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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CODEX PROCEDURAL MANUAL: UPDATE TO THE GUIDE TO THE PROCEDURE FOR THE AMENDMENT AND REVISION OF CODEX STANDARDS AND RELATED TEXTS

(Comment of European Union, India, Indonesia South Africa and Thailand)

EU

Member States Competence

Member States Vote

The Member States of the European Union (MSEU) thank the Codex Secretariat for the document prepared.

1) Aspects related to substance

The distinction between amendment and revision remains insufficiently clear. This concerns in particular the notion that “any other addition, change or deletion of text or numerical values in one or a limited number of articles in a Codex standard or related text” is considered an amendment and, differently from other examples like the update of a method, would “normally require a project document”.

Changes categorized as amendments in Appendix I vary significantly in scope and impact and while some would require the development of a project document, others would not. The MSEU find the application of divergent procedures to changes falling under the same category overly complex and confusing.

The MSEU suggest that amendments are described as adjustments to a limited number of articles or provisions in a Codex standard or text with no significant implications for its implementation or interpretation.

For example, the change of a Brix value in the Codex standard for fruit juices may impact only 1 provision, but is likely to have a significant impact on the standard’s implementation and should therefore receive further scrutiny (project document, step procedure).

The MSEU consider that changes falling under the category of *amendment* should be further clarified to ensure that adjustments under this category have no significant implications for the implementation or interpretation of the standard.

The MSEU do not believe that there is added value to distinguish between amendments of editorial or substantive nature, consequential to another decision of the CAC, or associated with any other qualifier.

The MSEU find the concept of “editorial amendment” very confusing and hard to differentiate from the notion of “correction”. In the past, the extensive use of “editorial amendments” led to inconsistencies in the way Codex standards were updated. As a consequence, the MSEU support the deletion of “editorial amendments”.

2) Aspects related to procedures

The MSEU suggest keeping a three-tiered system (corrections/amendments/revisions) with a clear and unambiguous distinction between these three types of changes, including the following procedural route:

- Corrections:

- managed by the Codex Secretariat.
- Amendments:
 - no project document is needed unless the CAC decides otherwise.
 - can be adopted at step 8 when there is consensus.
 - can only be proposed by the Codex Secretariat or a Codex committee to the Commission.
- Revisions:
 - a project document is mandatory unless the CAC decides otherwise.
 - must follow the step-procedure.
 - should be proposed by a Codex Member.

India

- **Comment:** In the option b. of the paragraph 32 India proposes to retain step 5 or.

Proposal:

In the case of an amendment proposed and agreed upon by a subsidiary body, it will also be open to the Commission to adopt the amendment at step 5 or 8 of the uniform procedure (see Part 3 of the elaboration procedures).

Rationale: If the amendment not agreed by commission at step 8, then the proposed amendment will go back to step 2 in case of amendment/ revision which undergoes the step process, in order to provide flexibility the step 5 need to be included.

Indonesia

Indonesia supports the proposed updates to **Section 2.1** as outlined in **Appendix I**. However, we would like to propose a minor editorial correction to **Paragraph 27** for greater accuracy.

Paragraph 27. For the purpose of this guide, the amendment of a Codex standard or related text means:

- Editorial changes that are not corrections, as defined in paragraph ~~12~~ **25**;

Rationale:

The definition of "*corrections*" is explicitly provided in **Paragraph 25**, not Paragraph 12. This adjustment would ensure consistency and clarity in the document's cross-referencing.

Kenya

General Comment: Kenya welcomes the proposed updates to Section 2.1 part 7 of the Codex Procedural Manual and appreciates the Codex Secretariat's efforts to improve clarity, consistency, and traceability of changes to Codex texts. Kenya supports the clear differentiation between corrections, amendments, and revisions, and the move to align with FAO's publishing and version control practices.

Clear definitions and transparent version control are essential for effective application of Codex standards in national regulatory systems. Kenya's food safety strategy relies on Codex texts to develop or revise food standards and technical regulations. Improved clarity and publishing transparency enhance trust in Codex texts, facilitate national-level adoption, and support international trade compliance.

South Africa

SA Comments: South Africa has noted and welcome the work done in relation to the updates to clarify the terminology to define **revisions, amendments and corrections**.

South Africa also welcomes the explanation made with regards to the use of FAO publication guidelines/requirements to ensure transparency of updates and version numbering of documents, including the traceability to be used in future as documents are modified (updated)

The one specific issue to be addressed is with whether the indication of amendments or revisions will be retrospectives of only for future documents.

South Africa should also support the omission of the use of the words “New Edition” as it will cause confusion if two similar documents are made available.

Thailand

First of all, Thailand would like to thank Codex Secretariat for preparing the document. Generally, Thailand does not object the propose update to the guide to the procedure for the amendment and revision of Codex standards and related texts in Section 2.1 (paragraph 8, 12, and Part 7). In addition, we would like to provide further comments on Part 7 as the following details.

Part 7 Guide to the procedure for the amendment and revision of Codex standards and related texts

In principle, Thailand does not object the three categories of a change to Codex texts, including correction, amendment, and revision, which is previously proposed as new edition. However, we would like to provide some specific comments as follows:

- **Paragraph 25:** Thailand has no objection to the relocation of paragraph 25 to the paragraph 30.
- **Paragraph 256:** Thailand has no objection to the amendments in this paragraph concerning corrections. However, we would like to propose an amendment to expanded the scope to explicitly include typographical errors and publication mistakes. The proposed text is as follows; “For the purpose of this guide: correction of a Codex standard or related text

means fixing any editorial errors **and typographical errors** including incorrect spelling, incorrect bold or italics, other incorrect formatting of text, an incorrect transcription, an incorrectly numbered or located footnote, and/or errors in translation **and in publication**....”

- **Paragraph 27:** Thailand has no objection to the amendments in this paragraph concerning amendment. However, to clearly distinguish between 'correction' and 'amendment', we would like to seek clarification on how the editorial changes that are not corrections, described in the new first bullet point in paragraph 27, differ from the 'corrections' mentioned in paragraph 25. This would be clearer and understandable if examples are given. In addition, we suggest reordering the relevant paragraphs accordingly, as the current sequence appears to be incorrect. We also recommend correcting the inaccurate paragraph references to ensure clarity and consistency throughout the document.
- **Paragraph 28:** Thailand has no objection to the amendments in this paragraph concerning revision. However, we would like to seek clarification regarding the development of explanatory notes to accompany any amendments or revisions to the standards. As such explanations have not previously been developed, we request further clarity on who would be responsible for preparing these explanations and how the process should be conducted. Furthermore, we suggest considering the establishment of a standardized format for these explanations to ensure consistency and transparency. We also recommend correcting the inaccurate paragraph references, as noted in our previous comment, to ensure clarity and consistency
- **Paragraph 29:** Thailand does not object to the proposed amendment of this paragraph. In addition, we are of the view that any corrections done by Codex Secretariat should be reported to the Commission for information and appropriate process should be established to notify members of such corrections in a timely and transparent manner.
- **Paragraph 310:** Thailand does not object to the proposed amendment of this paragraph.
- **Paragraph 324:** Thailand does not object to the proposed amendment of this paragraph. However, we would like to seek clarification regarding bullet a) whether 'editorial nature' refers to 'editorial amendments' as defined in the first bullet point in paragraph 27. If so, we suggest that consistent terminology should be used throughout the document. Additionally, in bullet c), the term 'existence' is still used. We recommend using language that aligns with the terminology in the preceding paragraphs, such as 'abolished,' 'dissolved,' or 'adjourned *sine die*' to ensure consistency.
- **Paragraph 332:** Thailand proposes that the second bullet point should be written and referenced in a manner consistent with paragraph 27, which addresses 'amendments.' To support this, consideration may be given to revising paragraph 27 by categorizing the different types of amendments into sub-items. This would help facilitate clearer referencing in other paragraphs throughout the document.

