

# CODEx ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda items 2, 4.1, 4.2, 5, 7 and 8

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEx COMMITTEE ON GENERAL PRINCIPLES

Thirty-fourth Session

Lille, France

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### COMMENTS OF RUSSIAN FEDERATION

#### Agenda item 2

The Russian Federation takes note of the information under this agenda item. We would also like to ask the Codex secretariat to clarify when the Russian version of the 30<sup>th</sup> edition of the Codex Procedural Manual will be made available.

#### Agenda item 4.1

The Russian Federation appreciate the huge work done by the Codex Secretariat in updating Section 3 of the Codex Procedural Manual, which was focused on the harmonization of terminology, work processes update, completion of missing information and deletion of the outdated content.

Regarding the Codex Secretariat's suggestions on how to further review the PWG and EWG Guidelines we are in favor of the Option 1 (development of single guidelines on Codex working groups intended to replace the current PWG and EWG guidelines).

Russia has some specific proposals to the updated Section 3 text (**in underlined bold**).

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

16. *Replies to invitations, in the form of registration to the session, will normally be requested to be **sent provided** as early as possible and in any case not less than 30 days before the session. It is of the utmost importance that by the date requested in the invitation, delegates of all those governments and international organizations which intend to participate are registered to the session.*

Russia proposes to use the word "provided" instead of "sent", because we delete the recipient (the Chairperson), to whom we send the replies. At the same time we can not send the registration. To our view "provided" better suits here.

19. *A Codex committee may request ~~Member Nations, Member Organizations~~ **Members** or international organizations represented at sessions of the committee to accomplish specific tasks or provide data, information or views on specific points.*

For the purposes of consistency and in line with the approaches, outlined in the CX/GP 25/34/4 (16. "...in the context of these procedures, it was recalled that members refer to both member countries/nations and member organizations. Thus, in these cases, the use of the term nation was deemed inappropriate as it would exclude Member organizations from the scope of the related provisions") we propose to use just the term "Members".

23.(PARA 22) *Working documents for a session prepared by participants and working group chairs must be drafted submitted in one or more of the official working languages of the **Commission, which should, if possible, be one of the languages used in the** Codex committee concerned. These documents should*

*be made available electronically to the chairperson of the committee, the host country secretariat and the Codex Secretariat at least three months before the opening of the committee to ensure translation by the host country into the official working languages of the session.*

Russia proposes to retain the text “Commission, which should, if possible, be one of the languages used in the” as it is. We don’t see the necessity for this amendment because, to our mind, the working documents for the session are submitted in at least one of the official languages of the Commission as per the current practice.

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

*30. Only the heads of delegations of Members, or of **Observers countries** or of international organizations have the right to speak unless they authorize other members of their delegations to do so.*

Russia proposes to amend the “Observer countries” into the “Observers” as we are not sure whether there are any Observer countries in Codex.

*32. Delegations from Members [and delegations from **Observer countries**] who wish their opposition to a decision of the committee to be recorded may do so, whether the decision has been taken by a vote or not, by asking for a statement of their position to be contained in the report of the committee. This statement should not merely use a phrase such as: “The delegation of X reserved its position” but should make clear the extent of the delegation’s opposition to a particular decision of the committee and state whether they were simply opposed to the decision or wished for a further opportunity to consider the question.*

Russia seeks clarification what is proposed to do with the bracketed text? We have the same proposal as in para 30 to amend the “Observer countries” into the “Observers”.

*34. The following appendices should be attached to the report:*

- a) list of participants;*
- b) draft standards with an indication of the step in the procedure which has been reached;*
- c) new work proposals submitted by the committee to the Commission for approval.*

#### **d) provisions for revocation or discontinuation of work, if any.**

We propose to add the subparagraph “d) provisions for revocation or discontinuation of work, if any”, which would, to our mind, better reflect current practices, existing in some committees, for example in the CCFA.

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

*39. The Commission will designate a Member Nation of the Commission, which has indicated its willingness to accept financial and all other responsibility, as responsible for appointing a chairperson of the committee. In the following, this **N**ation is referred to as host country. The host country is responsible for appointing the chairperson of the committee from among its own nationals. Should this person for any reason be unable to take the chair, the host country shall designate another person to perform the functions of the chairperson for as long as the chairperson is unable to do so. The chairperson may be supported by one or more assistants or co-chairpersons designated by the host country.*

Russia would like to seek clarification, who are the assistants, if not the committee co-chairs?

*54. The chairperson should also consider implementing the following measures in order to facilitate consensus building in the elaboration of standards at the committee stage:*

#### *a) Ensuring that:*

- i. the scientific basis is well established on current data including, wherever possible, scientific data and intake and exposure information from the developing countries;*
- ii. where data from developing countries are not available, an explicit request for collecting and making available such data is made;*
- iii. where necessary, further studies are carried out in order to clarify controversial issues; and.*

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

Russia does not support the inclusion of the new subparagraph iv. We would like to seek clarification for the purposes of adding item iv) here. The process for the use of concern forms is regulated under the PM Risk Analysis Section and does not lay under the Chair's responsibility.

### 3.6 Guidelines on electronic working groups

*NEW PARA 136. An invitation outlining the modalities by which an EWG operates and may be joined is to be prepared and distributed to all Members and Observers by the Codex Secretariat. This invitation shall include a request for the names, positions and email addresses of all the persons who will participate in the EWG and the representative who is authorized to submit comments, **as well as the deadline for provision of this information.***

Russia proposes to add the phrase “as well as the deadline for provision of this information” in the end of the new para 136 to better reflect current practices, because the deadline for registration and the provision of EWG participants' contact information is usually indicated in the invitations.

*136. A notice indicating when the EWG starts to operate and a programme of work shall be prepared, translated into the official working languages of the EWG, **if any**, and distributed by the host to all Members and Observers who have expressed the willingness to contribute.*

It is unclear, whether "if any" refers to the "official working languages of the EWG", and means that "if the EWG has official working languages". However usually EWGs do have working languages. We believe it is better to delete this phrase, because it is rather confusing.

*137. The circulation of drafts and calls for comments are the responsibility of the host. They are to be made **available to all EWG participants** by electronic means such as an online collaborative platform.*

Russia proposes to add the phrase “available to all EWG participants” to paragraph 13. It's important that these documents are available to all EWG participants.

## Agenda item 4.2

### SECTION 6 MEMBERSHIP

#### Table 7: 6.1 Core functions of Codex contact points

Russia supports the position of the Codex Secretariat outlined in the CX/GP 25/34/5 that the SECTION 6 MEMBERSHIP should remain as it is, despite the first part of it (Membership of the Codex Alimentarius Commission) was removed to the Codex website. It is important because this Section sets the Core functions of Codex contact points so it should stay in the Codex Procedural Manual.

At the same time, the Section 6 text might be subject to some amendments taken into account the current working practices in Codex.

Regarding the Codex Secretariat's question, whether the term “library” in paragraph 8 (“Maintain a library of Codex final texts”, 30<sup>th</sup> edition PM) still makes sense, we propose to consider the following amendment of this paragraph: “Are national focal points for any information on Codex texts”.

## Agenda item 5

Russia appreciates the work done by the Codex Secretariat to update the Guide to the procedure for the amendment and revision of Codex standards and related texts. We have some thoughts and specific proposals to the updated text.

First, Russia is of an opinion that the current text of the Part 7 is clear enough and does not contain extra information. We believe that the Part 7 does not need further simplification as this might lead to misunderstanding and misinterpretation of modification procedures.

We also would like to note, that the updates made in the *Section 2.1 Procedures for the elaboration of Codex standards and related texts* (namely to the Introduction, para 8, Part 2 Critical Review, and para 12) imply the necessity to likewise amend other paragraphs in *Part 2 Critical Review*, namely paragraphs 13, 14, 15. So the

decision to change the umbrella term “modification” in favor of using specific terminology (correction, amendment or revision) means we should apply the same approach to the mentioned paragraphs, which were not yet updated.

Furthermore, Russia would like to draw the Secretariat’s attention that it would be useful for the Member Nations to be aware of all the modifications to the Codex standards or related texts. The current approach does not imply the possibility for the countries to get acquainted with the proposed corrections to the standards. That is why it would be a good idea for the Secretariat to consider a possibility of creating an online platform or sharing the information documents about such corrections.

Regarding some specific comments to the Part 7, we would like to propose to add the word “correction” to the paragraph 24 as follows: “The procedure for amending or revising a Codex standard is laid down in paragraph 8 of the introduction to Section 2.1: Procedures for the elaboration of Codex standards and related texts. This guide provides more detailed guidance on the existing procedure for the **correction**, amendment and revision of Codex standards and related texts”. The reason is that the new title of the Guide (Guide to the procedure for the correction, amendment and revision of Codex standards and related texts) now includes the word “correction”, and the Guide itself describes corrections among other types of modifications.

#### **Agenda item 7**

The Russian Federation would like to ask the Codex Secretariat whether the approaches, proposed under this agenda item are going to be included into Guidelines for new work proposals, which are currently under development by the Codex Secretariat (as outlined in the CX/GP 25/34/2 and CX/GP 25/34/8).

#### **Agenda item 8**

Russia supports the idea to supplement the paragraph 59 of the Criteria and procedural guidelines for Codex committees and ad hoc intergovernmental task forces working by correspondence with the text “However, the Chairperson, in consultation with the Codex Secretariat, may exceptionally propose that a specific issue be discussed by simultaneous virtual presence of participants if deemed necessary for the efficient conclusion of the item”. We are of the view, that the possibility of using the information technology tools, allowing for the simultaneous participation, may contribute to the timely consensus and enhance agreement on the documents under development.