



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### FAO/WHO COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN

#### 22nd Session

#### Virtual

### MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND ITS SUBSIDIARY BODIES

#### A. MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION (CAC43 AND CAC44)

##### Appointments<sup>1,2</sup>

1. CAC43 appointed Ecuador as the Regional Coordinator for Latin America and the Caribbean to hold office from the end of CAC43 until the end of the first regular session of the Commission following the next session of the relevant Coordinating Committee i.e. CCLAC22 (in accordance with current plans and this would be until the end of CAC45 (2022)).
2. CAC44 (2021) re-elected Uruguay as a Member of the Executive Committee on a geographic basis for the period from the end of its present Session to the end of the second succeeding regular Session of the Commission (CAC46).

##### Codex and the pandemic<sup>3,4</sup>

3. CAC43 recommended to all subsidiary bodies and Members and Observers to make full use of existing remote working mechanisms such as electronic working groups (EWGs) and circular letters (CLs) and to plan their virtual committee meetings in such a manner as to optimize the possibility to complete their agendas.
4. CAC44 recommended that Rule XI (7) and (8) continue to be interpreted in a manner that includes a virtual setting with respect to sessions of Codex Subsidiary Bodies including CCEXEC and that application of this should take into consideration the criteria outlined by CCEXEC80.

##### Application of the Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the extent to which other factors are taken into account (SoP)<sup>5</sup>

5. The importance of this work was highlighted by several Members who with reference to their written comments emphasized the value of completing the guidance to Chairpersons and Members of Codex to ensure the scientific basis of Codex standards development and decision making, and the extent to which other factors are taken into account to facilitate consensus in standards setting.
6. CAC44 welcomed the ongoing work by CCEXEC on the guidance for Chairpersons and Members on the operationalization and the consistent application of the Statements of Principle, and further encouraged CCEXEC to complete this work in an expeditious manner.

##### Proposed draft MRLs on zilpaterol hydrochloride<sup>6</sup>

7. CAC44 requested the Chairperson and Vice-Chairpersons of the Commission to undertake informal consultations with all relevant parties to encourage and enable sustained effort to build consensus in advance of CAC45.

<sup>1</sup> REP20/CAC, paragraph 164

<sup>2</sup> REP21/CAC, paragraph 133

<sup>3</sup> REP20/CAC, paragraph 31 (ii)

<sup>4</sup> REP21/CAC, paragraph 12(iii)

<sup>5</sup> REP21/CAC, paragraphs 13-14, REP21/EXEC2, paragraphs 92-99, REP21/EXEC1, paragraphs 37-43

<sup>6</sup> REP21/CAC, paragraph 29 (v and vi)

60<sup>th</sup> Anniversary of Codex<sup>7</sup>

8. CAC44 agreed that the celebration of the Codex 60th Anniversary (2023) would be a wonderful occasion to raise awareness about food safety and quality and encouraged all Members and Observers to use the opportunity of the Codex 60th Anniversary to plan and implement activities to build awareness of Codex and to engage high level political support for Codex work. CAC44 noted that Codex already had a number of tools at its disposal to facilitate engagement and planning for the Anniversary, including the FAO/WHO Coordinating Committees.

9. The Codex Secretariat has issued a video call to all Members and Observers to share their memories, experiences of key moments, successes and challenges and people that have defined Codex and international food standard setting over the past six decades. Members and observers are asked to submit their ideas to [codex@fao.org](mailto:codex@fao.org) by 30 September 2022.

Adoption of the General Standard for the Labelling of Non-Retail containers of Foods and consequential amendments to the Procedural Manual<sup>8</sup>

10. CAC44 adopted:

- the *General Standard for the Labelling of Non-retail Containers of Foods* (CXS 346-2021), at step 8<sup>9</sup>, and
- the consequential amendment to the Procedural Manual (i.e., the Format for Codex Commodity Standards, section on labelling) (Annex I, Part A).

11. CAC44 requested the Commodity Committees to review the labelling provisions for non-retail containers in existing and draft standards in light of the new standard for the labelling of non-retail containers (Annex I, Part B).

12. Members are invited to carefully review the labelling provisions for non-retail containers in the existing regional standards and consider whether they can be wholly replaced by a cross reference to CXS 346-2021 or specific requirements should be retained in addition to the cross-reference to CXS 346-2021 (see the options 1 and 2 in Annex I, Part B).

Dissolution of TFAMR<sup>10</sup>

13. CAC44, noting that TFAMR had completed its mandate, agreed to dissolve the task force.

**B MATTERS ARISING FROM CODEX SUBSIDIARY BODIES****EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION (CCEXEC78, CCEXEC80, CCEXEC81 AND CCEXEC82)**Implementation of CAC42 decisions: Feedback on Changes and Proposals for further improvements<sup>11</sup>

14. CCEXEC78 requested that Chairpersons of subsidiary bodies and CAC together with the Secretariat:

- develop strategies to prevent or mitigate technical discussions at CAC on topics for which there was no consensus and communicate these strategies to Members. Such strategies may include short adjournments of the session for informal discussions or suspension of discussions on items that overrun the planned time limit; and
- ensure that, at meetings of CAC, written comments received were given due consideration and the technical basis of reservations were included in meeting reports.

15. CCEXEC78 further encouraged all Members and Observers, especially through the recently adopted regional communications work plans, to continue to actively contribute to the promotion of Codex with all stakeholders, especially policy makers.

<sup>7</sup> REP21/CAC, paragraphs 143 and 150

<sup>8</sup> REP21/CAC, paragraphs 83 and 86

<sup>9</sup> REP21/FL, paragraph 60

<sup>10</sup> REP21/CAC, para 101

<sup>11</sup> REP20/EXEC1, paragraphs 30 (ii) and 78

Dealing with Exceptional Interruptions to Codex Meetings<sup>12</sup>

16. CCEXEC78 acknowledged the difficult challenges faced by the Regional Coordinator, host secretariat, participants and the Codex Secretariat with regard to the conduct of CCLAC21 and expressed appreciation for the efforts made by the Regional Coordinator to ensure the security of all participants and subsequently to adopt a session report by virtual means. CCEXEC78 applauded the efforts of the region to complete their discussions by correspondence and virtual adopt the report but noted that this process should not be considered as a standard procedure within Codex. It also encouraged the Codex Secretariat to work with host secretariats to ensure that there was awareness and preparedness to address potential security situations at Codex meetings.

Codex and the Pandemic<sup>13</sup>

17. CCEXEC80 recommended that when planning the agenda of Codex sessions to be convened virtually, the Chairpersons together with the host and Codex secretariats were adequately prepared for the sessions and how to deal with agenda items in recognition of the challenges associated with conducting a virtual session.

18. CCEXEC81 commended the huge efforts of the Codex family to deliver the 2021 work programme and in moving forward, CCEXEC recommended that: Chairpersons and Host Secretariats collaborate closely with the Codex Secretariat in their efforts to establish a meeting schedule that is realistic to implement and ensures adequate time between meetings and that the Codex Secretariat together with Chairpersons and the larger membership further consider how EWGs and/or other inclusive and transparent mechanisms can continue to be strengthened, playing an even more fundamental role in Codex as a flexible mechanism to prepare work and ensure that discussions in subsidiary bodies is only held when there is a need for guidance or the work it is ready for progression in the step process.

A model for future Codex work<sup>14,15</sup>

19. CCEXEC81 agreed to establish and lead a process to develop the blueprint for the future of Codex for consideration by CAC on its 60<sup>th</sup> anniversary in 2023. The process should include communication and outreach to Members and Observers to collect general views on what a future Codex should look like.

20. CCEXEC82 agreed to establish a sub-committee to develop in collaboration with the Codex Secretariat a report including a proposed blueprint for the future of Codex for CCEXEC84, taking into consideration the views of Members and Observers, FAO and WHO, Chairpersons of Codex Committees, Regional Coordinators and Host Secretariats.

60<sup>th</sup> Anniversary of the Codex Alimentarius Commission: 1963-2023<sup>16</sup>

21. CCEXEC82 noted the initial plans<sup>17</sup> provided by the Codex Secretariat to celebrate Codex@60 and provided further suggestions including for regional activities, expressed commitment to advocacy at all levels to ensure the widest possible participation and promotion of the anniversary; and encouraged Members and Observers to fully engage in early planning to identify their own contributions.

Update on informal consultations on zilpaterol hydrochloride by the Chairperson and Vice-Chairpersons (CVCs) of the Codex Alimentarius Commission<sup>18</sup>

22. CCEXEC82 noted the interim report from the CVCs on their informal consultations and supported further informal dialogue led by the CVCs including, but not limited to, informal discussions on a regional basis, noting that these did not replace bilateral discussions between Members.

New food sources and production systems<sup>19</sup>

23. CCEXEC81 agreed to establish a sub-committee to investigate potential mechanisms to address crosscutting, overarching and emerging issues in Codex such as new food sources in the context of food safety, food quality and labelling and the state of related science, the needs and priorities of members as well as any other considerations identified.

24. CCEXEC82 recognised that ongoing work by CCEXEC on “new food sources” did not preclude committees from undertaking new work falling within their respective mandates.

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<sup>12</sup> REP20/EXEC1, paragraph 116

<sup>13</sup> REP21 EXEC1, paragraph 35; REP21/EXEC1, paragraph 84 (ii) and (iv) and REP22/EXEC1, paragraph 100

<sup>14</sup> REP21/EXEC2, paragraph 85

<sup>15</sup> REP22/EXEC1, paragraphs 86-101

<sup>16</sup> REP22/EXEC1, paragraphs 122-129

<sup>17</sup> CX/EXEC 22/82/8

<sup>18</sup> REP22/EXEC1, paragraph 29

<sup>19</sup> REP22/EXEC1, paragraph 85

25. CCEXEC82 agreed that the sub-committee should continue its stepwise consideration of the issues, informed by an analysis of the information collected through the CL, conference room documents (CRDs) and report of CCEXEC82.

Monitoring the use and impact of Codex Standards<sup>20</sup>

26. CCEXEC81 noted that, in line with Goal 3 of the Codex Strategic Plan 2020-2025 (Increase recognition and use of Codex Standards), the Codex Secretariat in consultation with the FAO and WHO Evaluation Offices has initiated a project to build a mechanism to monitor the use and impact of Codex standards.

27. CCEXEC82 discussed the draft mechanism to monitor the use and impact of Codex texts and

- recognized the benefits and challenges in monitoring the use and impact of Codex texts, and the importance of engagement as the process evolved and of periodic review.
- endorsed the proposed approach for building the Codex M&E framework, noting that 2022 would be a pilot year for the re-designed survey approach and that the preliminary results would be reported at CCEXEC83 and CAC45.
- encouraged Members and Observers to identify potential resources to support data gathering for this work, particularly through case studies which should be selected according to a set of pre-defined criteria and be clear in terms of scope and context.

**52<sup>ND</sup> SESSION OF THE CODEX COMMITTEE FOR FOOD ADDITIVES (CCFA52)<sup>21</sup>**

28. CCFA52 agreed to:

- publish on the Codex website the document titled “Guideline on avoiding future divergence of food additive provisions in the GSFA with Commodity Standards” as an information document and inform the corresponding Commodity Committees of this document; and
- update the alignment future work plan contained in the Information Document titled Guidance to Commodity Committees on the Alignment of Food Additive Provisions.

**41<sup>ST</sup> SESSION OF THE CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING (CCMAS41)<sup>22</sup>**

Review / update of methods of analysis in the General Standard for Methods of Analysis and Sampling

29. CCMAS41 confirmed its continued liaison with other Codex committees on the use of the *General Standard on Methods of Analysis and Sampling* (CXS 234-1999) as the single reference for methods of analysis and sampling.

Revision of the General Guidelines on Sampling (CXG 50-2004)

30. CCMAS41 agreed to inform other relevant Codex Committees of the ongoing work on the revision of the General Guidelines on Sampling and invite any comments as relevant.

**RECOMMENDATIONS**

31. CCLAC is invited to:

- i. **note the information** provided in relevant paragraphs;
- ii. **encourage** Members and Observers, on the occasion of the 60<sup>th</sup> anniversary, to plan and implement activities to build awareness of Codex and to engage high level political support for Codex work and to consider the implementation of a regional event to mark the 60<sup>th</sup> anniversary;
- iii. **encourage** Members and Observers to actively engage in opportunities to contribute to the discussions in CCEXEC (i.e. the operationalization of the SoP; the future of Codex; new food sources and production systems, and monitoring the use of Codex standards) through their Regional Coordinators, discussions at CCLAC and/or by providing replies to relevant circular letters in this regard; and
- iv. **consider**: the request from CAC44 as outlined in paragraphs 11 and 12 and update the relevant section in current CCLAC standards outlined as options 1 and 2 in Annex I, Part B (Labelling provisions for non-retail containers in the standards in the existing regional standards developed by CCLAC).

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<sup>20</sup> REP22/EXEC1, paragraph 121

<sup>21</sup> REP21/FA, paragraphs 69, 107 (i) & (ii), Appendices XII & XIII

<sup>22</sup> REP21/MAS, paragraphs 6, 11 and 110 (iv)

**PART A - Amendment to the Procedural Manual****Section II - Elaboration of Codex Standards and Related Texts: Format for Codex Commodity Standards: Section on labelling**

Replace the following:

Where the scope of the Standard is not limited to pre-packaged goods, a provision for labelling of non-retail containers may be included:

In such cases the provision may specify that:

“Information on .....<sup>12</sup> shall be given either on the container or in accompanying documents, except that the name of product, lot identification, and the name and address of the manufacturer or packer shall appear on the container.<sup>13</sup>”

However, lot identification, and the name and address of the manufacturer or packer may be replaced by an identification mark provided that such a mark is clearly identifiable with the accompanying documents.”

<sup>12</sup> Codex Committees should decide which provisions are to be included

<sup>13</sup> Codex Committees may decide that further information is required on the container. In this regard, special attention should be given to the need for storage instructions to be included on the container.

With:

Where the scope of the Standard is not limited to prepackaged foods, a provision for the labelling of non-retail containers may be included as follows:

“The labelling of non-retail containers should be in accordance with the General Standard for the Labelling of Non-Retail Containers of Foods.”

The section may also contain provisions which are exemptions from, additions to, or which are necessary for the interpretation of the General Standard in respect of the product concerned provided that these can be justified fully.

**PART B - Labelling provisions for non-retail containers in the regional standards developed by CCLAC that require revision**

Title	Reference number	Current section that need to be revised*
Regional Standard for Culantro Coyote	CXS 304R - 2011	<p><b>6.2 NON-RETAIL CONTAINERS</b> Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside, or in the documents accompanying the shipment.</p> <p><b>6.2.1 Identification</b> Name and address of exporter, packer and/or dispatcher. Identification code (optional) .</p> <p><b>6.2.2 Nature of Produce</b> Name of the produce “Culantro Coyote”, or its name in the country of marketing, if the contents are not visible from the outside. Name of the variety and/or commercial type (optional).</p> <p><b>6.2.3 Origin of Produce</b> Country of origin and, optionally, district where grown or national, regional or local place name.</p> <p><b>6.2.4 Commercial Identification</b> - Class; - Net weight.</p> <p><b>6.2.5 Official Inspection Mark (optional)</b></p>
Regional Standard for Lucuma	CXS 305R – 2011	<p><b>6.2 Non-retail Containers</b> Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside, or in the documents accompanying the shipment.</p> <p><b>6.2.1 Identification</b> Name and address of exporter, packer and/or dispatcher. Identification code (optional) .</p> <p><b>6.2.2 Nature of Produce</b> Name of the produce “Lucuma” if the contents are not visible from the outside. Name of the variety (optional).</p> <p><b>6.2.3 Origin of Produce</b> Country of origin and, optionally, district where grown or national, regional or local place name.</p> <p><b>6.2.4 Commercial Identification</b> - Class; - Size (size code or maximum and minimum diameter in millimetres); - Net weight; - Lot number.</p> <p><b>6.2.5 Official Inspection Mark (optional)</b></p>
Regional Standard for Yacon	CXS 324R-2017	<p><b>7.2. Non-retail containers</b> Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked and visible from the outside, or in the documents accompanying the shipment. For yacon transported in bulk (directly loading into a transport vehicle) these particulars must appear on a document accompanying the goods, and attached in a visible position inside the transport vehicle.</p> <p><b>7.2.1 Identification</b> Name and address of the exporter, packer and / or dispatcher. Identification code (optional) .</p> <p><b>7.2.2 Nature of Produce</b></p>

		<p><b>Name of the produce, variety and/or commercial type (optional).</b>  In the case of a mixture of distinctly different varieties and/or commercial types, names of the different varieties and/or commercial types.  In the case of a mixture of distinctly different varieties and/or commercial types and/or colours of yacon, which are not visible from the outside, varieties and/or commercial types and/or colours and the quantity of each in the package must be indicated.</p> <p><b>7.2.3 Origin of Produce</b>  Country of origin and, optionally, district where grown, or national, regional or local place name.  In the case of a mixture of distinctly different varieties and/or commercial types of yacon of different origins, the indication of each country of origin shall appear next to the name of the variety and/or commercial type.</p> <p><b>7.2.4 Commercial Identification</b></p> <ul style="list-style-type: none"> <li>· Class;</li> <li>· Size.</li> </ul> <p><b>7.2.5 Official Inspection Mark (optional)</b></p>
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\* Options for the revisions for the labelling provisions for non-retail containers

Option 1.

Replace the whole provision for the labelling for non-retail containers with the standardized text as follows:

**6.2/7.2 NON-RETAIL CONTAINERS**

The labelling of non-retail containers should be in accordance with the General Standard for the Labelling of Non-Retail Containers of Foods.”

Option 2.

Replace the provision under the section with the standardized text as shown in the Option 1, and additionally retain relevant subsections with necessary amendments.