

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda Item 4

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

Eighty-first Session

Virtual

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### CODEX AND THE PANDEMIC- PROGRESS ON IMPLEMENTATION OF RECOMMENDATIONS OF CAC43 AND CCEXEC80 AND ISSUES FOR CONSIDERATION FOR 2022

(Prepared by the Codex Secretariat in consultation with the Chairperson and vice-Chairpersons of  
the Commission)

#### INTRODUCTION

1. The 80<sup>th</sup> Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC80)<sup>1</sup> considered a report on Codex and the pandemic prepared by a sub-committee of the CCEXEC<sup>2</sup>. In doing so, it confirmed its support for the content of the report, appreciated the approaches taken in Codex to date in response to the challenges posed by the pandemic, noting that virtual meetings and participation therein were critical to the success of Codex in 2021. CCEXEC80 made a number of recommendations with the aim of ensuring that despite the pandemic, with pragmatism and engagement, the work of Codex could continue in 2021.

2. Key to the continuation of Codex work in 2021 was the agreement of CAC43 that the place of a meeting could be interpreted as “virtual” without making any changes to the procedures. CCEXEC80 agreed a set of criteria to be used when determining if a meeting needed to be convened virtually. Furthermore, CCEXEC80 emphasized the role of online and informal working mechanisms as robust means of overcoming the challenges being faced.

3. A further aspect addressed by CCEXEC80 was the importance of preparation and planning to ensure that all concerned were well positioned to both participate in and facilitate virtual meetings, recognizing that this was a new way of working for Chairpersons, host secretariats, Members and observers as well as the Codex Secretariat. Ensuring Members had the technology and capacity to participate in virtual meetings was considered very important so that virtual meetings did not contribute to further barriers to participation, while at the same time the advantages of virtual meetings, in terms of ease of participation and reduced cost, were all aspects to be considered. In this context, CCEXEC80 made a number of recommendations to the Codex Secretariat<sup>3</sup> in terms of outreach, lessons learned and challenges and benefits.

4. This document aims to provide an overview of the experiences of implementing the Codex programme of work virtually so far in 2021, the lessons learned and recommendations for moving forward in a sustainable, flexible and efficient manner. It has been informed by feedback from post-meeting

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<sup>1</sup> [REP21/EXEC1](#)

<sup>2</sup> [CX/EXEC 21/80/3](#)

<sup>3</sup> [REP21/EXEC1](#), para 36

questionnaires, informal ad hoc discussions with a range of members and observers who freely spoke about their experiences and provided further insights, and observation of and informal discussions on the impacts on workloads of the Codex and host country secretariats.

## **A VIRTUAL CODEX**

5. Despite the great progress made in terms of prevention, in particular vaccination, and treatment of COVID-19, the pandemic continues to have a huge impact on the conduct of work and meetings around the world. From a Codex perspective, 2021 saw the emergence of a truly virtual Codex. While at the beginning of the year it was thought that some physical meetings might be possible during 2021, by mid-year it was clear that all Codex sessions would have to meet virtually in 2021. This included one session of the Commission, two sessions of CCEXEC, eight general subject committee sessions, three commodity committee sessions, and one task force, sixteen sessions in total. This is a record number of Codex sessions for a year in which no FAO/WHO coordinating committees were convened. This has sent a clear message that despite the challenges posed by the pandemic, Codex remains open for business and has reaffirmed itself as the place to negotiate food standards to protect the health of consumers and ensure fair practices in food trade. As a result, the 44<sup>th</sup> Session of the Codex Alimentarius Commission (CAC) will consider a wide range of standards, with at least 44 standards recommended for final adoption, 5 standards recommended for adoption at step 5, and 7 proposals for new work.

6. Many factors contributed to this achievement in addition to the 16 virtual Codex sessions. Critical to success was the array of auxiliary meetings and events ranging from webinars, to virtual meetings of working groups, extended discussions of electronic working groups (EWGs) and online written discussions. As a result, there was hardly a day in the past ten months when there was not some kind of online meeting or discussion ongoing to facilitate the progression of Codex work. The EWGs became the engine which facilitated progress in many subsidiary body sessions, for example in the Codex Committee on Methods of Analysis and Sampling (CCMAS), Codex Committee on Food Additives (CCFA), Codex Committee on Food Labelling (CCFL) and the Task Force on Antimicrobial Resistance (TFAMR) to name but a few. This could be considered as the basis for or the beginning of a shift in the architecture of Codex with EWGs in particular playing an even bigger role in facilitating and driving the discussions and consensus-building needed to ensure subsidiary bodies are able to efficiently progress work. While this would require further reflection in terms of planning and execution, the experiences of 2021 highlight the need to consider how to fully exploit EWGs moving forward.

7. Based on the above, the recommendation of CCEXEC80, to take a pragmatic approach and make full use of all the tools at our disposal, has been fully executed in the course of 2021. The use of these tools, adapted as needed to the requirements of different committees and different pieces of work have illustrated that work can be effectively undertaken in the absence of physical meetings. There have been extensive benefits in terms of progressing Codex standards, in particular with regard to upholding the core values of inclusivity, transparency and collaboration. Consensus-building may have been more challenging, particularly for difficult issues, but the success of subsidiary bodies such as TFAMR demonstrated that even then, when there was willingness and commitment, progress was possible. Key to progress has also been preparations for subsidiary bodies, led by the Codex Secretariat, EWG chairs and Committee Chairpersons.

8. The extensive preparation and related success comes with a cost in terms of the support and input required from the Codex Secretariat, the Chairpersons and vice-Chairpersons of the Commission and Chairpersons of subsidiary bodies and EWGs, host secretariats and Members and leads to questions on the sustainability of this approach. A key objective of 2021 was to ensure Codex standard-setting work was back on track after the extensive postponement of meetings in 2020 and that the benefits from the alternative work mechanisms put in place were fully reaped. While this has been achieved, as the year progressed it has become clear that it is not sustainable for the Codex Secretariat and unwise for Codex to implement such an extensive schedule of meetings on a continuous basis.

9. Under normal circumstances, 2021 should have also been the year when the next round of FAO/WHO Coordinating Committees were implemented. However, due to the number of meetings that had to be postponed from 2020 to 2021, the meeting calendar was already overcrowded in 2021. As a result, the next round of Coordinating Committees has had to be pushed to 2022/23. This presents new challenges in scheduling of Codex sessions as other subsidiary bodies also need to meet during this period. There is

also a need to consider further the important role and modus operandi of the Coordinating Committees in Codex work and their ongoing rejuvenation, noting that the regional coordinators and informal regional meetings contributed to ongoing engagement during the pandemic.

10. In moving forward, having more flexibility around when and how often to schedule Codex subsidiary body sessions, and reducing their frequency will be paramount to maintaining the quality of and engagement in Codex work.

11. As a final note on the price of success, other aspects of Codex work such as follow-up on implementation of work management review recommendations, progress on planned improvements such as a digital Procedural Manual, and the timeliness of documents among others have suffered. Finding a balanced approach moving forward will ensure that all aspects of Codex work, which ultimately support standards development and implementation, progress in a timely, efficient and effective manner.

### **GUIDED BY THE CODEX CORE VALUES**

12. The core values of Codex, inclusiveness, collaboration, consensus-building and transparency have been at the center of efforts to ensure Codex work continued during the pandemic. Looking at the registration figures for Codex sessions in 2021, there has been an increase across the board compared to the previous two physical sessions, with an increase in Member registration in the range of 40-80% and often a doubling or tripling of observer registration compared to the previous two physical sessions, and in most cases there was over 100% increase in the number of overall registrants. This indicates more Members and observers are following meetings, Members are joining with larger delegations and there has been a large increase in first time delegates to Codex, with data from pre-meeting and post-meeting surveys suggesting that up to half of the delegates are participating in a Codex meeting for the first time<sup>4</sup>. In terms of Codex becoming more inclusive and thereby more transparent, virtual meetings have served as a rapid accelerator.

13. One of the recommendations of CCEXEC80 was to reach out to all Members to inform an assessment of both the benefits of virtual meetings, and any barriers to participation and changes that may mitigate them, paying particular attention to those Members who were unable to participate in virtual committee sessions because of those barriers. The Codex Secretariat has implemented post-meeting surveys following each of the virtual committee sessions convened to date and has also reviewed registration figures to Codex committees. While it has not been feasible to reach out to all Codex Members, the Secretariat has received further feedback from Members and Observers during various informal events and informally from the regional Coordinators. These various feedback mechanisms provide some important insights into the views of Members on virtual meetings

14. The increased ability to participate in Codex subsidiary body meetings by convening them virtually has been widely appreciated. In addition to more members or observers being able to participate, the benefits also relate to the composition and size of delegations, with for example, experts being able to more closely follow the discussions and advise their heads of delegation and Members being able to bring additional delegates to facilitate succession planning. The savings afforded to delegations by virtual meetings are several ranging from financial to the time associated with travel as well as personal benefits of being able to follow international meetings from home and reduce both potential risks of exposure to COVID-19 and environmental impacts. Others highlighted the value of being able to join a Codex session, which had been impossible for them to date due to various challenges to participate physically.

15. Although the increase in registration has not necessarily led as yet to an increase in active participation, it does indicate that virtual meetings facilitate transparency, and contribute to inclusivity, essential building blocks for collaboration and consensus-building.

16. The survey feedback also suggests that this passive participation provides delegates with new insights into Codex standards and their development that can facilitate understanding and implementation of standards at the national level. In other words having more insight into why the standard was developed in a particular way and the basis for various provisions facilitates its operationalization at national level. Given

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<sup>4</sup> Based on pre-meeting mentimeter surveys and post meeting surveys with the caveat that respondents to the survey only represent a sub-set of the meeting participants.

the aim of goal 3 of the Codex Strategic Plan 2020-2025 is to increase recognition and use of Codex Standards this is a positive development.

17. For those participating in a virtual Codex session for the first time, post-meeting surveys indicated that they generally found it to be a very positive experience. Participation enabled them to learn more about Codex and become aware of the processes and discussions required to develop an international standard, again contributing to increased recognition of Codex Standards.

18. However, there are also challenges with virtual meetings. Technology and stable internet access remains an issue with an average of 20 percent of survey respondents indicating some kind of connectivity issues during virtual meetings. Working across different time zones means that for some delegations the working hours of Codex meetings are very challenging, happening outside office hours and often during the night. As well as the obvious challenges of achieving effective participation/performance at difficult hours, in some countries this also contributed to the technological challenges as access to the necessary equipment and bandwidth may not have been accessible (from home) outside of office hours.

19. Feedback has also suggested that achieving the core values of collaboration and consensus-building in particular are more challenging in a virtual environment. Delegates have commented on the lack of face-to-face interaction and possibility to build rapport and consensus over the informal opportunities of for example coffee and lunch breaks, provided by a physical meeting. It has been suggested that collaboration to date in the virtual setting has been facilitated by the foundation of physical meetings where many of the delegations already have had the opportunity to meet and develop a working relationship and cautioned that the longer we go without physical meetings the more these relationships become attenuated and the lack of these relationships acts as a barrier to full participation by newcomers to the Codex family. There have been efforts to counteract the challenge of collaboration with the promotion of pre-meeting discussions through a range of events in more informal virtual settings with the objective of providing an environment that may be more conducive to building relationships.

20. However, despite the challenges, time zones and technical issues the huge flexibility among Codex Members and Observers to adapt to and work within a virtual environment in the past year has been incredible and must be applauded. Together with the increased and often active engagement of Members who have struggled to participate in Codex subsidiary bodies to date, the Codex family is probably more connected than ever.

21. While the desire to meet face-to-face undoubtedly remains, hindsight has underlined that physical meetings can be considered a privilege, which the past year has shown can quickly be removed by circumstance. In addition, the pandemic has clearly illustrated that it was also a privilege before the pandemic, as physical sessions were not accessible to all Codex Members (. Virtual Codex meetings have somewhat leveled the playing field when it comes to participation and as Codex emerges from the pandemic it will be critical to ensure that inclusivity and equity of participation remain a core priority.

## **TECHNOLOGY – KEY TO SUCCESS**

22. The uptake of new technologies was phenomenal in the past 18 months with work mechanisms that were only a dream two years ago now a reality of daily life and the improvements in virtual connectivity bringing more members to codex on a regular basis.

23. The amount of work required to successfully run virtual meetings and the supporting events was probably significantly underestimated at the beginning 2021. These new approaches require significant strategic thinking and planning, technical as well as logistical rollout and ongoing implementation support. Looking at Codex overall this translated into almost daily meetings between the Codex Secretariat and the chairs of committees and/or working groups or host secretariats. It also required outreach to Members and Observers to familiarize them with new technology and training on the use of existing virtual tools in Codex to ensure engagement at the different levels of standard development.

24. The use of new technologies and meeting platforms such as Zoom also presented challenges for host secretariats. Host secretariats did not always have the infrastructure, capacity, expertise and/or experience to run virtual meetings. In some cases, they also faced challenges with licensing and permissions to use the software. Even when huge and appreciated efforts were made to use external providers to support the meetings, the lack of familiarity with some of the unique characteristics of Codex

meetings meant challenges were still encountered. The Codex Secretariat has gained considerable experience in supporting virtual meetings over the past 18 months and therefore worked very closely with host secretariats to facilitate an optimal virtual meeting experience for all involved. This support and collaboration has led to very positive feedback through post-meeting surveys with Codex meetings even referred to as the gold standard for virtual meetings.

## **MOVING FORWARD**

25. While initially seen as an enormous challenge, the global pandemic has provided Codex with incredible opportunities. As the priority objective for 2021 to get Codex meetings up and running again has now been achieved it is time to look forward. Emerging from the pandemic provides an opportunity to “reset” and ensure that as the 60<sup>th</sup> anniversary of Codex approaches (2023), the working model is one that will ensure Codex remains the place where the world comes together to create food safety and quality standards to protect everyone everywhere.

26. Going back is not an option. Codex can only move forward and build on its existing modus operandi with the experiences and technology gained over the past year, to ensure it remains inclusive and transparent with equity of participation, and produces quality and timely standards in a collaborative and consensual manner. The huge advancements in the use of technology, demonstrated how success could be achieved virtually while the benefits of face-to-face collaboration cannot be forgotten. While experience now suggests that neither physical nor virtual meetings are the perfect solution there are key characteristics of both which need to be deliberated so as to find the right balance moving forward.

27. Some important lessons have been learnt in the past 18 months. Virtual Codex sessions can be highly successful and the flexibility to retain virtual sessions or virtual elements as an option to ensure Codex can respond quickly and effectively to new and emerging challenges seems appropriate. Preparation is key to success and this requires significant investment by all involved. EWGs played an important role in this regard and that there is room for further exploitation of EWGs. The 2021 model achieved its aim, but is not sustainable and having a schedule of sessions that is feasible and will lead to delivery of high quality outputs is essential. This means that host countries, chairpersons, Members and the Codex Secretariat need to be open to new approaches to meeting scheduling and consider the range of options afforded by the procedures to reduce its dependence on physical meetings, particularly highly resource intense meetings such as the Commission.

28. As the pandemic is not yet over and uncertainties remain, it will be important that Codex continues to have flexibility in how it runs its meetings into the future. In this context it remains critical that Codex can respond quickly and effectively to new and emerging challenges and for the short to medium term it will be important to retain the flexibility around the Rules of Rule XI (7) and (8) which in 2021 was agreed may be interpreted in a manner that includes a virtual setting.

29. Albeit very successful in terms of catching up after all the postponed sessions in 2020, and illustrating that virtual working mechanisms can be successful, the type, extent and period of support needed to implement such a work programme (16 meetings) is not sustainable neither from the preparation and organizational side nor the participation perspective. Therefore, Codex needs to its working model to ensure resilience and adaptability in preparation for the next 60 years. Building a model that is inclusive, sustainable, flexible, and efficient will ensure Codex remains relevant in a changing world and ready to continue work on new issues and under changing circumstances. Reflection upon and revision of its working model needs, like Codex itself, to be inclusive. Experiences of the past year and in the development of the Codex Strategic Plan 2020-2025 have demonstrated how that can be achieved.

30. Open mindedness and pragmatism will be required to ensure Codex is fit for the future. Looking at the experience at other organizations and sectors and Observers could be beneficial as Codex is not alone in its efforts to emerge stronger from the pandemic or to address the struggle of merging its former physical with its current virtual existence. A quick review of the economic, business or sector specific news and anecdotal evidence from Codex Observers highlights the challenges others are also facing as well as the recognition that the situation is likely to remain somewhat complex when it comes to figuring out “room and/or zoom” in the months ahead.

31. The ongoing flexibility of Members and Observers, as shown this past year, will help ensure that Codex is guided by the needs of the future, and not restrained by the anchors of the past. There is no doubt

that this will be challenging and perhaps even painful, but if we have learned anything the past 18 months it is that change is unavoidable. However, an inclusive and pragmatic process that truly allows Codex to consider all the options available and develop will enable the timely development blueprint for the future.

## RECOMMENDATIONS

32. CCEXEC81 is invited to:

- Commend the huge efforts of the Codex family to deliver the 2021 work programme in a pragmatic and effective manner and making optimal use of all the tools available to them with the highly effective support of the Codex secretariat.

33. In order to ensure Codex can continue to quickly and effectively respond to the ongoing uncertainties related to the pandemic or any new/emerging challenges, particularly in 2022, CCEXEC81 is invited to recommend that:

- CAC44 agree that Rule XI (7) and (8) continue to be interpreted in a manner that includes a virtual setting in 2022 with respect to sessions of the Codex Subsidiary Bodies including CCEXEC; Application of this should take into consideration the criteria outlined by CCEXEC80 (para 35.iv).
- 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 to facilitate the work of both the Codex Secretariat and the preparation and participation by Members and Observers over the next year. Scheduling will need to be further considered in the medium to longer term planning.
- CAC44 agrees to mandate the Codex Secretariat to prepare a less work intensive method for standards adoption in 2022 than a full CAC (e.g. use of written procedures (e.g. correspondence) or delegation of standards adoption to the CCEXEC in cases where written comments indicate general support for adoption) with a view to lighten the workload in 2022. This would ensure that there was no delay to standards adoption while freeing up time and resources to ensure work progresses in the subsidiary bodies, the implementation of the next round of RCCs could begin and to enable timely preparations for the 60<sup>th</sup> anniversary of Codex in 2023, potentially a physical reunion of the Codex family.
- 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.

34. To develop the blue print for the future of Codex for consideration by CAC on its 60<sup>th</sup> anniversary in 2023 it is recommended that CCEXEC establishes and leads a consultative process. Such a process could be established along the following timeline:

- First Quarter of 2022: A consultative event with Codex members and observers to collect views on what a future Codex should look like in terms of meeting format, scheduling, role of EWG, maintaining inclusivity etc. is implemented
- Second Quarter of 2022: A special session of CCEXEC is convened to consider the feedback received, the information available in this document and in post-meeting and event surveys and development of a zero draft proposal
- Third Quarter of 2022: Review by all members and observers (third quarter 2022)
- Fourth Quarter of 2022: CCEXEC in collaboration with the Codex Secretariat prepares a revised proposal for a second round of consultation
- First Quarter of 2023: A final proposal is prepared for consideration by the 60<sup>th</sup> anniversary session of CAC in 2023 (expected mid 2023)