

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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ALINORM 83/3

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Fifteenth Session

Rome, 4-15 July 1983

REPORT OF THE TWENTY-NINTH SESSION OF

THE

EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

WHO, Geneva, 12 - 16 July 1982

INTRODUCTION

1. The Executive Committee held its Twenty-Ninth Session at WHO Headquarters, Geneva, from 12 to 16 July 1982. The Executive Committee was presided over by the Chairman of the Codex Alimentarius Commission, Prof. Dr. D. Eckert (Federal Republic of Germany) and in the presence of two of its Vice-Chairmen, Prof. A.H. Ibrahim (Sudan) and Mr. E. Kimbrell (USA). The following representatives from the geographic locations mentioned were present: for Africa, Mr. N.M. Masai from Kenya; for Asia, Dr. Kang-Choo-Lee, from the Republic of Korea; for Europe, Dr. A.N. Zaitsev, from the USSR; for Latin America, Mr. J.J. Arcuri, from Argentina; for North America, Dr. J.B. Morrissey, from Canada; for the South-West Pacific, Mr. G.H. Boyd, from New Zealand. The Coordinator for Asia, Prof. A. Bhumiratana (Thailand) and the Coordinator for Europe, Prof. Dr. H. Woidich (Austria) were also present.
2. Apologies for absence were received from Dr. A.A.M. Hasan (Iraq), Vice Chairman, Dr. J.K. Misoi, Coordinator for Africa and Ing. E.M. Brivio, Coordinator for Latin America.

OPENING ADDRESS (Agenda Item 1)

3. The session was opened by Dr. D. Tejada-de-Rivero, Assistant Director-General, WHO, on behalf of the Directors-General of FAO and WHO. Dr. Tejada referred to the importance which WHO and FAO attached to the Food Standards' Programme, and indicated that the Seventh General Programme of Work of WHO for the period 1984-1989, which had been approved by the 35th World Health Assembly, included, as a major component of WHO's food safety activities, continuing coordination and collaboration with FAO in the work of the Codex Alimentarius Commission. He added that because of the importance of the Programme every effort would be made to ensure that its budget was maintained at present levels in real terms. Dr. Tejada also informed the Executive Committee that the matter of cost-sharing arrangements in regard to the joint budget of the Food Standards Programme had been settled by the two Directors-General, who had agreed that the existing arrangements were long-standing and could be continued.
4. Dr. Tejada mentioned the social target of WHO and its Member States of "Health for All by the Year 2000" and stated that the Food Standards Programme contributed significantly to the attainment of that social target.

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5. He also indicated that a meeting of an Expert Committee on Food Safety was planned for 1983, likely in collaboration with FAO. The objectives of the work of the planned Expert Committee meeting would be (i) to identify the role of food in the epidemiology of gastro-intestinal diseases, especially acute diarrhoea, and (ii) to outline ways of transforming technical food safety standards and know-how into practical measures. He was hopeful that the outcome of the work of the planned Expert Committee would serve to assist the work of the Commission in relation to developing countries.
6. In conclusion, Dr. Tejada indicated that WHO welcomed the response of the Fourteenth Session of the Codex Alimentarius Commission in undertaking to look into certain matters in the International Code of Marketing of Breast-Milk Substitutes.
7. The Chairman of the Codex Alimentarius Commission thanked the Assistant Director-General for having opened the session. He indicated that the Executive Committee was pleased to hear of the importance which the Directors-General of WHO and FAO continued to attach to the Food Standards Programme. This was particularly evidenced by the fact that the Seventh General Programme of Work of WHO for 1984-1989 made specific reference to collaboration with FAO in Codex work. The Chairman also expressed the appreciation of the Executive Committee for the commitment to try and avoid any cuts in WHO's financial contribution to the Programme.
8. Concerning the social target of "Health for All by the Year 2000", the Chairman expressed satisfaction at the recognition of the value of the contribution of the work of the Codex Alimentarius Commission towards the attainment of that social target.
9. He indicated that the Executive Committee was interested to learn of the planned meeting in 1983 of an Expert Committee on Food Safety. As regards food-borne diseases - especially acute diarrhoea - in developing countries, the Chairman indicated that the Regional Codex Coordinating Committees provided excellent fora for the discussion and promotion of all matters related to food safety. Such discussions were taking place in a number of the Coordinating Committees and in this way the Codex Alimentarius Commission was trying to contribute further to the realization of the social target of "Health for All by the Year 2000".
10. In conclusion the Chairman stated that the Codex Alimentarius Commission, through its Codex Committee on Foods for Special Dietary Uses, in the first instance, would do all it could to respond to the specific requests made to the Commission by the World Health Assembly concerning certain aspects of the International Code of Marketing of Breastmilk Substitutes.

ADOPTION OF AGENDA (Agenda Item 2)

11. The Executive Committee adopted the provisional agenda as amended,^{1/} with some re-arrangement of the order of items. The Executive Committee also agreed to discuss a number of matters under the item 'Other Business'.

PROGRESS REPORT ON ACCEPTANCES OF CODEX STANDARDS AND ON MEMBERSHIP OF THE COMMISSION (Agenda Item 3)

12. At its Fourteenth Session, the Commission had before it a progress report on acceptances contained in documents ALINORM 81/2 and ALINORM 81/2-Add.1. These documents had indicated the position concerning acceptances up to 1 March 1981. Since then further replies concerning acceptances had been received and these replies were in the progress report (CX/EXEC 82/29/2) which had been prepared for the current session of the Executive Committee. In the progress report, Argentina, Canada, Finland, Poland, Portugal, Spain, Thailand, United States of America and the European Economic Community (EEC) had indicated their positions concerning several of the standards and the international maximum limits for pesticide residues.

1/ Secretariat Note: In the amended version of the provisional agenda Item 14 had been deleted.

13. The Secretariat informed the Executive Committee that the "Summary of Acceptances of Recommended Worldwide and Regional Codex Standards and Recommended Codex Maximum Limits for Pesticide Residues" (CAC/ACCEPTANCES/Rev.1), would be up-dated at the end of this year and made available to governments and to the 15th Session of the Commission. In this way governments would have at their disposal an up-to-date compilation of all acceptances received, including full details of all deviations notified, as well as information concerning the position of countries which could not accept the standards but which were prepared to permit entry of products (i) in conformity with the standards, or (ii) in conformity with the standards subject to certain specified conditions.

14. The Secretariat recalled that the Commission, at its 14th Session, had decided, on the recommendation of the Codex Committee on General Principles, that the standards adopted by the Commission at Step 8 should henceforth be known as 'Codex standards' and that these standards, together with the published details of notifications received from governments concerning the acceptance or otherwise of the standards and other relevant information, constitute the Codex Alimentarius. Accordingly, the Secretariat had set about having the former recommended standards published as Codex standards, including in them all amendments adopted at various times by the Commission, and presenting them in a loose-leaf system on a commodity group by commodity group basis, e.g. fish and fishery products, processed fruits and vegetables, etc. The use of the loose-leaf system was intended to facilitate governments in noting amendments. Many of the standards had now been published in the loose-leaf system and would soon be sent to governments. The remaining standards would be published as soon as possible and would also be sent to governments.

15. The Secretariat expressed the hope that the issue to governments of the Codex standards in the new presentation, accompanied by a circular state letter bringing to the attention of governments all the possibilities open to them to respond positively, would stimulate renewed interest in accepting or otherwise responding positively to the standards.

16. Mr. E. Kimbrell (Vice-Chairman) agreed that the Secretariat should institute a further "drive" on acceptances. He thought it important that all countries should make a special effort before the next session of the Commission to respond positively in regard to standards. Dr. A.H. Ibrahim (Vice-Chairman) pointed out that whilst more acceptances of the standards should be sought there was much more recognition of the value of Codex standards than acceptances alone would indicate. Many developing countries did, in fact, use Codex standards, although formal acceptance of the standards might not have been given. He thought FAO and WHO experts in the field could do a lot to draw attention to the importance of accepting Codex standards.

17. The representative of WHO indicated that in addition to the trading advantages to be derived from general acceptance of Codex standards, there was also a link between acceptance and the social target of WHO and its Member States of "Health for All by the Year 2000" since the work and aims of the Commission were considered to contribute to the achievement of that social target. Concern had been expressed in the Executive Board of WHO that some countries and economic groups were developing standards which differed from the Codex standards. It had also been said in the Executive Board that more Codex standards should be accepted.

18. The Executive Committee expressed its concern that more acceptances of standards had not been forthcoming. It noted, however, that there appeared to be a growing tendency among countries and economic groups to allow free circulation within their countries of products conforming to Codex standards in cases where formal acceptance could not be given. While such action could be considered positive in nature, the Executive Committee urged countries to use Codex standards when developing their food regulations, especially countries where such regulations were at an early stage of development. The Executive Committee also urged all Members of the Commission to make a special effort in the direction of acceptance of Codex standards or to otherwise respond positively. It also stressed the importance of regional Coordinating Committees as fora for encouraging acceptances in member countries of the regions. The Executive Committee expressed the hope that the issue of the various volumes of the Codex Alimentarius would stimulate more countries to accept Codex standards or, at least, to permit entry of products in conformity with them. The Executive Committee also wished to stress the importance of Codex standards as a basis for domestic legislation in developing countries.

19. The Executive Committee thought that WHO regional offices could participate more actively in the work of the Codex and its Regional Coordinating Committees, and give more support to the developing countries in the field of food safety, including support leading to acceptance of Codex standards and their application in national food safety programmes. It was also suggested that financial resources for promoting Codex work in developing countries might be sought from UNDP and possibly other funding agencies.

20. The Committee again underlined the importance of formal acceptance as the instrument by which countries and economic groups could align their domestic laws and thus avoid trade barriers. It recognized that in many cases, as for instance in the EEC, where intra-national agreement was a lengthy and complex process, allowing free circulation of products conforming to Codex standards was a positive step, which would facilitate international trade. Nevertheless it urged all member countries and economic groups to accelerate wherever possible formal acceptance of Codex standards.

MEMBERSHIP OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 3)

21. The Executive Committee was informed that Grenada had become a Member of the Commission, thus bringing the current membership to 122 countries. The Executive Committee requested the Secretariat to strive to increase further the Membership of the Commission.

REPORT ON FINANCIAL SITUATION OF THE JOINT FAO/WHO FOOD STANDARDS PROGRAMME FOR 1980/81 AND 1982/83 (Agenda Item 4)

22. The Executive Committee had before it document CX/EXEC 82/29/3 on the above subject. The Secretariat drew the attention of the Executive Committee to the explanations given in the document for the differences between amounts budgeted for and amounts actually spent on the various items of the budget for the Programme in the 1980/81 biennium.

23. Concerning the approved budget for 1982/83, the Secretariat indicated that the budget had been maintained at the same level in real terms as that for the previous biennium (1980/81). The Secretariat further indicated that it was expected that the approved budget for 1982/83 would enable the Commission's planned programme of work to be implemented.

24. Concerning the matter of cost-sharing arrangements in regard to the joint budget of the Programme, the Executive Committee had noted from the opening address of Dr. D. Tejada-de-Rivero that this matter had been settled by the two Directors-General, who had agreed that the existing arrangements were long-standing and could be continued. The Executive Committee had also noted with satisfaction the statement of Dr. Tejada-de-Rivero concerning the importance which WHO and FAO continued to attach to the Programme as well as his statement that every effort would be made to ensure that its budget was maintained at present levels in real terms (see also paragraph 3). The Executive Committee was also pleased to note that the approved budget for 1982/83 would enable the Commission's planned programme of work to be fully implemented.

REPORT ON MEASURES TAKEN TO EFFECT ECONOMIES IN DOCUMENTATION COSTS AND TO ENHANCE THE EFFICIENCY OF DISTRIBUTION ARRANGEMENTS (Agenda Item 5)

25. The Executive Committee was informed that in addition to the measures already taken by the Secretariat to achieve economies in documentation costs, as reported to the 28th Session of the Executive Committee (ALINORM 81/4, paras 14-15), the Secretariat had since written to every Codex Contact Point which received more than five copies of Codex documents. Some Codex Contact Points received as many as 40 to 50 copies of Codex documents and many of these had now indicated that they would be able to carry out their functions with a substantially reduced number of copies.

26. The Secretariat had also written to the Codex Contact Points, with a view to ensuring that Codex documents were being sent to the right people. Many Codex Contact Points had been designated by the countries concerned at the time these countries had become Members of the Commission several years ago. Changes in internal responsibility for Codex work had taken place in the meantime in several countries, which might necessitate changing the Codex Contact Points. The need for ensuring that Codex documents were being sent to the right people had been stressed at the recent sessions of the Coordinating Committees for Asia and Latin America. The Circular Letter (CL) which had been sent out by the Secretariat had suggested to governments that they might wish (i) to review the names and addresses of their National Codex Contact Points, and (ii) to review the system of diffusion of Codex documents nationally from Codex Contact Points, to ensure that it was working well.

27. The Executive Committee was also informed that the internal system of rationing regarding the length and number of Codex documents was being maintained, with the aim of more concise working documents and reports and resultant economies in translation and printing costs. This would not affect the work programmes of the subsidiary bodies in any way, nor the availability of documentation in the three languages of the Commission - English, French and Spanish. The Executive Committee was informed by the Secretariat that, as a result of the above measures, it was expected that the Programme would be able to meet fully the documentation and publication requirements of the Commission and its subsidiary bodies in the current biennium.

28. The Secretariat was asked whether any thought had been given to discontinuing the practice of automatically sending Codex documents for upcoming Codex meetings to delegates who had attended the previous sessions. The Secretariat indicated that it had considered this matter, but had felt, on balance, that it would be better not to discontinue the practice. In this connection the Secretariat stated that the records showed that the same delegates, in many cases, attended successive Codex meetings and any weakness in the internal communication system at national Codex Contact Point level might result in delegates not receiving the documentation.

29. The point was made that a country might require a smaller number of copies of documents for one particular Codex Committee, as compared with another. The Secretariat was asked, therefore, whether it would be feasible to have different amounts of Codex documents (depending on the Codex Committee concerned) sent to each country. The Executive Committee was informed that bulk distribution of Codex documents was centralized in FAO and not handled by the Codex Unit, and that given the number of Codex Committees, the sending of different amounts of documents for each Codex Committee would not be feasible.

30. The Executive Committee noted with satisfaction that the Secretariat had written to Codex Contact Points, with a view to ensuring that Codex documents were being sent to the right people (see para. 26 above).

31. The Executive Committee did not think it necessary to have this topic on the agenda of its next session.

CONSIDERATION OF REFERENCE IN SECTION 5.9 OF THE CODE OF ETHICS FOR INTERNATIONAL TRADE IN FOOD TO THE INTERNATIONAL CODE OF MARKETING OF BREAST-MILK SUBSTITUTES (Agenda Item 7)

32. At the 28th Session of the Executive Committee, the Chairman of the Executive Committee had referred to the then recently published Codex Code of Ethics for International Trade in Food and to the fact that there was a reference therein to what is now the International Code of Marketing of Breast-Milk Substitutes. The Secretariat had been requested by the Executive Committee to look into this matter and to report to the Executive Committee (ALINORM 81/4, para. 9).

33. The footnote 2/ to Article 5.9 "Foods for Infants and Children and Other Vulnerable Groups" of the Code of Ethics for International Trade in Food reads "Subject to the development of a Code of Ethics for the Marketing and Advertising of Infant Food". The Code of Ethics for International Trade in Food had been adopted by the Commission at its 13th Session in December 1979 - before the International Code of Marketing of Breast-Milk Substitutes was approved by the World Health Assembly (May 1981). At the time the Codex Code of Ethics was being adopted by the Commission, several delegations considered that there should be some reference in Article 5.9 of the Codex Code to the Marketing Code for Breast-Milk Substitutes which was then in the course of being developed by WHO/UNICEF (ALINORM 79/38, paras. 120 and 451).

34. In introducing this topic, the Secretariat stated that it was clear that the Code of Ethics for International Trade in Food needed to be amended, at least by the deletion of footnote 2/ . The question to be considered was whether Article 5.9 needed to be amended further in any way to take account of the existence of the International Code of Marketing of Breast-Milk Substitutes.

35. The Chairman invited comments from the representative of the Office of the Legal Counsel, WHO, who drew attention to footnote 2/ to paragraph 5.9 of the Code of Ethics and suggested that, in view of the adoption of the International Code of Marketing of Breast-Milk Substitutes, the footnote would no longer serve any purpose. Therefore, it could be deleted. He stated that there was a conflict between paragraph 5.9 of the Code of Ethics and the International Code of Marketing of Breast-Milk Substitutes. He explained that under the Code of Ethics advertising of breast-milk substitutes, weaning foods and generally all foods for infants and children was permissible. By contrast, Article 5, paragraph 1 of the International Code prohibited advertising and other forms of promotion to the general public of breast-milk substitutes, milk products and beverages, including bottle-fed complementary foods, when marketed or otherwise represented to be suitable for use as a partial or total replacement of breast milks. Accordingly, a conflict existed between the two instruments and it might be advisable to remove this conflict by amending the Code of Ethics. He also referred to paragraph 5.10, where a reference was made to promotional material, and suggested the amendment of this provision, as a consequence of amending paragraph 5.9 of the Code of Ethics.

36. The representative of the Office of the Legal Counsel also pointed out that it might be desirable to amend other provisions of the Code of Ethics, in order to foster a closer link between the latter and the International Code of Marketing of Breast-Milk Substitutes. He explained that Article 10 of the International Code stipulated that food products within the scope of the Code should meet applicable Codex standards, as well as the Code of Hygienic Practice for Foods for Infants and Children.

37. The representative of the Office of the Legal Counsel pointed out that if the Executive Committee considered that there was a need for such amendments, it could request the Legal Office of WHO in collaboration with the Legal Office of FAO to prepare a paper on the subject for consideration by the Executive Committee at its next session in 1983. It would then be open to the Executive Committee to make a recommendation to the Codex Alimentarius Commission with respect to the amendment of the Code of Ethics, in any form the Committee might consider appropriate. When the Commission had before it the Executive Committee's recommendation, it could decide whether or not to institute the amendment procedure in regard to the Code of Ethics. Also if the Commission were to decide that the amendment of the Code of Ethics was necessary, it would be for the Commission to determine the most appropriate machinery for this purpose.

38. In the ensuing discussion, two Members of the Executive Committee drew attention to the fact that the Code of Ethics had been developed and agreed upon only after much detailed discussion involving a great deal of time and effort. They would not, therefore, be in favour of any unduly precipitous measures to amend the Code of Ethics which might prejudice the widespread application of a very valuable instrument. Another Member of the Executive Committee suggested that any amendments be confined to those of an editorial nature. After further discussion, the Executive Committee agreed that WHO, in consultation with FAO, should prepare a paper containing whatever amendments were thought to be necessary to the Code of Ethics and the reasons for the amendments. The paper should be circulated to governments for their comments well in advance of the next session of the Executive Committee. The paper and government comments would also be considered by the Commission.

39. It would be up to the Commission to decide whether or not to initiate the amendment of the Code of Ethics and to determine how to proceed. The Executive Committee agreed that this topic should be a separate item on the agenda of the Commission's next session.

LIST OF INTERNATIONAL ORGANIZATIONS ENGAGED IN DEVELOPING INTERNATIONAL STANDARDS FOR FOODS, INCLUDING FOOD SAFETY ASPECTS, ASSOCIATED METHODOLOGY AND TRADE (Agenda Item 8)

40. Arising out of the discussions on arrangements to avoid duplication of effort between Codex work and the work of other international organizations, the Executive Committee, at its 28th Session, had requested the Secretariat "to undertake the compilation of a list of international bodies developing composition standards for foods and other related food matters of trade significance to assist the Commission in its task of coordination and avoidance of duplication generally" (ALINORM 81/4, para 23). This request had been endorsed by the Commission at its 14th Session (ALINORM 81/39, para. 114).

41. The Executive Committee had before it document CX/EXEC 82/29/5 entitled "List of International Organizations Developing Composition Standards for Foods and Related Matters", which had been prepared by a consultant. The paper contained a review of international organizations, in order to identify those engaged in international food standards work, including safety aspects, associated methodology and related matters of trade significance. Their constitution, membership, aims and objectives were examined and summarized, so as to be able to assess the scope for overlapping with the Codex Alimentarius Commission.

42. The actual list of organizations of interest, which was attached in Appendix I to the document, was presented in five parts as follows:

- A. Organizations concerned with elaborating food standards for worldwide or regional use.
- B. Organizations operating in a particular food sector in the field of food standards.
- C. Other organizations operating in a particular food sector or in a particular region.
- D. Organizations concerned with methods of analysis and sampling.
- E. Organizations concerned with methods of analysis and sampling in a particular food sector or in a particular region.

Appendix II of the paper grouped the organizations by constitution, aims and activities.

43. The Executive Committee considered the paper to be a very comprehensive and useful document and agreed with the conclusions therein which had been summarized as follows:

"32. Although there is scope for overlapping activities in fields other than methods of analysis, this has been largely avoided by effective collaboration in a number of ways- The Commission receives reports from the principal organizations; the terms of reference of the Regional Coordinating Committees charge them with the task of coordinating regional activities of other organizations; the Work Priorities Criteria for new work require that reports on proposed new work include reference to standards elaborated by other organizations; finally the Secretariat has formal and informal systems of liaison with several of the most important organizations, including, for example, UNECE, ISO, GATT, EEC Commission, OECD, Council of Europe and IOOC.

33. The completion and publication of some 200 Codex standards and Codes of Practice which cover a very wide range of important foods; the development and publication of a very large number of maximum residue limits for pesticide residues in foods; the recommendations of the Commission covering the safety in use of food additives as well as recommendations in other fields such as food labelling, has established the Commission as probably the leading international body in the world in the area of food standards and related work. Other inter-governmental organizations have therefore generally shown themselves to be ready to cooperate where their own activities impinge on the work of the Commission. Likewise international non-governmental organizations which have a role to play in the elaboration of food standards and codes of practice have recognized the leading role of the Commission. Several international organizations which have standards e.g. for a region or economic grouping, are now comparing them with Codex standards. When the Commission and its subsidiary bodies are considering new areas of work, the question of coordination and overlapping is most important, but it is unlikely to be overlooked. What should be done in each case where there is overlapping of significance to the Commission can only be decided in the light of all the relevant factors and that is what has been done so far on each occasion."

44. The Executive Committee agreed that the paper was of such widespread interest that it warranted full distribution as an ALINORM document. The Executive Committee decided that the paper should be considered under the item of the agenda of the Commission's 15th Session dealing with reports on activities of other organizations working on the standardization of food and related matters.

REPORT ON DEVELOPMENTS CONCERNING ARRANGEMENTS TO AVOID DUPLICATION OF EFFORT BETWEEN CODEX WORK AND THE WORK OF OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 9)

45. A paper on the above topic had been prepared by the Secretariat for the 28th Session of the Executive Committee. The paper (CX/EXEC 81/28/3) had also been put before the 14th Session of the Commission (ALINORM 81/39, para. 101). The views of the Executive Committee and of the Commission regarding the matters dealt with in the paper had been set forth in documents ALINORM 81/4, paras 17-23, and ALINORM 81/39, paras 102-114.

46. The Commission, at its 14th session, had requested the Secretariat to continue its efforts to resolve a problem involving some duplication of effort between Codex and the UNECE Working Party on Standardization of Perishable Produce as regards standards for certain dry and dried produce. At the same time, the Commission had stressed the responsibility of governments themselves for resolving issues of the kind concerned.

47. The Executive Committee, at its current session, had before it a brief paper reporting on developments since the 14th session of the Commission concerning arrangements to avoid duplication of effort between Codex work and the work of other international organizations (CX/EXEC 82/29/6). Concerning GATT, the Executive Committee noted that, as had been requested by it at its 28th session, the Secretariat had been in consultation with the GATT Secretariat, following which the Secretariat had issued a circular letter (CL 1982/16-CAC), which brought to the attention of governments information relating to obligations falling on member countries in connection with notification of acceptances of Codex standards and notifications under the GATT Agreement on Technical Barriers to Trade.

48. As regards the UNECE Working Party on Standardization of Perishable Produce, the Secretariat informed the Executive Committee that there had been further consultation with the UNECE Secretariat, which had developed revised proposals for harmonizing the working arrangements between the Working Party and the Commission. The revised proposals had been considered by the Working Party at its recent session held from 6 to 9 July 1982.

49. The Working Party had reaffirmed its opinion that the proposals were premature, even in their revised form, and had asked that this opinion be transmitted to the Executive Committee. Nevertheless, the Working Party had stressed its desire to continue to cooperate with the Commission and to avoid areas of overlap and duplication of work. The Working Party had asked the Secretariat, together with the Codex Secretariat, to prepare revised proposals, based on the current discussions, which would take into account the concerns expressed by the Working Party. The Working Party had requested that these proposals be circulated for comments well in advance of its next session. (The relevant extract from the Report of the Working Party is attached as an Appendix to this report).

50. The Executive Committee expressed satisfaction on the continuing excellent co-operation between the Secretariat of GATT and the Secretariat of the Commission and noted that GATT would issue the above circular letter to the GATT Committee on Technical Barriers to Trade (see para. 47 above).

51. With regard to the working arrangements between Codex and UNECE the Executive Committee regretted that satisfactory arrangements had not been agreed upon. The Executive Committee noted that the UNECE Working Party wished to cooperate with the Commission and hoped therefore that at its next meeting satisfactory working arrangements would be worked out. The Secretariat was asked to report on developments to the next session of the Executive Committee (not necessarily in writing). The Executive Committee expressed satisfaction that the Working Party had decided to postpone work on pulses until after the next session of the Codex Committee on Cereals, Pulses and Legumes.

52. There was also a short discussion on the working arrangements between ISO and Codex. It was reported to the Executive Committee that ISO was in the process of developing a standard for milled rice. It was noted that ISO had drawn up standards for other agricultural products, e.g. green coffee beans, cocoa beans, and that these were products for which the Commission had not developed standards. The Committee was informed that the ISO texts were specifications rather than standards in the Codex sense. The Executive Committee also noted that the Codex Committee on Cereals, Pulses and Legumes was not currently elaborating a standard for milled rice.

53. The Executive Committee further noted that the question of whether there was a need for a Codex standard for milled rice would be considered by the Codex Committee on Cereals, Pulses and Legumes at its next session. The Executive Committee wished to be kept informed of developments and requested the Secretariat to report on this matter at its next session.

REPORT ON JOINT CONSULTATIONS BETWEEN THE CODEX SECRETARIAT AND THE SECRETARIAT OF THE COMMISSION OF THE EUROPEAN ECONOMIC COMMUNITY (EEC) CONCERNING REVIEW OF CODEX STANDARDS AND EEC DIRECTIVES OF MUTUAL INTEREST (Agenda Item 11)

54. The Executive Committee was informed that the Chief of the Joint FAO/WHO Food Standards Programme had visited Brussels earlier in the year and had had discussions with EEC officials. The aim of the discussions was to promote the acceptance of Codex standards by Members of the EEC and by the EEC Commission on behalf of the European Economic Community. During the discussions, the representatives of the EEC had stressed the importance of Codex activities to the Members of the EEC. From the discussions, it would appear that the position of the EEC in relation to Codex standards is as set forth below.

Position of Foods Already the Subject of EEC Directives vis-à-vis Codex Standards

Fruit Juices

55. In addition to their response (copies of which were made available at the 14th session of the Commission) regarding acceptance in connection with the standards for Apricot, Peach and Pear Nectars (CAC/RS 44-1971), Orange Juice (CAC/RS 45-1971), Concentrated Orange Juice (CAC/RS 64-1972), Apple Juice (CAC/RS 48-1971) and Concentrated Apple Juice (CAC/RS 63-1972), the EEC Secretariat had sent to the Codex Secretariat a similar statement covering the following juices: Grapefruit, Pineapple, Grape Juice and Concentrate and Lemon. This information, indicating the extent to which the Codex standards concerned were acceptable to the EEC, would be published in detail in the next up-dating of the "Summary of Acceptances of Worldwide and Regional Codex Standards and Codex Maximum Limits for Pesticide Residues". Concerning Labrusca type Grape Juice, it was understood that this product would be permitted to be distributed freely within the EEC provided that it contained no added sugar, and furthermore, would be permitted to be sold as "Grape Juice", unqualified.

Sugars

56. It was understood that the EEC had under consideration draft Directives on fructose and lactose which, it was expected, would closely resemble the Codex standards. It was hoped that acceptances similar to those given by the EEC to other Codex standards for sugars would be forthcoming.

Honey

57. It was understood that the EEC might be able to modify its position concerning certain provisions of the European Regional Standard for Honey, now that a Worldwide Standard for Honey was being developed.

Jams, Jellies and Citrus Marmalade

58. It was understood that work had not been commenced on a review of the Codex Standards by the Members of the EEC, but it appeared to the EEC Secretariat that there was great similarity between the Codex texts and the EEC Directives. It was expected that a Statement would be presented to Codex before the end of 1982, or at any rate, before the 15th session of the Commission.

Cocoa Butter, Cocoa Powders and Chocolate

59. It was understood that the EEC Secretariat hoped to present a statement to the Codex before the end of 1982, or at any rate before the 15th session of the Commission. The differences between the Codex Standards and EEC Directives did not appear to be of a major nature.

Milk and Milk Products

60. It was understood that the EEC proposed to review all the milk product standards of FAO/WHO after the 20th session of the FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products. At present the EEC had a Directive dealing with "Preserved Milk".

Natural Mineral Waters

61. It was understood that the Codex European Standard was generally acceptable to the EEC and that there would be no real difference between the EEC standard and the Codex standard. The EEC was awaiting official receipt of the Codex standard before responding formally.

Some Foods for which there are Codex Standards but which are not subject to EEC Directives

Processed Fruit and Vegetables

62. It was understood that the EEC was examining all Codex standards for these products with a view to being able to communicate statements of their "free distribution within the Community".

Fish Products

63. It was understood that the EEC was coordinating the position of Member States on the Codex Standard for Canned Pacific Salmon. This might well determine the Community's procedures and approach on the question of acceptance of other fish product standards.

Quick Frozen Foods

64. It was understood that the EEC did not intend to establish any individual product standards, but rather was planning to develop a general Directive for the handling of Quick Frozen Foods, along lines similar to Codex Codes of Practice. It was further understood that a second General Directive would also be developed which would be optional for Member States and would have an annex listing all Codex Standards for Quick Frozen Foods and a statement that products conforming to these would be permitted to circulate freely within the Community. The procedure which was being developed was "harmonization by reference to an International Standard i.e. Codex" as foreseen under the GATT Agreement on Technical Barriers to Trade.

Fats and Oils

65. It was understood that a coordinated EEC approach was under consideration for vegetable fats and oils.

Meat Products

66. It was understood that the EEC would not be developing any compositional Directives, but that work would be commenced on the formulation of labelling provisions for meat products.

Foods for Special Dietary Uses

67. It was understood that the EEC regulated these products by a General Directive, except for infant formula and weaning products which would be the subject of specific Directives. The Codex standards were being reviewed by a Working Party of the EEC Scientific Committee for Food. The Working Party were, in the main, proposing very similar requirements for the products to those of the Codex.

Food Labelling

68. Emphasis was placed on the great interest of the Community in the work of the Codex Committee on Food Labelling, especially the revision of the General Standard for the Labelling of Prepackaged Foods and the development of guidelines concerning nutrition labelling. The EEC had adopted its own provisions concerning date marking, but these were not significantly at variance with those proposed under the Codex Guidelines for Date Marking.

69. The Executive Committee expressed satisfaction that a meeting had taken place between the Codex and EEC Secretariats. It noted with interest the above developments and wished to bring to the attention of the EEC the great importance it attached to implementation, including acceptance, of Codex standards by the EEC.

PROGRESS REPORT ON DEVELOPMENTS CONCERNING THE HOSTING OF CODEX SESSIONS IN DEVELOPING COUNTRIES (Agenda Item 12)

70. This topic had been discussed at the 27th and 28th sessions of the Executive Committee (ALINORM 81/3, paras 56-63 and ALINORM 81/4, paras 28-29) and also at the 14th Session of the Commission (ALINORM 81/39, paras 135-147).

71. The Commission had concluded that the discussion had shown substantial interest in this subject, and despite financial and other difficulties, it was the general view that, in principle, every effort should be made to try and arrange to have a number of Codex Committees meet in developing countries. The Commission agreed that it would be necessary to obtain more information on what was possible, on what facilities were on offer, and under what conditions. Also, it would be necessary to obtain information regarding the availability of qualified interpreters locally, as otherwise this could be the single most expensive item in the cost of the holding of Codex Committee sessions. It was also agreed that it would be necessary to identify standards of interest to a potential new host country. In this connection the Commission agreed that it would be necessary to send an appropriate questionnaire to developing countries. The Commission agreed that the Secretariat should send letters to developing countries posing the appropriate questions and enquiring which Codex Committees were of special interest. The Secretariat should also maintain close liaison with the present host countries about this matter. The Secretariat had been asked to prepare a progress report on this topic for consideration by the Executive Committee at its next session.

72. In March 1982, the Secretariat sent a circular letter (CL 1982/10-CAC) to all Codex Contact Points in developing countries in order to ascertain:

- which developing countries would be interested in hosting a session of a Codex Committee;
- which of the interested developing countries had the necessary conference room facilities (including a conference room equipped for simultaneous interpretation in three languages and availability locally or near locally of qualified interpreters and translators);

- which Codex Committees they would be interested in hosting on the basis of their being of special interest;
- to what extent the authorities in interested developing countries would be able to contribute to the cost of holding a Codex session in their countries, e.g. could they bear the cost of hiring the conference room itself and back-up staff; could they contribute to the cost of providing simultaneous interpreters and translators.

73. The Executive Committee had before it CX/EXEC 82/29/7-Conference Room Document, which contained a response from Thailand. The reply of Thailand contained a Resolution of the National Codex Alimentarius Committee of Thailand in the following terms:

"Thailand is willing to host sessions of Codex Committees, especially a session of the Codex Committee on Vegetable Proteins. This, however, is subject to the formal approval of the Government".

The reply of Thailand also supplied material information on the availability of facilities.

74. In the discussion that followed the representative of the region of Africa pointed out that in Nairobi full conference facilities were available for the hosting of Codex Committees. The main problem was the financial cost of hosting a Codex Committee session. He indicated that qualified interpreters and translators were readily available in Nairobi. Financial problems were also an impediment to greater participation by members of the region and if some financial assistance were to be found for intending participants there would be much greater attendance at Codex sessions, and, consequently, a wider appreciation of the importance of the work of the Commission.

75. The representative of the region of Latin America referred to conference facilities in Buenos Aires, which, he said, were excellent. The committees which were of particular interest to Argentina were those for Cereals, Pulses and Legumes and for Processed Fruits and Vegetables. He also indicated that interpreters and translators were readily available.

76. The Committee noted that in many cases the transfer of a session of a Codex Committee to a secondary host country would involve heavy travel and interpretation costs.

77. The Coordinator for Asia, Dr. A. Bhumiratana (Thailand) informed the Executive Committee that the Thai Government had now approved the holding of a session of the Codex Committee on Vegetable Proteins in Bangkok and that various possibilities existed as regards conference facilities in Bangkok. He outlined these possibilities which were given in CX/EXEC 82/29/7. He indicated that there had been contact with Canadian officials concerning the possibility of hosting a session of the Codex Committee on Vegetable Proteins in Bangkok.

78. The representative of the region of North America stated that inquiries into the costs of holding a session of the Codex Committee on Vegetable Proteins in Thailand and into the financial resources available were still in progress in Canada. The indications were that as interpretation and translation facilities would have to be provided in English, French and Spanish, costs would be likely to be heavy.

79. The Executive Committee decided to place this topic on its agenda for its next session, when, hopefully, written replies to the Secretariat's circular letter (CL 1982/10-CAC) mentioned in para. 72 above would be available. The Executive Committee expressed satisfaction that this topic was being pursued.

RULE VI.3 OF THE RULES OF PROCEDURE OF THE COMMISSION (Agenda Item 13)

80. The Commission, at its 14th session, had requested the Secretariat to prepare, for consideration by the Executive Committee and by the Commission, at its next session, a paper on Rule VI.3 of the Rules of Procedure of the Commission (ALINORM 81/39, para. 163). The considerations which had led the Commission to request a paper on Rule VI.3 were set forth in paragraphs 159-165 of the Report of the 14th Session of the Commission (ALINORM 81/39). The paper traced the history of Rule VI.3 from the time of the 1st Session of the Commission. The paper also indicated that of the some 180 international standards developed within the Codex system, only 3 were regional standards, and 1 of these was currently being developed as a worldwide standard. It was further indicated in the paper that 4 regional standards were currently being developed in Africa (gari, sorghum grains, millet grains and millet flour) and two in Europe (vinegar and mayonnaise).

81. The paper on Rule VI.3 (CX/EXEC 82/29/8) was introduced by the Secretariat. The Secretariat briefly reviewed the history and development of Rule VI.3, as set forth in the paper. The attention of the Executive Committee was drawn to the fact that an amendment to Rule VI.3 proposed by the Executive Committee at the Sixth Session of the Commission in 1969 had failed to gain the required two-thirds majority in the Commission and had, therefore, not been adopted. The purpose of the amendment which had been proposed by the Executive Committee was to place the decision on whether a regional standard ought to be elaborated in the hands of the Commission, so that the Commission would be fully master of its own programme of work.

82. The Secretariat also drew the attention of the Executive Committee to a paper on the operation of Rule VI.3 which had been prepared for its 26th session in 1979, by the Legal Officers of WHO and FAO. The conclusion which had been reached in that paper was that rather than being in conflict with each other Rule VI.3 and Step 1 of the Procedure for the Elaboration of Regional Codex Standards were complementary. The Executive Committee, at its 26th session, "took note of the legal interpretation of how Rule VI.3 would operate and also noted that Rule VI.3 and Step 1 of the Procedure for the Elaboration of Regional Codex Standards should be read in conjunction with each other". The Executive Committee at that session "agreed to let the matter rest".

83. Some Members of the Executive Committee disagreed with the legal opinion mentioned above and thought that another legal opinion should be sought. Others thought that Rule VI.3 and Step 1 of the Procedure for the Elaboration of Regional Codex Standards were not quite compatible and therefore Rule VI.3 should be amended. The point was made that it was feasible, from a legal point of view to argue that Rule VI.3 and Step 1 were compatible. On the other hand, it was also feasible to advance a contrary argument. The attention of the Executive Committee was drawn to the fact that whether or not it agreed with the interpretation advanced in paragraph 82 above, it was open to the Executive Committee to recommend that Rule VI.3 should be amended, in order to clarify the role of the Codex Alimentarius Commission. It was suggested that if the Executive Committee was of the opinion that such an amendment was needed, with the intention of enabling the Commission to be fully master of its own programme of work, then the wording of the amendment proposed by the Executive Committee at its Sixth Session of the Commission might be used.

84. The Executive Committee decided to recommend to the Commission that Rule VI.3 be amended to read as follows (words underlined to be added and words in square brackets [] to be deleted):

"At the request of a majority of the Members of the Commission constituting a given region or a group of countries that a standard be elaborated, the

standard concerned shall, if the Commission so determines, be elaborated as a standard primarily intended for that region or group of countries. When a vote is taken on the [elaboration], amendment or adoption of a draft standard, primarily intended for a region or group of countries, only Members belonging to that region or group of countries may take part in the voting. The adoption of the standard may, however, take place only after submission of the draft text to all Members of the Commission for comments. The provisions of this paragraph shall not prejudice the elaboration or adoption of a corresponding standard with a different territorial scope."

85. The Coordinator for Europe expressed concern at the possible consequence of amending Rule VI.3.

86. During the discussions the representative of South West Pacific region expressed the view of Australia that there appeared to be a dichotomy between, on the one hand, Articles 1(c) and 8 of the Statutes of the Commission and, on the other, Rule VI.3. Therefore, he proposed the insertion in Article 8 of the Statutes of the expression "not inconsistent with the Statutes" after the words "The Commission may adopt and amend its own Rules of Procedure", so that the Rules of Procedure of the Commission would not be incompatible with its Statutes. It was pointed out by the representative of the Office of the Legal Counsel, WHO, that such an amendment was not necessary. What had been proposed by the representative of the South West Pacific region was implied in Article 8, for the Statutes of the Commission were the equivalent of its constitution. Therefore, if the Rules of Procedure of the Commission were not compatible with the Statutes they were invalid. This was a general principle of law which needed no mention in Article 8. The representative of the Office of the Legal Counsel also pointed out that there was no conflict between Article 1 of the Statutes and Rule VI.3, which dealt with two different situations. The former dealt with the general functions and responsibilities of the Commission, whereas the latter dealt with the role of the Commission in a specific situation, namely, the decision on the elaboration of regional standards. The Executive Committee shared the views of the representative of the Office of the Legal Counsel, WHO.

REPORT ON DEVELOPMENTS CONCERNING THE INTERNATIONAL CODE OF MARKETING OF BREAST-MILK SUBSTITUTES (Agenda Item 6)

87. Dr. M. Carballo of WHO informed the Executive Committee that WHO had collaborated with a number of countries in reviewing ways in which the International Code of Marketing of Breast-Milk Substitutes could best be adapted to national needs and circumstances. National multi-sectoral meetings had been held in India, Sri Lanka, Peru and the Philippines to this end. A number of other countries had also taken measures giving effect to the International Code while not necessarily adopting the Code. A more complete report of progress in this area would be available in May 1983 for the 36th Session of World Health Assembly.

88. In order to facilitate monitoring and reporting by national authorities a series of Guiding Principles had been prepared and sent to all Member States. The Guiding Principles covered all five themes of the WHO/UNICEF Programme on infant and young child feeding, one of which was the International Code.

89. A first workshop for lawyers had been organized in Geneva; a second would be held in Copenhagen in September 1982. In collaboration with CARICOM a regional workshop for Caribbean countries would be held later in 1982 to review the Code and its application

in the Caribbean. This would be followed by a Commonwealth country workshop jointly organized by the Commonwealth Secretariat, WHO and UNICEF in Zimbabwe in January 1983. In preparation for this, a series of surveys were being undertaken in Commonwealth countries and model legislation was being prepared.

90. The Executive Committee was also informed that the Secretariat had sent out a Circular Letter (CL 1981/52(FSDU)) to all Codex Contact Points and interested organizations requesting them to examine the International Code of Marketing of Breast-Milk Substitutes and to submit their comments concerning any implications the Code might have for the work of the Codex Committee on Foods for Special Dietary Uses in respect of Codex standards, or draft standards, for products covered by the International Code. So far, the following countries had replied to the Circular Letter: Denmark, France, Italy, New Zealand, Panama, Poland and Thailand. In addition, comments had been received from the EEC and the International Secretariat for the Industries of Dietetic Food Products. These comments would be made known to the Codex Committee on Foods for Special Dietary Uses at its next session in September 1982.

91. The Executive Committee expressed its satisfaction with these developments and reiterated its support to WHO in the achievement of the aim of the International Code - namely the provision of safe and adequate nutrition for infants.

REPORT ON DEVELOPMENTS CONCERNING THE INTERNATIONAL PROGRAMME ON CHEMICAL SAFETY (IPCS)
(Agenda Item 10)

92. Dr. Mercier, WHO, Manager of the IPCS, informed the Executive Committee that the membership of the International Programme on Chemical Safety had substantially increased in the last few months. The membership was as follows: 10 countries (Bulgaria, Canada, Czechoslovakia, Finland, Italy, Japan, Sweden, United Kingdom, USA and USSR) had signed memoranda of understanding; 8 countries (Australia, Belgium, Brazil, France, Federal Republic of Germany, Israel, Netherlands and Norway) had finalized the memorandum and were ready to sign; additional countries had expressed strong interest in joining the programme. These included: Bangladesh, Denmark, Egypt, India, Mexico, Nepal, Pakistan, Poland, Sri Lanka, Switzerland, Thailand and Yugoslavia.

93. The staff of the Central Unit of the International Programme on Chemical Safety consisted of the Manager, 6 professionals and 9 supporting staff members: two professional staff members and 2 general service staff members worked exclusively for the Joint FAO/WHO Expert Committee on Food Additives and the Joint FAO/WHO Meeting on Pesticide Residues; out of the total of these four posts, one was funded by the WHO Regular Budget, and three other posts by the IPCS Voluntary Fund.

94. The Inter-regional Research Unit (IRRU) established and located at the National Institute of Health, North Carolina, USA, consisted of two scientists, including the team leader and two general service staff members.

95. There were now 18 lead institutions, including the International Agency for Research on Cancer and the International Register of Potentially Toxic Chemicals.

96. The Programme had developed and new activities had been started following the recommendations of the Programme Advisory Committee.

The Environmental Health Criteria (EHC)

97. Some 21 pamphlets had been published and some 33 other documents were at various stages of preparation.

New Series of Short Documents on Risk Assessment

98. IPCS were initiating a new series of "risk assessment" that would be relatively short (5 to 10 pages) and would cover yearly a larger number of compounds than the criteria documents series. This function would be performed by an IPCS group of internationally recognized experts in the fields of human health and the environment.

Methodology

99. The development of methodology had been recommended as a new priority for the IPCS. Accordingly, 15 important activities had been initiated during the last 18 months; they comprised an updating of the methodology used for evaluating and testing chemicals in food.

100. In addition IPCS had been active in the fields of manpower development and several training courses had already been held and would be held on high priority subjects.

Joint FAO/WHO Expert Committee on Food Additives (JECFA) and the Joint FAO/WHO Meeting on Pesticide Residues (JMPR)

101. The 26th JECFA (Rome, April 1982) had evaluated or re-evaluated 36 specific food additives, 3 contaminants (copper, tin and zinc), 1 unavoidable food constituent (phosphorous) and 2 growth-promoting agents (trembolone acetate and zeranol). Among other important topics on the agenda were: the significance of nephrocalcinosis in relation to the use of modified starches as food additives, and the use of phosphates and polyphosphates as food additives.

102. The JMPR at its session in Geneva in November/December 1981, had evaluated or re-evaluated some 35 agricultural pesticides and established ADIs and MRLs for several of them. The Central Unit of the IPCS had issued a summary of the major decisions soon afterwards.

103. The Executive Committee was reminded that concerns had been voiced regarding the incorporation of JECFA and JMPR activities into a major scheme, including chemicals other than food chemicals, on the grounds that such incorporation might dilute the efforts of these two bodies. The fact that up to now both JECFA and JMPR had continued unchanged was a clear demonstration of how these early concerns were unfounded. A further reassurance was given to the Executive Committee that the JECFA and JMPR not only would continue in the usual way, but that every effort had and would continue to be made to strengthen them in close collaboration with FAO.

104. The Executive Committee expressed its satisfaction with these developments especially with regard to the fact that WHO, through the IPCS, had succeeded in strengthening the necessary technical and administrative support at the Secretariat level, as well as at the level of temporary advisers who did the preparatory work for the decisions taken by JECFA and JMPR.

FOOD ADDITIVE SPECIFICATIONS OF IDENTITY AND PURITY (Agenda Item 15)

105. The Commission, at its 14th session, had been informed of the discussion which had taken place at the 7th session of the Codex Committee on General Principles on the status of specifications for the identity and purity of food additives (ALINORM 81/33, paras 47-49 and ALINORM 81/39, paras 202-203). The Codex Committee on General Principles had concluded that whilst Codex specifications per se were advisory and, therefore, not

subject to acceptance, there was clearly an obligation on the part of governments not to use food additives mentioned in Codex standards unless they met the minimum safety requirements laid down in the JECFA or Codex specifications. The Commission had agreed with the conclusion of the Codex Committee on General Principles. The Commission had noted that confirmation of the views of the Codex Committee on General Principles would be sought from the Codex Committee on Food Additives (CCFA) and from the Joint FAO/WHO Expert Committee on Food Additives (JECFA), and also that advice would be sought from JECFA on what constituted the safety aspects of their specifications. Finally the Commission had agreed "to consider the role of the specifications in relation to food additive provisions in Codex standards at its next session, when guidance from the JECFA and CCFA would be available."

106. The Executive Committee, at its current session, had before it document CX/EXEC 82/29/9, which contained the relevant extracts on the above subjects from the Report of the 15th session of the CCFA, held in March 1982 and from the Report of the 26th session of the JECFA, held in April 1982. The paper covered two topics (i) status and safety aspects of food additive specifications (views of the CCFA and JECFA), and (ii) procedure for the elaboration of the specifications (views of CCFA). The advice of the CCFA on the status and role of Codex specifications as well as on the safety aspects was contained in the report of its ad hoc Working Group on Specifications, which the CCFA had endorsed. The advice of the JECFA was set out in paragraph 2.8 of its report.

107. The CCFA had endorsed the view of its Working Group on Specifications that there was an obligation that food additives should at all times be of a quality grade which is safe for the intended use (i.e. food grade quality). In evaluating food additives JECFA established specifications to describe food grade quality. The CCFA had also endorsed the affirmation of its Working Group on Specifications that (i) food manufacturers who use food additives in foods intended to meet Codex Standards, (ii) food additive manufacturers who produce food additives for the purpose of adding them to foods conforming to Codex Standards, and (iii) government officials who enforce Codex Standards were expected to ensure that the food additives were of a quality which was equivalent to or better than the standard intended by JECFA.

108. The CCFA, through its Working Group, had also stated that Codex specifications had the added benefit of a round of government comments to confirm that they are both attainable and enforceable in practice. However, the CCFA, through its Working Group had wished to point out that neither JECFA nor Codex specifications were the only means of describing the desired standard of safety, and that they must, therefore, be regarded as advisory, and not subject to acceptance, directly or indirectly through the acceptance of Codex Commodity Standards.

109. The CCFA had concluded that a consequence of accepting its opinion as given in para. 108 above, would be the need to amend the section of the Procedural Manual entitled "Format for Codex Commodity Standards", by replacing the first paragraph in inverted commas by: "The following provisions in respect of food additives as contained in section... of the Codex Alimentarius are subject to endorsement (have been endorsed) by the Codex Committee on Food Additives."

110. The CCFA had also requested that the Secretariat should refer the CCFA views concerning the advisory status of the specifications to the Codex Committee on General Principles.

111. Concerning the request of the CAC, at its 14th session, for a precise indication of those aspects of the specifications which constituted "minimum safety requirements consistent with the toxicological evaluations", the CCFA had stressed that food

grade quality was achieved by compliance with the specifications as a whole and not merely with individual criteria which varied from substance to substance. For this reason, the CCFA, had expressed the opinion that it was not feasible to rank these individual criteria in terms of safety. The JECFA, at its 26th session, had agreed that its specifications in their entirety described substances of food grade quality which related directly to the toxicological evaluations and to good manufacturing practice. As regards the request of the Commission to identify criteria in the specifications which represented "minimum safety requirements", the JECFA had concluded that this was not practicable. Also the JECFA had experienced difficulty in fully understanding the meaning of the expression "minimum safety requirements". The JECFA had suggested, therefore, that this expression should be taken to mean that only food additives of a food grade quality which are consistent with the toxicological evaluations should be used.

Remarks of the Executive Committee

(i) Status and Safety Aspects

112. With regard to the conclusions of the CCFA Working Group (see para. 108) and those of JECFA at its 26th session, Mr. E. Kimbrell (Vice-Chairman) pointed out that any Codex specifications, whether advisory or mandatory, offered the consumer protection. He stressed that the important point was that the JECFA had evaluated the safety aspects of additives based on these specifications, and he believed it necessary to re-affirm the principle of safety, without necessarily saying whether governments have an obligation to "accept" the specifications.

113. Prof. Ibrahim (Vice-Chairman) pointed out that if specifications were advisory there was a risk that lower quality food additives might be used. He also pointed out that if the Executive Committee agreed with the opinion of the CCFA Working Group on Specifications, then the requirement for the CCFA to endorse specifications for food additives should be removed in page 53 (English version) of the Procedural Manual (5th Edition), as recommended by the CCFA.

114. It was pointed out by the WHO Joint Secretary of JECFA that in JECFA both manufacturers' standards and the toxicological appraisal of food additives had to be taken into account in establishing acceptable daily intakes (ADI). If an ADI was accepted by a government then the specifications were automatically accepted. If however the specifications changed then the ADI would require re-examination to establish equivalence. Concluding, the WHO Joint Secretary of JECFA stated that the proposal by the CCFA Working Group on Specifications that food additives should be of a "better" quality than the standard intended by JECFA was, therefore, unnecessary.

115. The Executive Committee thought that the approach of the CCFA on the question of status of and the question of obligations concerning the specifications was, in general, a reasonable one. However, before taking a definitive position on these matters, and taking into account the above discussions, the Executive Committee decided to seek the opinions of governments on the views of CCFA and JECFA and to review the matter at its next session.

(ii) Procedure for Elaboration of Codex Specifications

116. The Executive Committee agreed that the proposed Procedure for the Elaboration of Codex Advisory Specifications for the Identity and Purity of Food Additives should also be sent to governments for comments and looked at further at its next session.

CONSIDERATION OF PROPOSALS OF THE INTERNATIONAL OLIVE OIL COUNCIL (IOOC) FOR THE AMENDMENT OF THE CODEX STANDARD FOR TABLE OLIVES (CAC/RS 66-1974), IN THE LIGHT OF GOVERNMENT COMMENTS (Agenda Item 16)

117. The Commission at its Fourteenth Session, had agreed to a certain course of action in connection with a proposal of the IOOC on the need for amending the Codex Standard for Table Olives (ALINORM 81/39, paras 532-534). As had been envisaged in para. 534 (ii), proposals of the IOOC for the amendment of the Codex Standard for Table Olives had been sent to governments under cover of CL 1982/11-IOOC, March 1982. Governments had been invited to state their views on whether, in the light of the amendments proposed in document CODEX/COI/OT/Rev. 1, there was a need to amend the Codex Standard for Table Olives. Governments had not been asked to comment on the actual amendments themselves. Comments in writing had been received from only three countries - Chile, Portugal and the USA. These comments were set forth in CX/EXEC 82/29/10. Both Chile and Portugal had indicated that the standard should be amended, but the USA did not think that there was a need to amend the standard at the present time.

118. The Executive Committee was of the opinion that the views of more countries would be useful before a decision was taken. The Executive Committee agreed to consider this matter again at its next session, when, hopefully, more replies would be available.

REPORT ON THE DEVELOPMENT OF A GLOSSARY OF TERMS RELATING TO FOOD SAFETY
(Agenda Item 17)

119. At its 25th session, the Executive Committee had taken note of a paper, prepared by Australia, in which all the definitions found in various Codex documents were listed. The Executive Committee had been informed that the WHO Technical Terminology Service was undertaking the preparation of a glossary on food and nutrition, including terms relevant to food safety. The present session of the Executive Committee was informed that the latter document, which had now been completed in draft form, was a revision of a document prepared jointly by FAO and WHO, with the collaboration of the International Union of Nutritional Societies, and issued in 1968. The list of CAC definitions prepared by Australia had proved to be of great help in the preparation of this revision.

120. The Executive Committee was further informed that, in the course of the revision referred to above, difficulties had been encountered with respect to certain definitions in the Codex Procedural Manual that could, for technical reasons, not be used by WHO. The definitions involved were those of "food", "contaminant", "pesticide", "food additive", and "maximum residue limit".

121. The Executive Committee took note of this situation, but considered that no action on its part was called for at the present time since the purposes of the Codex definitions were different from those of WHO.

ORAL REPORTS BY COORDINATORS ON DEVELOPMENTS CONCERNING CODEX WORK IN AFRICA, ASIA, EUROPE AND LATIN AMERICA (Agenda Item 18)

122. The Coordinators and the Secretariat presented the main points in the programmes of work of the Coordinating Committees and in the organization of their future sessions. The Executive Committee thanked the rapporteurs for the information provided.

ORAL REPORTS BY THE SECRETARIAT ON MAIN DEVELOPMENTS AT SESSIONS OF CODEX SUBSIDIARY BODIES SINCE THE FOURTEENTH SESSION OF THE COMMISSION (Agenda Item 19)

123. The Secretariat outlined the main development at the sessions of the under-mentioned subsidiary bodies of the Commission held since the Commission's fourteenth session:

- (i) Joint ECE/Codex Group of Experts on Standardization of Fruit Juices (15th) 8-12 February 1982
- (ii) Codex Committee on Food Hygiene (18th) 22-26 February 1982
- (iii) Codex Committee on Vegetable Proteins (2nd) 1-5 March 1982
- (iv) Codex Committee on Food Additives (15th) 16-22 March 1982
- (v) Codex Committee on Processed Fruits and Vegetables (16th) 22-26 March 1982
- (vi) Codex Committee on Cocoa Products and Chocolate (15th) 29 March - 2 April 1982
- (vii) Codex Committee on Fats and Oils (12th) 19-23 April 1982
- (viii) FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products (20th) 26-30 April 1982
- (ix) Codex Committee on Fish and Fishery Products (15th) 3-8 May 1982
- (x) Codex Committee on Food Labelling (16th) 13-21 May 1982
- (xi) Codex Committee on Pesticide Residues (14th) 11-19 June 1982

124. The Executive Committee thanked the Secretariat for their summaries of the Committee reports.

PROPOSED DRAFT STANDARD FOR FRUIT BASED DRINKS (Agenda Item 20)

125. The Secretariat informed the Executive Committee that the International Federation of Fruit Juice Producers (IFFJP), Paris, France, had indicated that it would like to see an international Codex standard developed for fruit-based drinks. The IFFJP had discussed this proposal with the Chairman of the Joint UNECE/Codex Alimentarius Group of Experts on Standardization of Fruit Juices, Professor Dr. Walter Pilnik (Netherlands). Professor Pilnik had considered that it would be desirable to start work on the development of an international standard for fruit-based drinks within the Joint Group of Experts,

in order to avoid further national or regional developments which could be contrary to the aim of harmonization of standards.

126. The Group of Experts had considered the need for standards for fruit juice products at earlier sessions. For example, at the 8th session of the Joint Group of Experts, several delegations had spoken in favour of the development of standards for such products (see ALINORM 71/14(A), para. 59).

127. In view of the fact that circumstances did not enable this proposal to be raised and discussed at the last session of the Joint Group of Experts held in February 1982, and considering that it would be another two years or so before the next session of the Group of Experts was held, the Executive Committee was requested by the Chairman of the Group of Experts to authorize that a worldwide Codex standard be elaborated for fruit-based drinks under Step 1 of the Procedure for the Elaboration of Worldwide Codex Standards, to enable the proposed draft standard to be sent out for Government comments at Step 3 and to be considered at Step 4 by the Group of Experts at its next session:

128. The Committee was also requested to authorize that the existing terms of reference of the Joint Group of Experts which read "to elaborate worldwide standards for fruit juices" be extended to read "to elaborate worldwide standards for fruit juices, concentrated fruit juices and fruit juice products".

129. The Secretariat pointed out that under Rule III.2 of the Rules of Procedure of the Commission "the Executive Committee shall, between sessions of the Commission, act on behalf of the Commission as its executive organ".

130. The representative of the Legal Office of WHO indicated that he saw no legal problem in the Executive Committee acceding to the above two requests on the understanding that both actions would be subject to the approval of the Commission at its next session. In the light of the discussions and due to the lack of information, the Executive Committee was of the opinion that the decisions requested might be premature. In order to facilitate progress, the Executive Committee agreed that the proposed draft standard be distributed to member countries, with an indication that the development of the standard was subject to the approval of the 15th session of the Commission.

DRAFT PROVISIONAL AGENDA FOR THE FIFTEENTH SESSION OF THE COMMISSION (Agenda Item 21)

131. The Executive Committee had before it a draft provisional agenda for the 15th session of the Commission, to be held in Rome from 4 to 15 July 1983 (CX/EXEC 82/29/12). The representative of the South West Pacific Region drew the attention of the Executive Committee to the need for several editorial amendments to the draft provisional agenda. The Secretariat took note of these amendments. He also drew attention to the need to include consideration at Step 5 of Draft Guidelines for the Labelling of Non-Retail Containers under Item 13.

132. Concerning the "Report on the Work of the WHO Expert Committee on Food Safety", the Committee was informed that this would in all likelihood be changed to "Work of the Joint FAO/WHO Expert Committee", but that, until such time as the Executive Board of the World Health Organization had given formal approval, the title would have to remain as it is. It was agreed that this subject should also be on the agenda of the next session of the Executive Committee.

133. In line with its decision at its present session, the Executive Committee added item 10 (b) "Proposal of the Executive Committee to amend Rule VI.3".

134. The Executive Committee agreed that it would be necessary to add an item to the provisional agenda of the Commission entitled "Consideration of Need to Amend the Code of Ethics for International Trade in Food".

135. Concerning the sequence of items, certain changes were agreed upon and noted by the Secretariat.

OTHER BUSINESS (Agenda Item 22)

General Standard for Irradiated Foods

136. Mr. E. Kimbrell (Vice-Chairman) recalled that the Secretariat in its verbal report on different Codex Committee sessions, had indicated that the General Standard for Irradiated Food had been advanced to Step 5 by the Codex Committee on Food Additives at its last session held in March 1982. Even though certain labelling issues in connection with irradiated food still remained to be resolved, Mr. Kimbrell considered that there was an urgent need to make as much progress as possible with the development of the standard. He asked the Executive Committee whether it could agree to request the CCFA to include, with the agreement of the Chairman of the CCFA, consideration of the standard in the agenda of its next session. The Executive Committee agreed to recommend to the Chairman of the CCFA that this topic be placed on the agenda of its next session, if it had not already been included.

137. The Executive Committee noted, however, the information given by the WHO Joint Secretary that because of concerns expressed by the Codex Committee on Food Hygiene (see ALINORM 79/13A, paras 18-20 and Appendix VI) on the possible effects of sub-lethal doses of irradiation on the bacterial flora of irradiated foods, the matter would be examined by an expert group which would meet later this year.

Draft Guidelines for Labelling of Non-Retail Containers

138. The Codex Committee on Food Labelling, at its most recent session, had been unable to discuss the Draft Guidelines on Non-Retail Containers, because of lack of time. Also because the Guidelines were closely linked with the General Standard for the Labelling of Prepackaged Foods, the Committee had thought that the Guidelines should be considered in conjunction with the General Standard which had been advanced to Step 6. In order to facilitate the further elaboration of the Guidelines and to allow for further comments, the Committee had decided that future consideration of the Guidelines should take place within the Steps Procedure. The Committee had agreed to request the Commission at its next session to consider the Guidelines as being at Step 5, in view of the fact that they had been the subject of two rounds of government comments. In this way the Guidelines and the General Standard would be at the same Step at the next session of the Labelling Committee. Because of the comparatively short time (in which to obtain and process government comments) between the next session of the Commission and the next session of the Labelling Committee, the Executive Committee, acting on behalf of the Commission and subject to confirmation by the Commission, was requested to consider the Guidelines as being at Step 5. This would enable the Guidelines to be sent out for government comments in good time and would enable the comments received to be sent to governments in good time before the next session of the Labelling Committee.

139. The Executive Committee agreed to regard the Guidelines as being at Step 5 subject to confirmation by the Commission at its 15th session.

Consideration of Written Comments at Codex Committee Sessions

140. The representative of the South West Pacific region stated that he had been informed that at some Codex Committee sessions the Chairmen did not always ensure that

written comments of member countries not represented at the session were considered by the Committee. The Executive Committee wished to remind all Chairmen of Codex Committees of their obligation under section 10(b) of the "Guidelines for Codex Committees", as contained in the Procedural Manual of the Commission, to ensure that the written comments of members not present at the session were considered by the Committee.

Frequency of Sessions of the Commission

141. The representative of the region of North America referred to the fact that the period of time between sessions of the Commission had now grown to two years. He expressed the view that such a lengthy period of time between Commission sessions resulted in a slowing down of the pace of Codex work. He favoured annual meetings of the Commission, which in his opinion, would speed up the decision-making process and would facilitate budgeting. Also annual meetings facilitated the establishment of a network of professional contacts which was very useful for the implementation of Codex work. He thought that if budgetary problems stood in the way of having annual meetings of the Commission, then consideration should be given to reducing the length of a Commission session from two weeks to one week, with an appropriately reduced agenda.

142. Mr. E. Kimbrell (Vice-Chairman) supported the view of the representative of the region of North America and agreed that the Secretariat should consider the feasibility of having yearly sessions of the Commission of one week's duration, with, naturally, a suitably reduced agenda. He also put forward the suggestion that perhaps it might be unnecessary to hold mid-term sessions of the Executive Committee if the Commission were to meet on a yearly basis.

143. The attention of the Executive Committee was also drawn to Rule IV.1 of the Rules of Procedure of the Commission which provided that the Commission "shall in principle hold one regular session each year ...".

144. Professor Ibrahim (Vice-Chairman) wondered whether annual meetings of the Commission would be favoured by developing countries, because of the additional financial burden it would impose on them. He thought that the views of Coordinating Committees should be sought on this.

145. The Secretariat explained that there had been no programme increase in the budget of the Food Standards Programme for many biennia. The budget of the Programme for the current biennium provided for one session of the Commission (of two weeks duration).

146. The Executive Committee requested the Secretariat to prepare a report for consideration at its next session on the feasibility of having annual sessions of the Commission with suitably reduced agenda. The report should then be considered by the Commission in connection with the item on the provisional timetable of Codex sessions 1984/85. The Executive Committee also instructed that this matter be placed on the agenda of the up-coming sessions of the Coordinating Committees operating in developing regions.

1983 Session of the Codex Committee on Food Hygiene

147. The Secretariat informed the Executive Committee that the calendar of Codex sessions for 1982/83 had been put before the 14th session of the Commission for approval. The calendar of sessions included one session of the Codex Committee on Food Hygiene in 1982, but no session of that Committee had been listed for 1983, as it was expected that

a session would be held early in 1984. The Secretariat had now been informed that as the US fiscal year runs from October to September, it would be advisable to hold the meeting of the Codex Committee on Food Hygiene before the end of September 1983 (instead of early 1984). The Executive Committee agreed that it would be advisable to hold the next session of the Codex Committee on Food Hygiene before September 1983. The Secretariat indicated that it understood that the meeting could be held in the last week of September 1983.

Statement of the Representative of the Region of Latin America

148. The representative of the region of Latin America informed the Committee that the authorities in Brazil had asked that every endeavour should be made by the Secretariat to despatch working documents for Codex meetings earlier than hitherto. The Secretariat was requested by the Executive Committee to look into this matter.

149. The representative of the region of Latin America also informed the Committee that he had received a communication from the authorities in Cuba asking for action on certain matters by FAO and WHO. The requests were, in the main, based on the declaration of Cuba made at the 13th session of the Commission and contained in Appendix II to ALINORM 79/38.

150. The Executive Committee was informed that WHO/PAHO had already written to the authorities in Cuba and that many of the points raised in the declaration had already been covered.

151. The Executive Committee indicated that such requests should be submitted in writing and in good time before any session of the Commission.

APPENDIX

EXTRACT FROM THE REPORT OF THE THIRTY-EIGHTH
SESSION OF THE UNECE'S WORKING PARTY
ON STANDARDIZATION OF PERISHABLE PRODUCE
(Geneva, 6 - 9 July 1982)

Matters of interest arising from the Fourteenth Session of the Codex
Alimentarius Commission (Item 4)

16. The Working Party had before it document AGRI/WP.1/R.58 which contained relevant aspects of the report of the Fourteenth Session of the Codex Alimentarius Commission (CAC). It also had for its consideration document AGRI/WP.1/R.46/Rev.1 which contained revised proposals to harmonize the working arrangements between the Working Party and the CAC. The secretariat noted that the latter document had been prepared on the basis of the request of several delegations at the thirty-third session of the Committee on Agricultural Problems (see para. 55 of the Committee's report reproduced in AGRI/WP.1/R.56).

17. The delegations of Hungary, Norway, Poland, Romania, United Kingdom and Union of Soviet Socialist Republics expressed their support for the proposals contained in document AGRI/WP.1/R.46/Rev.1. The delegation of the Netherlands expressed its general support but stated that some matters of detail required re-drafting. Several other delegations expressed the opinion that the proposals did not meet the concerns of European countries, or else were not sufficiently clear in outlining the responsibilities of the Codex Alimentarius Commission and the Working Party.

18. Much of the discussion was based on the proposal in paragraph (b) that there should be equivalence between the minimum requirements of Codex standards and the requirements of Class II produce in UN/ECE standards. Several delegations stated that this could lead to an unacceptable lowering of the quality specified in the UN/ECE standards. The delegation of Italy proposed in relation to the problems that the minimum requirements should "not be in contradiction" in the two standards.

19. The delegation of Turkey referred to the difference in emphasis of the standards produced by the two bodies, and stated that this difference in emphasis was sufficient for the two bodies to continue to work separately within their respective competences.

20. Some delegations pointed out that although the proposals required the Working Party to recognize the pre-eminence of the Codex Commission in some areas, no reciprocal recognition of the competence of the Working Party was included.

21. The Working Party reaffirmed its opinion that the proposals were premature even in their revised form, and asked that this opinion be transmitted to the Executive Committee of the Codex Alimentarius Commission. Nevertheless the Working Party stressed its desire to continue to cooperate with the Commission and to avoid areas of overlap and duplication of work. It asked the secretariat, together with the FAO/WHO Codex secretariat to prepare revised proposals, based on the present discussion, which would take into account the concerns expressed. It requested that these proposals be circulated for comments well in advance of the next session of the Working Party.