

CODEX ALIMENTARIUS COMMISSION

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Food and Agriculture
Organization of the
United Nations



World Health
Organization

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REP18/CAC
July 2018

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX ALIMENTARIUS COMMISSION
Forty-first Session
FAO Headquarters, Rome, Italy
2-6 July 2018

REPORT

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EXECUTIVE SUMMARY

With regard to standard setting the Commission:

- a) adopted maximum residue limits (MRLs) for different pesticides in various foods and feeds;
- b) adopted maximum levels (MLs) for methylmercury in certain fish species and for cadmium in chocolate;
- c) adopted MRLs for veterinary drugs used in food-producing animals, an amendment to the Procedural Manual in regard to risk analysis principles for residues of veterinary drugs in foods, and the Risk Management Recommendation for Gentian Violet;
- d) adopted revisions of the *Code of Practice for Fish and Fishery Products: Guidance for histamine control*;
- e) adopted the Code of Practice for the prevention and reduction of dioxins, dioxin-like PCBs and non-dioxin-like PCB contamination in food and feed;
- f) adopted the food-additive provisions of the *General Standard for Food Additives*, the revised food-additive sections of a number of Codex Standards, the revision of the Class Names and the International Numbering System for Food Additives and the Specifications for the Identity and Purity of Food Additives;
- g) adopted the revision of the *General Standard for the Labelling of Prepackaged Foods, Date Marking*;
- h) adopted standards for aubergines and quinoa; and
- i) approved new work, proposals for the discontinuation of work and for the revocation of existing Codex texts

With regard to Codex work management and budgetary and financial matters the Commission:

- j) highlighted the importance of science and the observance of Codex procedures and consensus in the Codex decision-making process and endorsed the proposal by CCEXEC75 that the Secretariat coordinate the preparation of a report on the use of relevant aspects of the provisions of the Procedural Manual;
- k) agreed that it was important to maintain a wide range of options and flexibility when deciding on working methods for the development of Codex texts and that decisions on the approach should be made on a case-by-case basis depending on the nature of work;
- l) agreed to request the Codex Committee on General Principles (CCGP) to formulate procedural guidance for committees working by correspondence based on and consistent with relevant existing guidance in Procedural Manual;
- m) affirmed that existing Codex procedures included sufficient flexibility to fast-track the development of standards, while noting that a more systematic but not necessarily periodic review of Codex standards could increase their relevance and requested CCEXEC to advise the Commission further on this matter;
- n) reiterated its support for the ongoing Codex work on Antimicrobial Resistance highlighting its contribution to global efforts to tackling this issue; and
- o) acknowledged the reports on expenditure in the past and current biennia and noted the budget proposal for 2020-2021, encouraged the Secretariat to continue its close monitoring of expenditure and expressed its appreciation for contributions from host countries and in-kind contributions to the Secretariat from Germany, Japan and the Republic of Korea.

With regard to FAO/WHO scientific advice and policy-related issues relevant to the work of Codex the Commission:

- p) recognized FAO and WHO efforts to accelerate delivery and ensure continuous improvement of scientific advice and recommended that FAO and WHO provide adequate sustainable funding for the joint FAO/WHO scientific advice programme;
- q) noted the information provided by FAO and WHO on policy-related issues, capacity development activities to support member countries, and the Codex Trust Fund; and
- r) encouraged members to advocate at the national level to support the establishment of a world food safety day by the United Nations General Assembly.

With regard to election of the Chairperson and Vice-Chairpersons the Commission:

- s) Re-elected, as Chairperson, Mr Guilherme Antonio da Costa Jr. (Brazil) and, as Vice-Chairpersons, Mr Purwiyatno Hariyadi (Indonesia), Ms Mariam Eid (Lebanon) and Mr Steve Wearne (United Kingdom).

INTRODUCTION

1. The Codex Alimentarius Commission (CAC) convened its Forty-first Session, at the headquarters of the Food and Agriculture Organization of the United Nations (FAO), in Rome, Italy, from 2 to 6 July 2018. The Session was opened by the Chairperson of the Commission, Mr Guilherme Antonio da Costa Jr. (Brazil), assisted by Vice-Chairpersons, Mr Purwiyatno Hariyadi (Indonesia), Ms Mariam Eid (Lebanon) and Mr Steve Wearne (United Kingdom), and attended by delegates from 121 Member countries and one Member Organization, and observers of 84 intergovernmental organizations (IGOs) and non-governmental organizations (NGOs), including United Nations entities. A list of participants is contained in Appendix I.

Opening addresses¹

2. The Deputy Director-General for Climate and Natural Resources of FAO, Ms Maria Helena Semedo, and the Deputy Director-General for Programmes of the World Health Organization (WHO), Ms Soumya Swaminathan, welcomed participants and addressed the Commission. The Commission heard further addresses by the Under-Secretary of Agriculture for Trade and Foreign Agricultural Affairs of the United States of America, Mr Ted McKinney, and the Executive Secretary of the United Nations Economic Commission for Europe, Ms Olga Algayerova.

Division of competence²

3. The Commission noted the division of competence between the European Union (EU) and its Member States in accordance with Rule II, paragraph 5, of the CAC Rules of Procedure, as presented in conference room document 1 (CRD1).

ADOPTION OF THE AGENDA (Agenda item 1)³

4. The Commission adopted the provisional agenda with the addition under item 21, "Any other business", of:
 - (i) Endocrine-disrupting substances in foods (proposed by India); and
 - (ii) Organization of the Commission agenda (proposed by Cuba).

REPORT BY THE CHAIRPERSON ON THE 74th and 75th SESSIONS OF THE EXECUTIVE COMMITTEE (Agenda item 2)⁴

5. Pursuant to Rule V, paragraph 7, of the CAC Rules of Procedure, the Chairperson drew the attention of the Commission to the reports of the seventy-fourth and -fifth sessions of the Executive Committee (CCEXEC), observing that the Commission would consider their recommendations under the relevant agenda items.

CCEXEC74

6. The Commission took note of the discussions and conclusions contained in the report of CCEXEC74.

CCEXEC75

7. The Commission took note of the discussions and conclusions contained in the report of CCEXEC75.
Proposed draft maximum residue limits (MRLs) for zilpaterol hydrochloride (cattle fat, kidney, liver, muscle)
8. The Commission noted the discussion and conclusions of CCEXEC75 regarding its Critical Review of the consideration by the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVD) at its twenty-fourth session of Proposed draft MRLs for zilpaterol hydrochloride (cattle fat, kidney, liver, muscle) (see REP18/EXEC2 Rev.1, paras. 30-40).
9. Members, in expressing their views:
 - (i) reiterated the importance of science as the cornerstone of Codex, stressing that it was fundamental to Codex's credibility and role as reference under the WTO framework;
 - (ii) noted that to block the development of Codex texts on grounds extraneous to scientific advice and the Codex mandate prevented the many countries lacking the capacity to develop their own standards from fully benefiting from undisputed FAO/WHO risk assessment and monitoring foods for residues;

¹ Video recordings available at: <http://www.codexalimentarius.org/meetings-reports/CAC41/webcast/en/>

² Division of Competence between the European Union and its Member States (CRD1)

³ CX/CAC 18/41/1

⁴ REP18/EXEC1; REP18/EXEC2 Rev.1; Comments of Brazil, Bolivia, Chile, Costa Rica, Colombia, El Salvador, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Trinidad and Tobago, Philippines (CRD12)

- (iii) recalled that, procedurally, Members were free to make reservations or not to apply a Codex text;
 - (iv) stressed the need to ensure adherence to the Procedural Manual at all times and stated that CAC should issue guidance to the chairpersons of subsidiary bodies in this regard;
 - (v) stressed that careful consideration should be given to the weighting of factors beyond science in Codex decision-making procedures, as already provided for in the Procedural Manual, subject to certain agreed criteria contained in the Procedural Manual;
 - (vi) noted that existing procedures were already clear and should be followed;
 - (vii) noted that CAC and its subsidiary bodies should only consider factors other than science that were within the mandate of Codex as articulated in the Procedural Manual;
 - (viii) underscored that consensus was a core value of Codex;
 - (ix) noted that, in accordance with the Procedural Manual, it was legitimate for Codex as risk manager to take into consideration factors beyond risk assessment;
 - (x) recalled the joint FAO/WHO legal opinion, contained in paragraphs 31 and 32 of the report of CCEXEC75, that CCRVDF24 had breached no Codex rules;
 - (xi) noted the statement within the joint FAO/WHO legal opinion that recent developments had altered the original nature and status of Codex standards;
 - (xii) proposed a review of the “Statements of principle concerning the role of science in the Codex decision-making process and the extent to which other factors are taken into account” (Statements of principle), as described in the final paragraph of the legal opinion; and
 - (xiii) noted that, in the light of the joint FAO/WHO legal opinion and repeal of the acceptance procedure, the Codex Secretariat should prepare a report on the history and implications of paragraph 4 of the Statements of principle.
10. Different views were also expressed regarding the correct forum, whether CCEXEC, the Codex Committee on General Principles (CCGP) or both, for further debate on this matter.
11. Observers expressed several views, including that there were scientific reasons to hold back the standard, Codex needed to update its procedures to avoid being left behind, better address sustainable and culturally appropriate foods and innovative products, ensure scientific credibility, avoid perceived conflicts of interest, favour independently funded science and use consistent terminology. Consistency across committees based on sound science and clear procedures was key to the credibility of Codex.

Conclusion

12. Reiterating the value of Codex as the preeminent international rules-based food standards-setting body, and underscoring its commitment to both science and consensus, the Commission endorsed the approach proposed by CCEXEC75 in paragraph 38-40 of its report, emphasized the value of holding regional coordination meetings to inform the process, and stressed that the reports prepared on the matter should be shared with the broader membership, not only CCEXEC. The Commission:
- (i) highlighted the importance of science, the observance of Codex procedures and consensus in the Codex decision-making process;
 - (ii) endorsed the importance of the work proposed by CCEXEC75 to be considered at CCEXEC77;
 - (iii) requested that the Codex Secretariat make the reports to inform CCEXEC77’s work available to all Members sufficiently in advance to enable regional coordinators to solicit views from their respective regions; and
 - (iv) took note of the comments made during the discussion and requested that the Codex Secretariat take them into account in preparing the reports on the matter for CCEXEC77.

Ad hoc Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR)

13. The Commission:
- (i) noted that through the work of the TFAMR Codex contributed to global efforts to counter present and future threats to the health of consumers posed by the emergence and amplification of antimicrobial resistance;
 - (ii) reiterated the overwhelming support, as expressed at CAC40, for the project documents on a revised code of practice and guidelines for integrated surveillance; and
 - (iii) supported the Chairperson of TFAMR in making further timely progress towards these objectives.

AMENDMENTS TO THE PROCEDURAL MANUAL (Agenda item 3)⁵*Risk Analysis Principles applied by the Codex Committee on Residues of Veterinary Drugs in Foods*

14. In response to a request to refer the proposed amendment to CCGP and defer a decision until CAC42, the Secretariat of the Joint FAO/WHO Expert Committee on Food Additives (JECFA) clarified that the proposed deletion would not modify the intent of the work or the safety evaluation for residues of veterinary drugs in foods, but serve instead to clarify how CCRVDF could approach its proposed work to develop extrapolation of MRLs as a risk-management decision. The Codex Secretariat confirmed that, procedurally, there was no need to refer the matter to CCGP, and noted that, until such an amendment as proposed was made, MRLs for minor species already requested by developing countries would not be available.

Conclusion

15. The Commission:
- (i) adopted the amendment as proposed by CCRVDF, noting the reservation of the Dominican Republic; and
 - (ii) noted that Costa Rica would join the EU as co-chair of the electronic working group (EWG) of CCRVDF on extrapolation, thereby facilitating greater participation of Spanish-speaking countries.

FINAL ADOPTION OF CODEX TEXTS AT STEPS 8, 5/8 AND 5A (Agenda item 4)⁶

16. The Commission adopted the draft and proposed draft standards and related texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5/8 with a recommendation to omit Steps 6 and 7), as well as other standards and related texts submitted for adoption as endorsed by the relevant general subject committees, taking into account the Critical Review of CCEXEC75⁷ (Appendices III-IV).
17. In addition to editorial corrections, the Commission noted the following comments and decisions.

Committee on Fresh Fruits and Vegetables (CCFFV)*Draft standard for aubergines⁸*

18. The Commission noted the Critical Review⁹ undertaken at CCEXEC75 and the following views expressed by Members:
- (i) the inclusion of one percent tolerance for decay in "Extra" class was realistic, reflected existing industry and trade practices for fresh fruits and vegetables due to their perishable nature, and could prevent the rejection or downgrading of entire lots, thereby avoiding food waste;
 - (ii) if produce did not comply with "Extra" class, it could still meet the requirements of classes I and II; and
 - (iii) a general solution or clearer principle would be required before any new standard could be adopted.
19. Editorial amendments to simplify the standard were proposed to the provisions on minimum and maturity requirements and sizing.

Conclusion

20. The Commission:
- (i) adopted the draft standard for aubergines at Step 8, noting the reservations of Colombia, EU and its Member States, Norway, Switzerland and Thailand on allowing a tolerance for decay in "Extra" class; and
 - (ii) endorsed the conclusions of CCEXEC75 and the note that "provisions for decay in "Extra" class were optional and, depending on the nature of the produce, may not be applicable or necessary".

⁵ CX/CAC 18/41/2; CX/CAC 18/41/2 Add.1; Comments of the Dominican Republic (CRD19rev); Comments of Indonesia (CRD21); Comments of Ecuador (CRD34).

⁶ CX/CAC 18/41/3; CX/CAC 18/41/3 Add.1; CX/CAC 18/41/3-Add 2; Comments of Sierra Leone, Senegal, Gambia, Peru, Mexico, Philippines, EU, Kazakhstan, Thailand, Liberia, Ghana (CRD2rev); Comments of Morocco (CRD14); Comments of Nicaragua (CRD16); Comments of El Salvador (CRD17); Comments of Peru (CRD18rev); Comments of the Dominican Republic (CRD19rev); Comments of Cameroon (CRD20); Comments of Indonesia (CRD21); Comments of the Russian Federation (CRD28)

⁷ REP18/EXEC2 Rev.1

⁸ REP18/FFV, para. 19, Appendix II

⁹ REP18/EXEC2 Rev.1, paras. 6-43

Committee on Food Labelling (CCFL)*Revision of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985): Date Marking*

21. The Commission noted the view expressed by one delegation, though not opposed to the adoption of the revised text, that the definition of “best before date” and “best quality before date” required further consideration to reduce the risk of confusing consumers.
22. A Member proposed a rewording of footnote 2 in the section 4.7 on date-marking to provide more flexibility at the national level when establishing a list of exceptions from date-marking.
23. The Russian Federation reiterated its reservation raised at CCFL44, in particular regarding section 4.7 (vii).
24. The CCFL chairperson explained that:
 - (i) following extensive discussion on the date-marking revision, CCFL had reached consensus, except for the reservation of the Russian Federation;
 - (ii) the terms “best before date” and “best quality before date” were supported by CCFL, “best before date” was already contained in the date-marking section of the *General Standard for the Labelling of Prepackaged Foods* (CXS1-1985), and the proposed revision would clarify their definition; and
 - (iii) section 4.7 (vii) provided flexibility to national authorities in determining exemptions suitable for their countries.

Conclusion

25. The Commission:
 - (i) adopted the draft revision of the *General Standard for the Labelling of Prepackaged Foods: Date Marking*, noting the reservation of the Russian Federation; and
 - (ii) noted that all editorial and translation issues would be addressed prior to publication.

Committee on Food Hygiene (CCFH)*Revision of the Code of Practice for Fish and Fishery Products (CXC 52-2003): Guidance for histamine control*

26. The Commission noted that: CCFH49 had reached agreement on the list of susceptible fish families presenting the greatest potential for developing hazardous levels of histamine; and the corresponding list contained in the *Code of Practice for Fish and Fishery Products*, section 13.1.2, would be aligned with it, with the insertion, before the list, of “e.g.”, which had been inadvertently omitted.
27. The delegation of Morocco reiterated that it would support adoption provided that: the list of fish families remained open for the addition of others demonstrated by risk analysis to cause histamine intoxication; and the format of footnote 6 was made consistent with regard to reference to the report of the FAO/WHO Expert Meeting on the Public Health of Histamine and Other Biogenic Amines from Fish and Fishery Products.

Conclusion

28. The Commission:
 - (i) adopted the revision as amended (see para. 26), noting the reservation of Morocco; and
 - (ii) noted that the guidance would be published upon completion of the CCFH work under way on histamine in the *Code of Practice for Fish and Fishery Products*.

Committee on Contaminants in Foods (CCCF)*MLs for cadmium in chocolate*

29. The Commission noted the reservation of Peru for the reasons explained in CX/CAC 18/41/4 on the adoption of the maximum levels (MLs) for cadmium in (i) chocolate containing or declaring $\geq 50\%$ to $< 70\%$ total cocoa solids on a dry-matter basis and (ii) chocolate containing or declaring $\geq 70\%$ total cocoa solids on a dry-matter basis.
30. Peru further noted that the MLs were too restrictive and would have negative socioeconomic implications for cocoa growers, especially smallholder farmers. Such MLs could also be misused by application to the raw commodity as opposed to the finished product, which would disrupt trade. Highlighting the mandate for Codex standards to be based on science, Peru enquired whether JECFA could re-evaluate the provisional tolerable monthly intake (PTMI) due to its provisional nature and in the light of new scientific evidence, and noted that the application of a code of practice could assist countries in reducing cadmium contamination in cocoa beans.

31. The JECFA Secretariat explained that “provisional” was standard terminology and did not imply the value had temporary status, and noted that the PTMI, since it had been recently reviewed, based on a large, worldwide dataset covering several years, was unlikely to be influenced by any new data that may have become available since the last evaluation.

Conclusion

32. The Commission adopted the proposed MLs, noting the reservation expressed by Peru and that they applied to the final product (chocolate) as opposed to the raw material (cocoa beans) since the name of the product was “chocolate” and the relevant note stated that the MLs applied to the whole commodity as prepared for wholesale or retail distribution.

Maximum levels for methylmercury for alfonsino, marlin, shark and tuna

33. The Commission noted the following reservations on the adoption of the MLs.
34. The EU, supported by Norway and Switzerland, expressed its reservation regarding all the MLs for the reasons contained in CX/CAC 18/41/4.
35. Colombia and Cuba also reserved their position on the final adoption of all the MLs, supporting instead adoption at Step 5 and further consideration in CCCF. Cuba further noted that, according to their national regulation, the proposed MLs would not sufficiently protect the health of the Cuban population.
36. Senegal expressed reservations on the final adoption of the MLs for alfonsino, marlin and shark for the reasons contained in CX/CAC 18/41/4.
37. Ecuador expressed a reservation on the setting of one single ML for methylmercury for all tuna species on the grounds that data used in establishing the ML did not take into account certain eastern Pacific tuna species with higher methylmercury concentrations. The note limiting the use for further processing of tuna that was non-compliant with the proposed ML was unnecessarily trade restrictive, may lead to food waste and may not take into account the risks and benefits of fish consumption as a source of Omega-3 fatty acids and other nutrients. If adopted, the ML should be revised after three years based on available data with a view to establishing a more globally representative ML.
38. The CCCF Chairperson recalled that MLs for methylmercury in fish species had been on the CCCF agenda for several sessions, and CCCF had discussed the proposed MLs, which were based on the best data available from various regions covering several years. She continued that returning the proposed ML to CCCF for another call for new data was unlikely to affect the proposed values significantly. The CCCF Chairperson reiterated that proposed MLs represented the best compromise to achieve the task set by the Commission with the data available, especially given the importance of the proposed MLs for public health and trade facilitation.

Conclusion

39. The Commission adopted the proposed MLs, noting the reservations expressed by Cuba, Colombia, Ecuador, EU, Norway, Senegal and Switzerland, and agreed that CCCF could consider revising the ML for tuna in the light of additional data after three years.

Committee on Food Additives (CCFA)

Food-additive provisions of the General Standard for Food Additives (GSFA)¹⁰

40. The Commission noted the recommendations of CCEXEC75¹¹.
41. One Member expressed concern regarding the CCFA50 justification for the inclusion of Rebaudioside A from multiple gene donors expressed in *Yarrowia lipolytica* (INS 960b(i)) in the GSFA and requested procedural clarification in this regard.
42. Another Member, recalling that the issue had been discussed previously and relevant procedure followed, noted that the addition of individual food additives sharing the same group acceptable daily intake (ADI) was covered in the Procedural Manual and would not result in increased exposure.
43. In response to a question, the JECFA Secretariat clarified that steviol glycosides from difference sources had been assessed at several meetings and the latest safety assessment, completed in 2016, confirmed an ADI of 0–4 mg/kg bw, expressed as steviol.

¹⁰ REP18/FA, Appendix V

¹¹ REP18/EXEC2 Rev. 1, paras. 6 and 26

44. Emphasizing the importance of product labelling to differentiate natural steviol glycosides from other types of steviol glycoside, Paraguay recommended requesting that CCFA explain the existing nomenclature for different types of steviol glycosides. However, it was noted that: CCFA50 had considered the matter and clarified that the GSFA was not intended for labelling purposes; and the *Class Names and the International Numbering System for Food Additives* (CXG 36-1989) included explanatory notes on the assignment of INS numbers.

Conclusion

45. The Commission adopted the draft and proposed draft food-additive provisions of the GSFA at Steps 8 and 5/8 and endorsed the recommendations of CCEXEC75 to:
- (i) insert Note XS302 associated with the provisions for INS 473, INS 473a and INS 474 in functional class 12.6.4;
 - (ii) request that CCFA clarify the operational procedure for the addition/removal of individual food additives under the same group heading should such issues be raised in CCFA.
46. The Commission noted the reservation of Paraguay regarding the revised nomenclature for steviol glycosides.

Codex Committee on Pesticide Residues (CCPR)

Maximum residue limits for pesticides in food and feed

47. The Commission adopted the MRLs, noting the reservation of the EU, supported by Norway and Switzerland, on a number of pesticide/commodity combinations for the reasons provided in CX/CAC 18/41/4.

Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF)

Risk Management Recommendation for Gentian Violet

48. The Commission noted that, while not opposed to adoption, the following countries expressed reservations regarding the final sentence of the Risk Management Recommendation (RMR), which they believed was overly prescriptive and went beyond the scope of CCRVDF and Codex: Australia, Ecuador, Honduras, Mexico, Nicaragua, Paraguay, Philippines and United States of America. They noted that the existing language could be understood as limiting the capacity of national authorities to use other risk-management measures they may deem more appropriate. CCRVDF's interpretation of the text of the RMR, if read separately from it, could not assist Members in implementation.
49. Delegations supporting adoption noted that the wording "can be accomplished" in the RMR text gave national competent authorities sufficient flexibility to determine risk-management measures most appropriate to their needs.
50. The JECFA Secretariat clarified that the text was intended to provide national authorities with risk-management options and noted that, since an RMR containing this text had already been adopted for malachite green, a compound similar in use and toxicity, it would be inconsistent to change the wording.

Conclusion

51. The Commission adopted the RMR as proposed by CCRVDF, noting that the text allowed Member countries to choose appropriate risk-management approaches to prevent residues of gentian violet in foods as clarified by CCRVDF24¹²; and further noted the reservations expressed by Australia, Ecuador, Honduras, Mexico, Nicaragua, Paraguay, Philippines and United States of America.

CCPR and CCRVDF

Coordination of work on edible animal tissues

52. The Commission endorsed¹³ the recommendation of CCEXEC75 in relation to coordination of work between the CCPR and CCRVDF on the definition of edible animal tissues.

Codex Committee on Cereals, Pulses and Legumes (CCCPL)

Standard for quinoa¹⁴

53. Members expressed their continued support for the development of the standard, noting that quinoa was an important and nutritious staple offering health benefit to consumers.

¹² REP18/RVDF, para. 33

¹³ REP18/EXEC2 Rev. 1, paras. 27-28

¹⁴ CL 2018/25-CPL Annex II

54. Those supporting adoption of the draft standard at Step 8 commended the transparent and inclusive consultations facilitated by the EWG and noted that the draft standard was well aligned with existing international trade practices.
55. Those opposing adoption noted that no consensus had been reached on provisions for moisture content and grain size, and those on testing methods for the determination of saponins required further development. Standard development being ahead of schedule overall, sufficient time remained to continue work on those technical parameters.

Conclusion

56. The Commission agreed to:
- (i) adopt, subject to the endorsement of the labelling provisions by CCFL45, the draft standard for quinoa at Step 8, with the exception of the provisions for moisture content and grain size, which were returned to Step 6; and
 - (ii) establish an EWG, chaired by Costa Rica, and co-chaired by Chile and the United States of America, working in English and Spanish, to continue the work on the provisions for moisture content and grain size.
57. The Commission further noted the lack of a method for determination of saponins in the standard and encouraged Members to identify a validated method of analysis for this parameter to allow for the full implementation of the standard.

ADOPTION OF CODEX TEXTS AT STEP 5 (Agenda item 5)¹⁵

58. The Commission adopted and advanced to Step 6 the proposed draft standards and related texts submitted by its subsidiary bodies at Step 5, noting that technical comments should be resubmitted at Step 6 for consideration by the relevant committees, taking into account the Critical Review of CCEXEC75 (Appendix IV).

Committee on Nutrition and Food for Special Dietary Uses (CCNFSDU)

Review of the Standard for Follow-Up Formula (CXS 156-1987): essential composition requirements for older infants and young children

59. Norway, although supporting adoption at Step 5, raised a concern regarding the level of vitamin A in Part B of the Standard: since children aged between 12 and 36 months received vitamin A from a progressively diversified diet in addition to that contained in follow-up formula, a maximum of 180 µg (retinol equivalents per 100 kcal) may be too high and could lead to intake exceeding the upper tolerable level.
60. Several delegations spoke in support of adoption of the standard at Step 5.
61. An observer opposed adoption at Step 5 before agreement on the preamble and labelling sections; expressed the views that the commodity was not necessary and may pose a risk to the health of young children, undermine breastfeeding and fuel the obesity crisis, especially in the light of the aggressive marketing of such products; and noted that in their view further consideration should be given to the scientific basis of and inconsistent language in the Standard.

Conclusion

62. The Commission:
- (i) adopted the “essential composition requirements for older infants and young children”; and
 - (ii) noted that all technical comments should be resubmitted for consideration by CCNFSDU.

¹⁵ CX/CAC 18/41/5; CX/CAC 18/41/5 Add.1; CX/CAC 18/41/6; Comments of the European Union (CRD13); Comments of El Salvador (CRD17); Comments of the Dominican Republic (CRD19rev); Comments of Cameroon (CRD20); Comments of Indonesia (CRD21); Comments of Panama (CRD24); Comments of Mali (CRD25); Comments of the Russian Federation (CRD28); Comments of the Sudan (CRD29); Comments of Nigeria (CRD30); Comments of Uruguay (CRD31); Comments of Uganda (CRD32); Comments of Ecuador (CRD34)

CCCF*Code of Practice for the reduction of 3-MCPDEs and GEs in refined oils and products made with refined oils*

63. The Commission took note of comments that some provisions in the Code of Practice (COP) were based on inappropriate experimental measures while others were not practical, increased production costs and incurred excessive waste water with potential environmental impacts. Risk-management measures to reduce contamination with these chemicals should be science-based, proven to be effective at large scale, and widely applicable.

Conclusion

64. The Commission agreed to adopt the COP at Step 5.

REVOCATION OF CODEX TEXTS (Agenda item 6)¹⁶

65. The Commission revoked the texts in CX/CAC 18/41/7 (Appendix V).

PROPOSALS FOR NEW WORK (Agenda item 7)¹⁷

66. The Commission approved the development of new standards and related texts, taking into account the Critical Review of CCEXEC75 (Appendix VI).

Additional comments and decisions**CCFH***New work on a code of practice on guidance for the management of (micro)biological foodborne crises/outbreaks*

67. The Commission considered the approval of the new work, noting the conclusions of CCEXEC75.
68. The representative of WHO reiterated the concerns expressed in CCFH and at CCEXEC75 regarding the purpose and scope of the proposed new work, underscoring that insufficient consideration had been given to existing tools and guidance, including: the FAO/WHO International Food Safety Authorities Network (INFOSAN), which had already developed guidance relating to outbreak response; and the International Health Regulations (IHR), a legally binding instrument for WHO Member States that used a horizontal, one-hazard approach (i.e. applied the same protocols for different types of hazard); and ongoing FAO and WHO work on whole genome sequencing and related guidance.
69. Recalling the shared responsibility of the Commission, Codex Secretariat, FAO and WHO to evaluate new work proposals in the context of existing endeavours, the representative urged that greater consideration be devoted to articulating the added value of the proposed work. While the critical review function had been entrusted to CCEXEC precisely to ensure Codex work remained focused and efficient, when thorough review by CCEXEC was not possible, project documents could be returned to the originating technical committee. The representative stressed that the Commission's decision regarding new work proposals should not be influenced by a technical committee having begun work prior to receiving the Commission's formal approval.
70. The representative of FAO echoed WHO's concerns and emphasized that FAO would actively participate should the new work be approved to ensure it was appropriate and added value to existing guidance.
71. There was broad support for the new work among Members. Those in favour welcomed its aim of complementing existing Codex, FAO and/or WHO guidance and noted that a consolidated document would promote a more coordinated approach to handling food safety crises/incidents. The proposal had been discussed at length in CCFH and the project document revised. FAO and WHO were encouraged to participate in the work. The representative of WHO responded that work had already begun and that WHO was actively engaged and provided extensive comments.
72. Two delegations did not support the proposal, noting that the scope required further clarification to avoid duplication of work or overstepping the Codex mandate.

¹⁶ CX/CAC 18/41/7; Comments of Sierra Leone, Ghana, Liberia (CRD6); Comments of the Dominican Republic (CRD19rev); Comments of Cameroon (CRD20); Comments of the African Union (CRD24); Comments of Mali (CRD25); Comments of the Russian Federation (CRD28); Comments of Ecuador (CRD34)

¹⁷ CX/CAC 18/41/8; CX/CAC 18/41/8 Add.1; Comments of Senegal, Sierra Leone, Philippines, Liberia, Ghana (CRD5); Comments of Nicaragua (CRD16); Comments of El Salvador (CRD17); Comments of the Dominican Republic (CRD19rev); Comments of Cameroon (CRD20); Comments of Indonesia (CRD21); Comments of African union (CRD24); Comments of Mali (CRD25); Comments of the Russian Federation (CRD28); Comments of the Sudan (CRD29); Comments of Nigeria (CRD30); Comments of Uganda (CRD32); Comments of Ecuador (CRD34)

73. Norway, as a Member of CCEXEC, noted that the project document presented in CX/CAC 18/41/8, Annex IV, had been considered in preparation for the Critical Review discussion and that CCEXEC had thoroughly considered the proposal.

Conclusion

74. The Commission approved the new work.

DISCONTINUATION OF WORK (Agenda item 8)¹⁸

75. The Commission approved discontinuation of the work on items presented in CX/CAC 18/41/9 (Appendix VII).

AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS (Agenda item 9)¹⁹

76. The Commission adopted the amendments to the standards and texts in CX/CAC 18/41/10 and CX/CAC 18/41/10 Add.1 (Appendix VIII).

MATTERS ARISING FROM THE REPORTS OF THE COMMISSION, THE EXECUTIVE COMMITTEE AND THE SUBSIDIARY BODIES (Agenda item 10)²⁰

77. The Commission noted that several matters were presented for information only or discussed elsewhere under the relevant agenda item.

CCFA

Management of CCFA work

78. The United States of America commended CCFA's recent achievements, especially its efforts to reach a solution to the longstanding issue of Note 161 (on the use of sweeteners and colours), welcoming the EWG, co-chaired by the United States of America and the EU, established on the matter, and encouraging Members to participate therein. These views were supported by the EU and by China as CCFA Chair.
79. One Member noted that lack of consensus on the use of sweeteners was having a negative impact of global trade and consumer protection, and proposed that regional specificities be taken into account in the ongoing consultations on Note 161.

Codex Committee on Sugars (CCS)

Standard for non-centrifuged dehydrated sugar cane juice

80. The Commission considered the recommendation of CCEXEC75 to discontinue the work and noted the following views.
81. Columbia as CCS Chair highlighted the progress made since CAC40 (i.e. on title, scope, definitions, physical and chemical characteristics, and methods of analysis and sampling) and proposed that the Commission extend the timeline by one year to enable further progress.
82. Delegations in favour of continuing the work underscored the importance of the standard to developing countries, noted that agreement on most issues had been reached by correspondence and those remaining, including product safety, could be resolved at a physical meeting. A query on the CAC criteria or guidance as the basis for discontinuation of work was raised.
83. Delegations in favour of discontinuation, as recommended by CCEXEC75, noted the absence of consensus in CCS on fundamental aspects (e.g. name, scope and identity) despite the significant resources invested over several years.

¹⁸ CX/CAC 18/41/9; Comments of Sierra Leone and Ghana (CRD7); El Salvador (CRD17); the Dominican Republic (CRD19); Cameroon (CRD20); Indonesia (CRD21); African Union (CRD24)

¹⁹ CX/CAC 18/41/10; Comments of Sierra Leone, Liberia, Ghana (CRD8); Comments of the Dominican Republic (CRD19rev); Comments of Cameroon (CRD20); Comments of Indonesia (CRD21); Comments of African Union (CRD24); Comments of Mali (CRD25); Comments of Ecuador (CRD24)

²⁰ CX/CAC 18/41/11; CX/CAC 18/41/11 Add.1; CX/CAC 18/41/11 Add.2; Comments of India (CRD9); Comments of the Dominican Republic (CRD19rev); Comments of Republic of Korea (CRD27)

84. The Codex Secretariat recalled that: the work had been approved in 2011; CAC36 (2013) had adopted the draft standard at Step 5, noting the need to address the product name/scope and quality (chemical characteristics, etc.); the target year for completion had been extended several times; and CCEXEC75 had noted the lack of progress on outstanding issues. It was clarified that matters relating to product safety should be referred to relevant committees for consideration. It was proposed that, since Members had expressed continuing interest in the work, consideration be given to holding a physical meeting devoted to resolving outstanding issues only.
85. The Chairperson noted the potential value in holding a physical meeting but stressed that all relevant implications, including interpretation and translation, be taken into account. Members noted options for facilitating the holding of a physical meeting, including co-hosting and convening it immediately preceding the 2019 meeting of CCFFV.

Conclusion

86. The Commission agreed to extend the work by correspondence by one year, reporting back to CAC42, and noted the possibility that a physical meeting be held.

Committee on Processed Fruits and Vegetables (CCPFV)

Report on CCPFV Work Priorities, Work Plan and Recommendations for Electronic Working Groups (EWG)

87. The Commission considered the report on work priorities prepared by the United States of America as CCPFV Chair and noted the following:
- (i) the work plan included an interim step, scheduled for December 2018, to review progress in EWGs and determine whether a physical meeting should be held; and
 - (ii) the proposal of Thailand that the EWG on dried fruits develop, in accordance with the project document, general provisions for dried fruits and specific annexes incorporating existing Codex Standards for raisins, apricots and dates, and new annexes for dried tropical fruits, such as persimmons and longans.

Conclusion

88. The Commission endorsed the recommendations of the CCPFV Chairperson to:
- (i) establish the seven EWGs to prepare the proposed drafts for comments and consideration by CCPFV; and
 - (ii) hold a physical meeting of the Committee at an appropriate time.

Other matters

Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Organic Aquaculture

89. The representative of the FAO reported that, since CAC39 had postponed a decision on discontinuation, no Member had raised the matter in the relevant FAO fisheries bodies (i.e. the Committee on Fisheries, Subcommittee on Aquaculture or Subcommittee on Fish Trade), nor was it on the agenda of the forthcoming session of the Committee on Fisheries, to be held July 2018, indicating the subject was not a priority for FAO Member countries. Recalling the information provided at CAC39 that several organic aquaculture standards were in use, she reiterated that preliminary work would therefore be required to reach international consensus on the definition of organic aquaculture.
90. Thailand, noting the great importance of this work to developing countries and supporting its continuation, proposed an intersessional physical working group (PWG) be convened to focus on it, while acknowledging the challenge of identifying the appropriate Codex committee to take the lead.
91. Delegations supporting the recommendation of CCEXEC75 pointed out the need for agreement on fundamental aspects before the work could proceed.

Conclusion

92. The Commission, pursuant to its discussion and the recommendation of CCEXEC75, agreed to discontinue the work and noted it could reconsider such work in future should there be sufficient interest on the part of Members.

Endorsement and/or Revision of Maximum Levels for Food Additives and Processing Aids in the Regional Standard for Doogh

93. The Commission noted that the food-additive provisions in the draft Regional Standard for Doogh had not been endorsed by CCFA50.

94. The Islamic Republic of Iran as Coordinator for the Near East Region, recalling that the draft Regional Standard had been adopted at CAC40, emphasized its importance to the region and, with reference to the practice for quinoa, proposed it be published.

Conclusion

95. The Commission agreed to publish the Regional Standard for Doogh, noting its provisions on food additives would be subject to further development.

COMMITTEES WORKING BY CORRESPONDENCE AND PILOT FOR A COMMITTEE ON STANDARDS ADVANCEMENT (Agenda item 11)²¹

Part I: Committees working by correspondence

96. The Codex Secretariat introduced the item, recalling that CAC40 had requested that the Codex Secretariat prepare a document summarizing all options for taking decisions on new work for which no committee was presently holding physical meetings along with the advantages and disadvantages for each option. The Commission considered the recommendations presented in the document.

Discussion

97. Members discussing existing options for expediting work relating to which no committee presently held physical meetings, as well as the advantages and disadvantages of each option, noting the importance of maintaining flexibility when deciding on working methods and that decisions should be made on a case-by-case basis depending on the nature of work.
98. There was general support for the need for procedural guidance for committees working by correspondence based on existing guidance contained in the Procedural Manual to address issues in terms of procedures and management. The guidance could address questions such as how to build consensus, how to harmonize step procedures and when to revert to physical meetings.
99. The Commission also noted the following views:
- (i) CCGP would be the correct body for further consideration;
 - (ii) CCEXEC would be the correct body for further discussion since the issues went beyond procedure;
 - (iii) best practice for standard-development by correspondence could be included in any future analysis;
 - (iv) Codex resources should be used efficiently to improve the quality of work by correspondence;
 - (v) committees working by correspondence should make every effort to reach consensus prior to holding a physical meeting;
 - (vi) committees holding physical meetings and those working by correspondence should consistently apply the same set of rules;
 - (vii) clarification was needed on whether internal EWG documents could be summarized and shared publicly by observers in order to consult with their constituents; and
 - (viii) accelerating procedures may inadvertently reduce opportunities for public engagement.

100. The Codex Secretariat explained its understanding that the proposal was not for CCGP to develop new rules but to interpret the existing guidance articulated in the Procedural Manual and the FAO general rules on the conduct of plenary meetings. Should CCGP be so tasked, the Codex Secretariat would prepare a discussion paper to be circulated for comments before consideration at CCGP.

Conclusion

101. The Commission:
- (i) agreed that it was important to maintain a wide range of options and flexibility when deciding on working methods and that decisions should be made on a case-by-case basis depending on the nature of work;
 - (ii) noted there was no support for assigning this work to regional committees or for the establishment of a super committee; and

²¹ CX/CAC 18/41/12; CX/CAC 18/41/12 Add.1; Comments of Egypt, Thailand, India and the Philippines (CRD10); Comments of the Dominican Republic (CRD19rev).

- (iii) agreed to request that CCGP formulate procedural guidance for committees working by correspondence based on and consistent with relevant existing guidance in the Procedural Manual and that the discussion paper prepared by the Codex Secretariat be circulated well in advance of CCGP.

Part II: Pilot for a committee on standards advancement

102. The Codex Secretariat recalled that CAC40 had welcomed the innovative proposal of a pilot committee on standards advancement (CCSA) and had requested that the Codex Secretariat prepare a more detailed proposal, containing the terms of reference, modalities of work and cost implications of such a committee.

Discussion

103. There were diverging views with regard to the proposed pilot CCSA.
104. Those not in favour expressed the following views:
- (i) a CCSA would duplicate the role played by CCEXEC in reviewing the progress of standards;
 - (ii) existing Codex mechanisms already allowed sufficient flexibility for Members to work effectively;
 - (iii) it would be difficult to ensure sufficient participation of experts, especially those from developing countries; and
 - (iv) the cost implications of ensuring the inclusiveness and transparency of a new committee could be elevated.
105. Those in favour expressed the following views:
- (i) a CCSA could facilitate progress on standards that had been in development for a long time, for example in committees working by correspondence;
 - (ii) CCSA could serve as an additional tool alongside the options identified in Part I;
 - (iii) CCSA could solve the issues of consensus and low levels of participation, which were prevalent in committees working by correspondence;
 - (iv) the use of such a mechanism could be cost effective in situations where a physical meeting was necessary; and
 - (v) the Procedural Manual provided for the establishment of such a committee (Rule XI.1(a))

Conclusion

106. The Commission agreed to await the outcomes of the discussion at CCGP on guidance for working by correspondence before returning to the question of whether CCSA should be established.

REGULAR REVIEW OF CODEX WORK MANAGEMENT: REPORT 2017-2018 (Agenda item 12)²²

107. The Codex Secretariat introduced the review of collaboration between CAC and other international standard-setting organizations, recalling its scope, methodology and conclusions.
108. The Chairperson informed the Commission that CCEXEC75 had been unable to discuss the review recommendations due to a lack of time, but underscored its importance in terms of supporting delivery of the existing Codex Strategic Plan and establishing priorities for the forthcoming Strategic Plan 2020-2025.

Discussion

109. Members appreciated the initiative of the Codex Secretariat to seek effective solutions to improve work management by examining the work of other international standard-setting organizations.
110. An observer called for good practice guidance regarding the lack of transparency in CCNFSDU where recording was forbidden and the private sector at times spoke for governments. In her view, guidance was needed on the appropriateness of Codex dealing with products such as ready-to-use therapeutic food not intended for general sale.

Recommendation i

111. The Commission affirmed that existing Codex procedures included sufficient flexibility to fast-track the development of standards, noting that delays arose due to a lack of consensus rather than procedural issues.

²² CX/CAC 18/41/13; Comments of European Union, India (CRD11); Comments of Nicaragua (CRD16); Comments of the Dominican Republic (CRD19rev).

112. Acknowledging Members' views, the Codex Secretariat stated that, while existing procedures did provide the flexibility to fast-track standards, they were perceived as rigid. There was scope to foster greater understanding among stakeholders in this regard in the context of the Codex communications work plan.

Conclusion

113. The Commission noted that the existing standard-setting procedure was adequate and flexible.

Recommendation ii

114. While the Chairperson noted that mechanisms for systematic review existed in some Codex committees, the Codex Secretariat stated that many standards could benefit from review.
115. One Member noted that other international standard-setters, such as the United States Pharmacopeia, had effective mechanisms for systematic review that could be instructive to Codex, another Member cautioned against introducing periodic review of Codex standards as this would entail too high a workload for Codex committees.

Conclusion

116. The Commission:

- (i) noted that more systematic but not necessarily periodic review of Codex standards could increase their relevance;
- (ii) recognized the variation in current practices related to standards review between Codex committees; and
- (iii) requested that CCEXEC advise the Commission further on this matter.

Recommendation iii

117. Members noted the importance of avoiding duplicate or contradictory standards, and expressed divergent views on the appropriate Committee, whether CCGP or CCEXEC, to consider the matter of referencing standards of other international organizations.

Conclusion

118. The Commission noted the CCEXEC75 conclusion that issues relating to references may merit further consideration and guidance by CCEXEC in the first instance.

Recommendation iv

119. Referring to recommendation (iv-f), the Codex Secretariat informed the Commission that it participated in relevant activities of other international organizations pursuant to its mandate under the CAC Statutes, which included such coordination, but that its capacity to do so depended on committee workloads.
120. Members queried the resource implications of the recommendation for the Codex Secretariat, noted the value of further discussion and expressed divergent views on the appropriate Committee, whether CCGP or CCEXEC, to take up the matter.

Conclusion

121. Noting the importance of the recommendation, the potential resource implications of its components and the need for prioritization, the Commission agreed to refer the recommendation for further discussion to CCEXEC.

CODEX BUDGETARY AND FINANCIAL MATTERS: REPORT 2016-2017 AND PROGRESS 2018-2019 (Agenda item 13.1)²³

122. The Codex Secretariat presented the budget report for 2016-2017 and noted that, in contrast to previous biennia, 99 percent of the FAO/WHO Food Standards Programme budget had been spent. He also stressed that the Codex system relied on additional contributions not part of the programme budget (e.g. the provision of scientific advice).

Conclusion

123. The Commission:

- (i) acknowledged the report on expenditure in the biennium 2016-2017 as well as the progress made under the work plan and budget for 2018-2019;

²³ CX/CAC 18/41/14.

- (ii) encouraged the Codex Secretariat to continue its close monitoring of expenditure under the new monitoring mechanisms put in place; and
- (iii) expressed its appreciation for contributions from host countries and in-kind contributions to the Codex Secretariat from Germany, Japan and the Republic of Korea.

CODEX BUDGETARY AND FINANCIAL MATTERS: PROPOSAL 2020-2021 (Agenda item 13.2)²⁴

124. The Codex Secretariat introduced the document explaining that submission in 2018 of a budget proposal for 2020-2021 would facilitate the process of its approval in 2019 in the governing bodies of FAO and WHO. While the budget showed zero nominal growth compared to the biennium 2018-2019, the Codex Secretariat confirmed that it contained provisions for potential advocacy activities related to the launch of a world food safety day. Codex Secretariat activities yet to be finalized under the Strategic Plan 2020-2021 and therefore not reflected would have to be accounted for under the biennium 2022-2023.
125. The representative of WHO recalled that, in accordance with Article 9 of the CAC Statutes, the determination of the FAO and WHO proportions of the Codex budget was a joint decision for the Directors-General of FAO and WHO. While WHO was committed to maintaining its contribution to the Codex budget for 2020-2021, future WHO financial contributions to Codex would depend on the degree of support for food safety, nutrition and Codex matters expressed by Member States in the WHO Executive Board (EB) and the World Health Assembly (WHA). In this regard, the importance of ongoing communication and coordination between Codex delegates and EB/WHA delegates was highlighted, especially for countries where the responsibility for Codex matters was not held by the Ministry of Health.

Conclusion

126. The Commission noted the budget proposal for 2020-2021 as the first biennium under the new strategic plan.

FAO/WHO SCIENTIFIC ADVICE TO CODEX: ACTIVITIES, BUDGETARY AND FINANCIAL MATTERS (Agenda item 14)²⁵

127. The representatives of FAO and WHO summarized the scientific advice activities detailed in the document, recalling the recent release of the summary report of the 86th JECFA meeting and encouraging delegates to disseminate such materials widely.
128. The representative of FAO thanked the FAO Governing Bodies for the consistent regular programme budget funding to the scientific advice programme but noted the need for additional resources to update methodologies and begin addressing the backlog of requests for advice and increasing demand. She noted the issue of sustainable funding had not been resolved but extensive discussion continued in FAO to find a long-term solution and thanked Australia, Canada, China and France for their contributions to the FAO scientific advice programme.
129. The representative of WHO recalled that WHO relied primarily on voluntary contributions from Member States for scientific advice for food safety and nutrition. Efforts were under way in the current biennium to move beyond the status quo, address requests in a timelier manner and update risk-assessment methodology. She also thanked Australia, EU, Germany, Japan, Netherlands, Republic of Korea, United States of America and the Bill and Melinda Gates Foundation for contributions. She noted that the FAO and WHO contributions to scientific advice amounted to approximately USD 12 million per biennium.

Discussion

130. Members expressed their appreciation to FAO and WHO for their work on scientific advice as well as to the experts around the world who contributed to it; stressed the importance of such advice to timely standard-setting by Codex; and thanked countries that had supported such work but noted that long-term sustainable funding for the provision of scientific advice to Codex remained a concern.
131. Acknowledging the ongoing efforts within FAO to address sustainable funding, Members noted that the long-term solution should come from the core budgets of FAO and WHO. In this regard, the representative of WHO reiterated the need for Codex delegates to advocate at the national level to encourage their representatives in the WHO governing bodies to highlight the importance of food safety and Codex work.
132. Responding to a query regarding the prioritization of requests for scientific advice, the representative of WHO noted that prioritization mechanisms existed in Codex committees and that the joint Secretariats of FAO and WHO agreed on priorities and timelines based on available resources.

²⁴ CX/CAC 18/41/15

²⁵ CX/CAC 18/41/16; Comments of the Dominican Republic (CRD19rev).

Conclusions:

133. The Commission:

- (i) recognized FAO and WHO efforts to accelerate delivery and ensure continuous improvement of scientific advice;
- (ii) noted that FAO and WHO had highlighted the importance of ensuring stable, multi-year, extra-budgetary contributions to support an enhanced FAO/WHO scientific advice programme, stressing the key facilitating role Codex delegates could play;
- (iii) noted the need to develop a strategy to ensure short- and long-term solutions for sustainable funding, inviting countries so interested to develop a discussion paper for submission to the Commission; and
- (iv) recommended that FAO and WHO provide adequate sustainable funding for the joint FAO/WHO scientific advice programme, noting that, in accordance with Rule X.3 of the Rules of Procedure of the Codex Alimentarius Commission, the Directors-General of FAO and WHO were bound to bring this recommendation to the attention of their respective governing bodies for appropriate action.

MATTERS ARISING FROM FAO AND WHO (Agenda item 15)²⁶

134. The representative of FAO drew the Commission's attention to FAO and WHO policy-related issues relevant to the work of Codex, highlighting the following matters.

- (i) FAO and WHO would hold an International Food Safety Conference in 2019.
- (ii) The Deputy Director-General of FAO had requested delegates' support for the adoption of the draft resolution before the United Nations General Assembly at its seventy-third session on a world food safety day.
- (iii) The 159th Session of FAO Council, in June 2018, had stressed the need for sustainable funding for FAO's work relating to scientific advice for food safety and Codex, and noted that no funds were available from FAO's unspent balance for the current biennium but that the recommendations remained valid for future consideration should unspent balances become available. The Council also stressed the need for establishing a blind trust fund (BTF) for scientific advice and emphasized the importance of safeguarding the independence and impartiality of the joint FAO/WHO scientific advice programme.
- (iv) Provided that FAO and WHO maintained existing levels of funding, additional funding mobilized through the BTF could substantially change the way FAO ran the scientific advice programme.
- (v) The June 2018 meeting of the Committee on Food Security Open-ended Working Group to Develop Nutrition Voluntary Guidelines for Food Systems had reiterated the need to avoid duplicating the work carried out by other bodies or contradictions with other policy instruments, including Codex.
- (vi) The May 2018 FAO Global Soil Symposium had considered the issue of soil contamination and food safety.
- (vii) The Koronivia Joint Work on Agriculture provided an opportunity for countries to incorporate actions on climate change adaptation to improve food safety within Intended Nationally Determined Contributions.
- (viii) In May 2018, the Directors-General of FAO, WHO and OIE had signed a memorandum of understanding (MoU) to further strengthen tripartite collaboration and their leadership on the critical global issue of antimicrobial resistance (AMR).

135. The representatives of WHO further noted:

- (i) The WHO Thirteenth General Programme of Work (GPW13) had introduced a bottom-up approach to budget planning, and Codex delegates could seize the opportunity to promote food safety as a priority.
- (ii) The FAO-OIE-WHO MoU would be complemented by the development of joint work plans on key issues such as antimicrobial resistance and included the possibility that the World Committee on Food Security (CFS) develop a voluntary guideline on the use of antimicrobials in food production, which may complement ongoing Codex work.

²⁶ CX/CAC 18/41/17, CX/CAC 18/41/17 Add.1, Comments of the Dominican Republic (CRD19rev); Comments of Panama (CRD23).

- (iii) The GPW13 contained priority diet- and nutrition-related targets, in particular on sodium reduction and the elimination of industrially produced trans fatty acids (TFAs) from the global food supply. WHO has developed a framework on country roadmaps (REPLACE action package) to support countries in achieving the TFA elimination target.
- (iv) Other relevant, new and ongoing activities included the work of the WHO Nutrition Guidance Expert Advisory Group on the finalization of the guidelines on saturated fatty acids, TFAs, polyunsaturated fatty acids and carbohydrates as well as the new work on developing policy action guidelines.
- (v) Implementation mechanisms under the Decade of Action on Nutrition included a number of global action networks, e.g. on sustainable food from the oceans and on nutrition labelling.

Discussion

- 136. Members appreciated the information shared by FAO and WHO and its relevance to global and national initiatives.
- 137. Members recognized the FAO and WHO work in providing guidance to promote healthy diets and address obesity and diet-related non-communicable diseases, considering the problems facing various countries due to unhealthy diets high in sodium, sugars and fats, including trans fats. Members also noted the importance of the conclusions of the Second International Conference on Nutrition and the United Nations Decade of Action on Nutrition 2016–2025.
- 138. One Member noted the health hazard posed, to children in particular, by the sale and use of alcohol.
- 139. Members referred to the importance of the initiative to establish a world food safety day and expressed interest in the ongoing work on the links between climate change and food safety.

Conclusion

- 140. The Commission:
 - (i) took note of the information presented;
 - (ii) encouraged Members to advocate at the national level to support the establishment of a world food safety day by the United Nations General Assembly; and
 - (iii) urged Members to engage with their representatives in the FAO and WHO governing bodies to advocate in favour of food safety and sustainable funding for scientific advice.

REPORT ON THE SIDE EVENT ON FAO AND WHO CAPACITY-DEVELOPMENT ACTIVITIES (Agenda item 16)²⁷

- 141. The representative of FAO summarized the key points highlighted in the side event.
- 142. Members expressed their appreciation to FAO and WHO, citing concrete examples of support: interventions had driven lasting change when augmented by strong commitment and an enabling policy environment at the national level; capacity-development initiatives at the regional level, especially the recent Codex workshops, had provided additional benefits in terms of enhanced participation. Priority areas for greater capacity development included: food import control risk profiling; the use of the food control system assessment tool; good hygienic practices for priority value chains; data generation on food consumption to support risk assessment as well as national decision-making; and technical laboratory capacities.
- 143. Delegates welcomed the new approach of covering this agenda item as a side event.

Conclusion

- 144. The Commission took note of the information provided.

FAO/WHO CODEX TRUST FUND 2017 ANNUAL REPORT (Agenda item 17)²⁸

- 145. The Codex Trust Fund Administrator summarized the information provided, highlighting that: countries successful in Round 2 were preparing summary project documents to serve as the roadmaps for project implementation; and applications for Round 3 would be accepted between 15 August and 30 November 2018: eligible countries were encouraged to work early on applications. Additional donors, higher contributions and annual or multi-year contributions were needed.

²⁷ CX/CAC 18/41/18; Comments of the Dominican Republic (CRD19rev)

²⁸ CX/CAC 18/41/19; CX/CAC 18/41/19 Add.1; Report of Side Event on FAO and WHO Capacity Development Activities (CRD33); Report of the Codex Trust Fund 5th Advisory Group Meeting (CRD26); Report of the side event on Enhancing Engagement in Codex – Examples from Codex Trust Fund supported countries (CRD36)

146. Responding to a query from one observer, the representative of WHO confirmed that the Codex Trust Fund did not accept contributions from the private sector.
147. Beneficiaries expressed their appreciation to donors and their commitment to the implementation of their projects.

Conclusion

148. The Commission took note of the information provided.

REPORT OF THE DISCUSSION PANELS WITH IGOs AND NGOs (Agenda item 18)²⁹

149. The Commission welcomed the new approach to this item and noted the interest of the Members on the chosen topic of food integrity and authenticity. The Commission also noted the information provided by observer organizations.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS (Agenda item 19)³⁰

150. The Commission elected the following persons to hold office from the end of its present Session to the end of the next regular (42th) Session of the Commission:

Chairperson:	Mr Guilherme Antonio da Costa Jr. (Brazil)
Vice-Chairpersons:	Mr Purwiyatno Hariyadi (Indonesia)
	Ms Mariam Eid (Lebanon)
	Mr Steve Wearne (United Kingdom)

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX SUBSIDIARY BODIES (Agenda item 20)³¹

151. The Commission confirmed the designation of the Host Governments (Appendix IX) as listed in CX/CAC18/41/22 and agreed to delete the footnote stating that CC PFV worked by correspondence only.
152. The Commission thanked the following former Chairpersons for their dedicated work for Codex over many years: Mr Junshi Chen (CCFA), Ms Pia Noble (CCNFSDU), Mr Gregory Read (CCFICS) and Mr Michel Thibier (CCGP).

OTHER BUSINESS (Agenda item 21)

Endocrine-disrupting substances in foods

153. The Commission:
- (i) noted the issue raised by India in CRD4 relating to pesticides as endocrine disruptors;
 - (ii) further noted that CCPR50 could not recommend new work as the issue was broad and went beyond the mandate of the Committee but noted that India could raise the concern directly as a Member of CAC; and
 - (iii) further noted that India had revised its proposal based on the discussion at CCPR50 and could resubmit the proposal to CCPR as the relevant technical body.

Organization of the Commission agenda

154. The delegation of Cuba expressed concern that excessive time had been allocated to side events diminishing the time available for plenary discussion.
155. The delegation further clarified and confirmed that its position related to the time available on the agenda for productive discussion relative to the time available for side events, and noted its right as a Member to express its opinion to the Commission. Debate could not be concluded due to a lack of time.
156. The Codex Secretariat clarified that 22 hours had been dedicated to plenary discussion, which was more time than at previous CAC sessions, and that side events had not reduced that time.
157. The delegation of the Dominican Republic could not express its views due to time constraints.

²⁹ CX/CAC 18/41/20, CRD35, INF1-11

³⁰ CX/CAC 18/41/21; Comments of the Dominican Republic (CRD19rev)

³¹ CX/CAC 18/41/22; Comments of the Dominican Republic (CRD19rev)

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Appendix II**AMENDMENTS TO THE PROCEDURAL MANUAL**

Codex body	Text	Reference	Status
CCRVDF	Risk Analysis Principles applied by the Codex Committee on Residues of Veterinary Drugs in Foods REP18/RVDF Para. 83, 84(i), Appendix V	REP18/RVDF Para. 83, 84(i), Appendix V	Adopted

Appendix III**LIST OF ADOPTED STANDARDS AND RELATED TEXTS**

Standards and Related Texts	Reference	Job No.	Status
Standard for Aubergines	REP18/FFV Para. 19, Appendix II	N10-2014	Adopted
Revision of the <i>General Standard for the Labelling of Prepackaged Foods: date marking</i> (CXS 1-1985)	REP18/FL Para. 32, Appendix II	N10-2013	Adopted
Revision of the <i>Code of Practice for Fish and Fishery Products</i> (CXC 52-2003): Guidance for histamine control	REP18/FH Para. 40, Appendix II	N02-2016	Adopted with amendment (see para. 29)
MLs for lead in selected commodities	REP18/CF Para. 45, Appendix II	N04-2014	Adopted
MLs for cadmium in chocolate containing or declaring $\geq 50\%$ to $< 70\%$ total cocoa solids on a dry matter basis; and chocolate containing or declaring $\geq 70\%$ total cocoa solids on a dry matter basis	REP18/CF Paras. 67 (i) and (ii), Appendix III	N15-2014	Adopted
MLs for methylmercury in tuna, alfonsino, marlin and shark	REP18/CF Paras. 91 (i), (iii) and (iv) Appendix IV-Part A	N21-2017	Adopted
<i>COP for the prevention and reduction of dioxins, dioxin-like PCBs and non dioxin-like PCB contamination in food and feed</i> (CXC 62-2006)	REP18/CF Para. 98, Appendix V	N22-2017	Adopted
<i>Specifications for the Identity and Purity of Food Additives</i> (CXM 6)	REP18/FA Para. 30(i), Appendix III	Ongoing	Adopted
	REP18/FA Paras.121(ii) and (iii) Appendix IX, part B	Ongoing	Adopted
Food-additive provisions of the <i>General Standard for Food Additives</i> (GSFA) (CXS 192-1995)	REP18/FA Paras. 30(ii), 111(i) and 121(iii) Appendix V, part A	Ongoing	Adopted
Revision of the <i>Class Names and the International Numbering System for Food Additives</i> (CXG 36-1989)	REP18/FA Paras. 30(ii) and 121(i) Appendix IX, part A2	Ongoing	Adopted
	REP18/FA Para.149 Appendix IX, part A1	-	Adopted

Standards and Related Texts	Reference	Job No.	Status
Revised food-additive provisions of the GSFA in relation to the alignment of the annexes on canned mangoes, canned pears and canned pineapples of the <i>Standard for Certain Canned Fruits</i> (CXS 319-2015) and 14 standards for fish and fish products	REP18/FA Paras. 48(i) points c and d Appendix V, part B	Ongoing	Adopted
Revised food-additive sections of the <i>Standard for Certain Canned Fruits</i> (CXS 319-2015) and the Standards for <i>Canned Salmon</i> (CXS 3-1981); <i>Canned Shrimps or Prawns</i> (CXS 37-1991); <i>Canned Tuna and Bonito</i> (CXS 70-1981); <i>Canned Crab Meat</i> (CXS 90-1981); <i>Canned Sardines and Sardine-Type Products</i> (CXS 94-1981); <i>Canned Finfish</i> (CXS 119-1981); <i>Salted Fish and Dried Salted Fish of the Gadidae Family of Fishes</i> (CXS 167-1989); <i>Dried Shark Fins</i> (CXS 189-1993); <i>Crackers from Marine and Freshwater Fish, Crustacean and Molluscan Shellfish</i> (CXS 222-2001); <i>Boiled Dried Salted Anchovies</i> (CXS 236-2003); <i>Salted Atlantic Herring and Salted Sprat</i> (CXS 244-2004); <i>Sturgeon Caviar</i> (CXS 291-2010); <i>Fish Sauce</i> (CXS 302-2011) and <i>Smoked Fish, Smoke-Flavoured Fish and Smoke-Dried Fish</i> (CXS 311-2013)	REP18/FA Paras. 48(i) points a and b and 30(ii) Appendix IV	Ongoing	Adopted
Revised food-additive sections of Standards for <i>Milk Powders and Cream Powder</i> (CXS 207-1999), a <i>Blend of Skimmed Milk and Vegetable Fat in Powdered Form</i> (CXS 251-2006); and <i>Edible Casein Products</i> (CXS 290-1995)	REP18/FA Para. 30(ii)	-	Adopted
MRLs for different combinations of pesticide/commodity(ies)	REP18/PR Para. 112, Appendix II	Ongoing	Adopted
Revision of the <i>Classification of Food and Feed</i> (CXM 4-1989): Type 04: Nuts, seeds and saps Type 05: Herbs and spices	REP18/PR Paras. 118 and 120 Appendices VII-Part A & VIII-Part A	N11-2004 N09-2006	Adopted
Tables on examples of representative commodities for: Types 04 and 05 (For inclusion in the <i>Principles and Guidance for the selection of representative commodities for the extrapolation of maximum residue limits for pesticides for commodity groups</i> (CXG 84-2012)) Table 04: Nuts, seeds and saps Table 05: Herbs and spices	REP18/PR Para. 127, Appendices VII-Part B & VIII-Part B	-	Adopted
RMR for gentian violet	REP18/RVDF Para. 37, Appendix II	-	Adopted
MRLs for amoxicillin (finfish fillet, muscle); ampicillin (finfish fillet, muscle); lufenuron (salmon and trout fillet); monepantel (cattle fat, kidney, liver, muscle)	REP18/RVDF Paras. 60, 64, 77 and 79, Appendix IV	-	Adopted

Standards and Related Texts	Reference	Job No.	Status
Methods of analysis / performance criteria for provisions in Codex standards (for inclusion in CXS 234-1999)	REP18/MAS Para. 22, Appendix II	Ongoing	Adopted
Standard for Quinoa	CL 2018/25-CPL Annex II	N17-2015	Adopted subject to endorsement (see para. 56 / 57)

Appendix IV**LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5**

Standards and Related Texts	Reference	Job No.	Status
Standard for Ware Potatoes	REP18/FFV Para. 60 (ii), Appendix IV	N08-2014	Adopted
Review of the <i>Standard for Follow-up Formula</i> (CXS 156-1987): Essential composition requirements for older infants and young children	REP18/NFSDU Para. 71, Appendix II	N07-2013	Adopted
COP for the reduction of 3-MCPDE and GE in refined oils and products made with refined oils	REP18/CF Para. 102 (ii) and (iii) Appendix VI	N23-2017	Adopted
Guidelines for risk analysis of instances of contaminants in food where there is no regulatory level or risk management framework established	REP18/CF Para. 124 (i) Appendix IX	N24-2017	Adopted
MRL for flumethrin (honey)	REP18/RVDF Para. 73 Appendix IV		Adopted

Appendix V**LIST OF REVOKED STANDARDS AND RELATED TEXTS**

Standards and Related Texts	Reference
MLs for lead in selected commodities (revocation of corresponding MLs)	REP18/CF Para. 45
GLs for methylmercury in predatory and non-predatory fish	REP18/CF Para. 91(iii)
Food-additive provisions of the <i>General Standard for Food Additives</i> (GSFA) (CXS 192-1995)	REP18/FA Para. 111(ii) 134(iv), App. VI
Relevant food-additive provisions from the <i>Standards for Mozzarella</i> (CXS 262-2006), <i>Cottage Cheese</i> (CXS 273-1968), <i>Cream Cheese</i> (CXS 275-1973), <i>Fermented Milks</i> (CXS 243-2003) and <i>Dairy Fat Spreads</i> (CXS 253-2006).	REP18/FA Para.48(ii)
The food-additive provision for sodium sorbate (INS 201) from the <i>Standards for Instant Noodles</i> (CXS 249-2006), <i>Fermented Milks</i> (CXS 243-2003), <i>Dairy Fat Spreads</i> (CXS 253-2006), <i>Mozzarella</i> (CXS 262-2006), <i>Cheddar</i> (CXS 263-196), <i>Danbo</i> (CXS 264-1966), <i>Edam</i> (CXS 265-1966), <i>Gouda</i> (CXS 266-1966), <i>Havarti</i> (CXS 267-1966), <i>Samsø</i> (CXS 268-1966), <i>Emmental</i> (CXS 269-1967), <i>Alsiter</i> (CXS 270-1968), <i>Saint-Paulin</i> (CXS 271-1968), <i>Provolone</i> (CXS 272-1968), <i>Cottage Cheese</i> (CXS 273-1968), <i>Cream Cheese</i> (CXS 275-1973) and <i>Cheese</i> (CXS 283-197)	REP18/FA Para.134(iv)
Codex MRLs for different combinations of pesticide/commodity(ies) proposed for revocation	REP18/PR Para. 112, App. III
Methods of analysis	REP18/MAS Para. 22, Appendix II, Part 2

Appendix VI**LIST OF APPROVED NEW WORK**

Codex Body	Text	Reference and project document	Job No.
	Standard for yam	REP18/FFV Para 60, Appendix V	N01-2018
CCFFV	Standard for onions and shallots	REP18/FFV Para 60, Annex I of CX/CAC 18/41/8	N02-2018
	Standard for berry fruits	REP18/FFV Para 60, Annex II of CX/CAC 18/41/8	N03-2018
CCFL	Development of guidance on use of simplified nutrition information on the front of pack	REP18/FL Para 48, Appendix III	N04-2018
CCFH	Code of practice on food allergen management for food business operators	REP18/FH Para 48, Annex III of CX/CAC 18/41/8	N05-2018
	Guidance for the management of (micro)biological foodborne crises/outbreaks	REP18/FH Para 54, Annex IV of CX/CAC 18/41/8	N06-2018
CCPR	Priority list of pesticides for evaluation by the JMPR	REP18/PR Para 153, Appendix XIII	Ongoing
CCRVDF	Priority list of veterinary drugs for evaluation by JECFA	REP18/RVDF Paras 84(i)-(ii), 108, 109, 112, 115, 116, Appendix VI (Parts A and D)	Ongoing
CCMAS	Revision of the <i>Guidelines on measurement uncertainty</i> (CXG 54-2004)	REP18/MAS Para 61, Appendix IV	N07-2018
	Revision of the <i>Guidelines on Sampling</i> (CXG 50-2004)	REP18/MAS Para 71, Appendices V and VI	N08-2018

Appendix VII**LIST OF DISCONTINUED WORK**

Codex Body	Text	Reference
CCCF	Establishment of MLs for cadmium in dry mixtures of cocoa and sugars sold for final consumption	REP18/CF Para. 67(iv)
	ML for methylmercury in amberjack and sword fish	REP18/CF Para. 91(ii)
CCFA	Draft and proposed draft food additive provisions of the <i>General Standard for Food Additives</i> (GSFA) (CXS 192-1995)	REP18/FA Para. 111(iv), App. VIII
CCPR	Proposed draft and draft MRLs for different combinations of pesticide/commodity(ies) that were withdrawn (discontinued) by CCPR50	REP18/PR Para. 112, App. VI

Appendix VIII**AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS**

Codex body	Text	Reference	Status
CCFH	<i>Code of Hygienic Practice for Low-Moisture Foods</i> (CXC 75-2015)	REP18/FH, para. 6	Adopted
CCCF	Amendment of the note on inorganic arsenic in rice(<i>General Standard for Contaminants and Toxins in Food and Feed</i>)(CXS 193-1995)	REP18/CF, para. 84	Adopted
CCMAS	<i>Recommended Methods of Analysis and Sampling</i> (CXS 234-1999)	REP18/MAS, para. 34(iii)	Adopted
CCFA	<i>Class Names and the International Numbering System for Food Additives</i> (CXG 36- 1989)	REP18/FA, para. 148, CX/CAC 18/41/10 Add.1	Adopted

Appendix IX**CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES****Established under Rule XI.1(b)(i)**

Code	Subsidiary Body	Member Responsible	Status
CX 703	Codex Committee on Milk and Milk Products	New Zealand	<i>Sine die</i>
CX 708	Codex Committee on Cocoa Products and Chocolate	Switzerland	<i>Sine die</i>
CX 709	Codex Committee on Fats and Oils	Malaysia	Active
CX 710	Codex Committee on Sugars	Colombia	<i>Active</i> ¹
CX 711	Codex Committee on Food Additives	China	Active
CX 712	Codex Committee on Food Hygiene	United States of America	Active
CX 713	Codex Committee on Processed Fruits and Vegetables	United States of America	Active
CX 714	Codex Committee on Food Labelling	Canada	Active
CX 715	Codex Committee on Methods of Analysis and Sampling	Hungary	Active
CX 716	Codex Committee on General Principles	France	Active
CX 718	Codex Committee on Pesticide Residues	China	Active
CX 719	Codex Committee on Natural Mineral Waters	Switzerland	<i>Sine die</i>
CX 720	Codex Committee on Nutrition and Foods for Special Dietary Uses	Germany	Active
CX 722	Codex Committee on Fish and Fishery Products	Norway	<i>Sine die</i>
CX 723	Codex Committee on Meat Hygiene	New Zealand	<i>Sine die</i>
CX 728	Codex Committee on Vegetable Proteins	Canada	<i>Sine die</i>
CX 729	Codex Committee on Cereals, Pulses and Legumes	United States of America	<i>Active</i> ¹
CX 730	Codex Committee on Residues of Veterinary Drugs in Foods	United States of America	Active
CX 731	Codex Committee on Fresh Fruits and Vegetables	Mexico	Active
CX 733	Codex Committee on Food Import and Export Certification and Inspection Systems	Australia	Active
CX 735	Codex Committee on Contaminants in Foods	The Netherlands	Active
CX 736	Codex Committee on Spices and Culinary Herbs	India	Active
CX 804	Ad hoc Codex Intergovernmental Task Force on Antimicrobial Resistance	Republic of Korea	Active

¹ Working by correspondence