

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 2

CCEXEC81 CRD 2

October 2021

JOINT FAO/WHO FOOD STANDARDS PROGRAMME EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION Eighty-first Session

AIDE-MEMOIRE TO SUPPORT FURTHER CRITICAL REVIEW BY CCEXEC81 OF THE PROPOSED DRAFT STANDARD ON ZILPATEROL HYDROCHLORIDE

(Prepared by the Chairperson and Vice-Chairpersons of the Codex Alimentarius Commission in collaboration with the Codex Secretariat)

The Chairperson of the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) is seeking advice from CCEXEC81, within the framework of the critical review, and from CAC44, having been unsuccessful in achieving any consensus at the 25th Session of the CCRVDF (CCRVDF25) on either advancing the proposed draft standard on zilpaterol hydrochloride to Step 5/8, advancing it to Step 5, or holding it at Step 4.

This document summarises procedural options identified in the initial discussion by CCEXEC81 in response to the request from the Chairperson of CCRVDF (in no particular order):

- Adjournment: Not considered by CCRVDF25.

The proposer noted that the Chairperson of CCRVDF had determined that he had exhausted all routes to consensus and the proposer was of the view that referring the issue back to the Committee (for example after adoption at Step 5) would not aid consensus. The proposer was of the view that CCEXEC81 should therefore support the Commission to find a resolution. The proposer suggested that, in finding such a resolution, the Commission should have all appropriate tools available to it, including the option to vote if that was the will of Members. The proposal is therefore that CCEXEC adjourns debate on this item and recommends that CAC does likewise until CAC45 so that all options for resolution will then be open to Members. Discussion at CAC45 could be supported by a short working document from the Secretariat, setting out all the options available to CAC and to its Chairperson at that time with a possible analysis of each.

- Adoption at Step 5/8: Considered by CCRVDF25 without consensus.

Points made at CCRVDF25 supporting this were: The proposed MRLs meet all the procedural and scientific requirements required for adoption by CAC and are in line with the conclusions and recommendations of JECFA, which have not been objected to formally and substantiated in CCRVDF nor JECFA; there continues to be broad consensus regarding the safety of the zilpaterol MRLs recommended by JECFA; and objections that have been made to advancement are for reasons outside the mandate of Codex and should thus be ignored. Those not supporting noted that there was no consensus.

- Adoption at Step 5: Considered by CCRVDF as a compromise proposal without consensus.

Delegations supporting it had indicated that this would allow another round of comments and discussion and allow the opportunity for submission of new scientific information should any exist. Delegations not supporting Adoption at Step 5 noted that this would result in the discussion reverting once more to CCRVDF with no indication that prospects of consensus being achieved in that Committee would be improved as a result.

- Discontinuation of work: Not considered by CCRVDF.

The proposer noted that the standing guidance to CCEXEC on the critical review included the provision that "when an item has been considered for several sessions without any progress and there is no prospect of reaching consensus, the Executive Committee could propose suspension of work at a particular Step in the Elaboration Procedure for a specified period of time or

discontinuation of work, or corrective action to be taken to achieve progress, fully taking into consideration the information provided by the subsidiary body concerned". On this basis, the proposer suggested that the conditions for discontinuation of the work had been met.

Conversely, Members who opposed this option pointed out that conditions had been met, which would allow this proposed draft standard to be adopted by the Commission (see "Adoption at Step 5/8" above).

- Suspension of work: Not considered by CCRVDF

Postponing further discussion on this in CCEXEC until after completion of work on the operationalization of the Statements of Principle on the Role of Science.

The inclusion of these options in the aide-memoire does not prejudice the endorsement of any of them, or of other procedural options not yet identified.