



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

FAO/WHO COORDINATING COMMITTEE FOR ASIA

Twenty-second Session

Virtual

12, 13, 14, 17, 18 and 21 October 2022

MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND ITS SUBSIDIARY BODIES

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

Revocation of Codex texts and approval of new work¹

1. CAC43:

- revoked the provisions for monosodium tartrate (INS 335(i)), monopotassium tartrate (INS 336(i)) and dipotassium tartrate (INS 336(ii)) in the *Regional Standards for Soybean Paste* (CXS 298R-2009) and *Chilli Sauce* (CXS 306R-2011);
- approved the three new work proposals (i.e. development of three regional standards for soybean products fermented with *Bacillus* species, quick frozen dumpling and cooked rice wrapped in plant leaves respectively), noting the view that (i) regarding quick frozen dumpling, products to be covered should be specific to and predominantly traded in the region; and (ii) regarding cooked rice wrapped in plant leaves, CCASIA should carefully consider the scope and product definition as a variety of products with similar traits were widely produced and consumed in some Asian countries.

Appointments^{2,3}

2. CAC43 appointed China as a Regional Coordinator for Asia to hold office from the end of CAC43 until the end of the first regular session of the Commission following the next session of the relevant Coordinating Committee i.e. CCASIA23 (in accordance with current plans and this would be until the end of CAC45 (2022)).

3. CAC44 re-elected Japan as a Member of the Executive Committee on a geographic basis for the period from the end of its present Session to the end of the second succeeding regular Session of the Commission (CAC46).

Codex and the pandemic^{4,5}

4. CAC43 recommended to all subsidiary bodies and Members and Observers to make full use of existing remote working mechanisms such as Electronic Working Groups (EWGs) and Circular Letters (CLs) and to plan their virtual committee meetings in such a manner to optimize the possibility to complete their agendas.

5. CAC44 recommended that Rule XI (7) and (8) continue to be interpreted in a manner that includes a virtual setting with respect to sessions of Codex Subsidiary Bodies including CCEXEC and that application of this should take into consideration of the criteria outlined by CCEXEC80.

¹ REP20/CAC paragraphs 53-57, appendix V

² REP20/CAC paragraph 164

³ REP21/CAC paragraph 133

⁴ REP20/CAC paragraph 31 (ii)

⁵ REP21/CAC paragraph 12(iii)

Application of the Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the extent to which other factors are taken into account (SoP)⁶

6. The importance of this work was highlighted by several Members who with reference to their written comments emphasized the value of completing the guidance to Chairpersons and Members of Codex to ensure the scientific basis of Codex standards development and decision making, and the extent to which other factors are taken into account to facilitate consensus in standards setting.

7. CAC44 welcomed the ongoing work by CCEXEC on the guidance for Chairpersons and Members on the operationalization and the consistent application of the Statements of Principle, and further encouraged CCEXEC to complete this work in an expeditious manner.

Proposed draft MRLs on zilpaterol hydrochloride⁷

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

60th Anniversary of Codex⁸

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

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

Adoption of the General Standard for the Labelling of Non-Retail containers of Foods and consequential amendments to the Procedural Manual⁹

11. CAC44 adopted:

- the *General Standard for the Labelling of Non-retail Containers of Foods* (CXS 346-2021), at step 8¹⁰, and
- the consequential amendment to the Procedural Manual (i.e., the Format for Codex Commodity Standards, section on labelling) (Annex I, Part A).

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

Dissolution of TFAMR¹¹

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

⁶ REP21/CAC paragraph 13-14, REP21/EXEC2, paragraph 92-99, REP21/EXEC1, paragraph 37-43

⁷ REP21/CAC, paragraph 29(v and vi)

⁸ REP21/CAC paragraph 150

⁹ REP21/CAC, paragraphs 83 and 86

¹⁰ REP21/FL, paragraph 60

¹¹ REP21/CAC, para 101

B MATTERS ARISING FROM CODEX SUBSIDIARY BODIES**EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION (CCEXEC78, CCEXEC80, CCEXEC81 AND CCEXEC82)**Implementation of CAC42 decisions: Feedback on Changes and Proposals for further improvements¹²

14. CCEXEC78 requested that Chairpersons of subsidiary bodies and CAC together with the Secretariat:
- develop strategies to prevent or mitigate technical discussions at CAC on topics for which there was no consensus and communicate these strategies to Members. Such strategies may include short adjournments of the session for informal discussions or suspension of discussions on items that overrun the planned time limit; and
 - ensure that, at meetings of CAC, written comments received were given due consideration and the technical basis of reservations were included in meeting reports.
15. CCEXEC78 further encouraged all Members and Observers, especially through the recently adopted regional communications work plans, to continue to actively contribute to the promotion of Codex with all stakeholders, especially policy makers.

Codex and the Pandemic¹³

16. CCEXEC80 recommended that when planning the agenda of Codex sessions to be convened virtually, the Chairpersons together with the host and Codex secretariats were adequately prepared for the sessions and how to deal with agenda items in recognition of the challenges associated with conducting a virtual session.
17. CCEXEC81 commended the huge efforts of the Codex family to deliver the 2021 work programme and in moving forward, CCEXEC recommended that: Chairpersons and Host Secretariats collaborate closely with the Codex Secretariat in their efforts to establish a meeting schedule that is realistic to implement and ensures adequate time between meetings and that the Codex Secretariat together with Chairpersons and the larger membership, and further consider how EWGs and/or other inclusive and transparent mechanisms can continue to be strengthened, playing an even more fundamental role in Codex as a flexible mechanism to prepare work and ensure that discussions in subsidiary bodies is only held when there is a need for guidance or the work it is ready for progression in the step process.

A model for future Codex work^{14,15}

18. CCEXEC81 agreed to establish and lead a process to develop the blueprint for the future of Codex for consideration by CAC on its 60th anniversary in 2023. The process should include communication and outreach to Members and Observers to collect general views on what a future Codex should look like.
19. CCEXEC82 agreed to establish a sub-committee to develop in collaboration with the Codex Secretariat a report including a proposed blueprint for the future of Codex for CCEXEC84, taking into consideration the views of Members and Observers, FAO and WHO, Chairpersons of Codex Committees, Regional Coordinators and Host Secretariats.

60th Anniversary of the Codex Alimentarius Commission: 1963-2023¹⁶

20. CCEXEC82 noted the initial plans¹⁷ provided by the Codex Secretariat to celebrate Codex@60 and provided further suggestions included for regional activities, expressed commitment to advocacy at all levels to ensure the widest possible participation and promotion of the anniversary; and encouraged Members and Observers to fully engage in early planning to identify their own contributions.

Update on informal consultations on zilpaterol hydrochloride by the Chairperson and Vice-Chairpersons (CVCs) of the Codex Alimentarius Commission¹⁸

¹² REP20/EXEC1 paragraph 30 (ii) and 78;

¹³ REP21 EXEC1 paragraph 35: REP21/EXEC1, paragraphs 84 (ii) and (iv) and REP22/EXEC1, paragraph 100

¹⁴ REP21/EXEC2 paragraph 85

¹⁵ REP22/EXEC1 paragraphs 86-101

¹⁶ REP22/EXEC1, paragraph 122 - 129

¹⁷ CX/EXEC 22/82/8

¹⁸ REP22/EXEC1, paragraph 29

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

*New food sources and production systems*¹⁹

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

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

24. CCEXEC82 agreed that the sub-committee should continue its stepwise consideration of the issues, informed by an analysis of the information collected through the CL, CRDs and report of CCEXEC82.

*Monitoring the use and impact of Codex Standards*²⁰

25. CCEXEC81 noted that, in line with Goal 3 of the Codex Strategic Plan 2020-2025 (Increase recognition and use of Codex Standards), the Codex Secretariat in consultation with the FAO and WHO Evaluation Offices has initiated a project to identify, and in due course implement, an approach to monitor the use and impact of Codex standards.

26. CCEXEC82 discussed the draft mechanism to monitor the use and impact of Codex texts (Goal 3 “increase impact through the recognition and use of Codex Standards”) and

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

52ND SESSION OF THE CODEX COMMITTEE FOR FOOD ADDITIVES (CCFA52)²¹

27. CCFA52 agreed to:

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

41ST SESSION OF THE CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING (CCMAS41)²²

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

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

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

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

Methods of acidity and moisture for laver products

¹⁹ REP22/EXEC1, paragraph 85

²⁰ REP22/EXEC1, paragraph 121

²¹ REP21/FA paragraph 69, 107 (i) & (ii) Appendices XII & XIII

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

30. CCMAS41 endorsed the methods of acidity and moisture for laver products as Type I, noting that extension to a new matrix of a previously validated method does not require a full collaborative study.

RECOMMENDATIONS

31. CCASIA is invited to:
- i. **note the information** provided in relevant paragraphs;
 - ii. **encourage** Members and Observers, on the occasion of the 60th anniversary, to plan and implement activities to build awareness of Codex and to engage high level political support for Codex work and to consider the implementation of a regional event to mark the 60th anniversary;
 - iii. **encourage** Members and Observers to actively engage in opportunities to contribute to the discussions in CCEXEC (i.e. the operationalization of the SoP; the future of Codex; new food sources and production systems, and monitoring the use of Codex standards) through their Regional Coordinators, discussions at CCASIA and/or by providing replies to relevant circular letters in this regard, as well as the opportunity to engage in informal discussions with the Chairperson and vice-chairpersons of the CAC on the issue of maximum residue limits for zilpaterol hydrochloride; and
 - iv. **consider** the request from CAC44 as outlined in paragraph 11 and update the relevant section in current CCASIA standards listed in Annex I, Part B (Labelling provisions for non-retail containers in the standards in the existing regional standards for Asia).

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

Replace the following:

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

In such cases the provision may specify that:

“Information on¹² shall be given either on the container or in accompanying documents, except that the name of product, lot identification, and the name and address of the manufacturer or packer shall appear on the container.¹³”

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

¹² Codex Committees should decide which provisions are to be included

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

With:

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

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

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

ANNEX I

PART B - Labelling provisions for non-retail containers in the regional standards for the Asia that require revision²³

Title	Reference number	Section	Current section that need to be revised
Regional Standard for Gochujang	CXS 294R-2009	8.2	<p>Labelling of Non-Retail Containers</p> <p>Information for non-retail containers shall be given on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the manufacturer, packer or distributor, as well as storage instructions, shall appear on the container. However, lot identification, and the name and address of the manufacturer, packer or distributor may be replaced by an identification mark, provided that such mark is clearly identifiable with the accompanying documents.</p>
Regional Standard for Fermented Soybean Paste (Asia)	CXS 298R-2009	8.3	<p>Labelling of Non-retail Containers</p> <p>Information for non-retail containers shall be given on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the manufacturer, packer or distributor, as well as storage instructions, shall appear on the container. However, lot identification, and the name and address of the manufacturer, packer or distributor may be replaced by an identification mark, provided that such a mark is clearly identifiable with the accompanying documents.</p>
Regional Standard for Edible Sago Flour (Asia)	CXS 301R-2011	7.2	<p>Labelling of Non-Retail Containers</p> <p>Information for non-retail container shall either be given on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the manufacturer or packer shall appear on the container. However, lot identification and the name and address of the manufacturer or packer may be replaced by identification mark, provided that such a mark is clearly identifiable with the accompanying documents.</p>
Regional Standard for Chilli Sauce	CXS 306R-2011	8.2	<p>Labelling of non-retail containers</p> <p>Information for non-retail containers shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer, packer, distributor or importer, as well as storage instructions shall appear on the container. However, lot identification, and the name and address of the manufacturer, packer, distributor or importer may be replaced by an identification mark, provided that such a mark is clearly identifiable with the accompanying documents.</p>

²³ For *Regional Standards for Tempe* (CXS 313R-2013) and *Non-Fermented Soybean Products* (CXS 322R-2015), as there are no provisions on Labelling of non-retail containers, they are not included in the table.

Regional Standard for Laver Products	CXS 323R-2017	8.3	<p>Labelling of Non-Retail Containers</p> <p>Information on non-retail containers shall be given either on the container or in accompanying documents, except that the name of the products, lot identification, and the name and address of the manufacturer and/or packer shall appear on the container. However, lot identification, and the name and address of the manufacturer and/or packer may be replaced by an identification mark, provided that such a mark is clearly identifiable with the accompanying documents.</p> <p>Edible foreign matters# shall be identified and appropriately declared on the label of the container or in the accompanying documents.</p> <p># Sea creatures or sea plants which are not harmful to human body and mixed unintentionally, unavoidably, naturally during the growing process in the sea.</p>
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