

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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REP23/LAC

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

46th Session

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REPORT OF THE 22nd SESSION OF THE FAO/WHO COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN

Virtual, 24-28 October 2022

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SUMMARY AND STATUS OF WORK

Responsible Party	Purpose	Text/Topic		Para.
Members, FAO/WHO CAC45/46	Information/Action	<u>New Technologies in the Agrifood Chain</u> Recognized the importance of new technologies and new food sources as well as of risk assessment and science in informing their use and agreed on the importance of further discussions in the Codex Alimentarius Commission and its subsidiary bodies to agree how Codex should address this new issue. Noted the importance of minimizing food waste to ensure efficient use of existing food sources, the ongoing work of FAO and WHO in this area and the need for capacity development.		16
CAC45	Appointment	Recommended that Ecuador be re-appointed as Coordinator for Latin America and the Caribbean		102
Members, CAC46	Adoption	Amendment to the labelling provisions for nonretail containers in relevant CCLAC regional standards	<ul style="list-style-type: none"> • CXS 304R-2011 • CXS 305R-2011 • CXS 324R-2017 	32 iii Appendix II
Members, CCFA53, CAC46	Endorsement/ Adoption	Alignment of Food Additive Provisions in CCLAC Regional Standards with the General Standard for Food Additives	<ul style="list-style-type: none"> • CXS 304R-2011 • CXS 305R-2011 	39 Appendix III
Members, FAO/WHO/PAHO, CAC46	Information/Action	<u>Food Safety and Quality in the Region including Current and Emerging Issues- Country Updates</u> Noted and appreciated the information and support provided by FAO and WHO/PAHO and the as well as the support of IICA to CCLAC members, requested FAO and WHO to continue to provide such support on an equitable basis across the region, and encouraged countries to regularly share information on food safety initiatives with the aim of identifying synergies and facilitating cooperation. Requested, the CAC to consider adding French, as an official language for CCLAC.		50
Members, CCEXEC83, CAC45	Information/Action	<u>Draft standard for zilpaterol hydrochloride held at step 4</u> <ul style="list-style-type: none"> - agreed that all Codex decisions must be based on science and risk assessment principles; - agreed that it was clear that there were no scientific reasons contrary to the recommendation made by JECFA, nor any other legitimate factors that should be considered at the global level. In this regard, factors outside the Codex mandate should not influence risk management or achievement of consensus; and - supported the adoption of the proposed MRLs by CAC45 at Step 5/8 noting that the proposed MRLs for Zilpaterol Hydrochloride had a scientific basis that supported their use and reiterating their role as reference standards in the WTO SPS Agreement. 		57, Appendix V

Responsible Party	Purpose	Text/Topic	Para.
CCNFSDU43, CAC46, Members	Information/Action	<p><u>Proposal for new work on the guidelines for the development of nutrient profiles for front-of-pack labelling</u></p> <p>Supported the proposal for new work and the referral of the project document by CCNFSDU43 to CAC46 for adoption as new work.</p> <p><u>Finalize the update of the Standard for Infant Formula</u></p> <p>Noted that the update of the <i>Standard</i> had been under discussion in CCNFSDU for more than a decade and the proposal that the region supported completion at CCNFSDU43 and final adoption at CAC46.</p> <p><u>Discussion on paper on harmonized probiotic guidelines for use in food and food supplements</u></p> <p>Agreed to support the new proposal for inclusion on the agenda of CCNFSDU43.</p>	60, 62, 64
CCPR, CAC45, Codex Secretariat	Information /Action	<p><u>Amendment of the portion of commodities to which maximum residue limits apply and which is analysed, CXA 4-1989 Classification of Foods and Animal Feeds</u></p> <p>Taking into account that an EWG was working on the issue, considered that it was important that the updated version of CXA 4-1989 was available online and requested the Codex Secretariat to prioritize this update and ensure that the latest versions of standards were made available on the Codex website in a timely manner.</p> <p><u>Guidelines for the recognition of active substances or authorized uses of active substances of low public health concern that are considered exempt from the establishment of maximum residue limits or that do not give rise to residues</u></p> <p>Supported the advancement to Step 8</p>	72, 73
CCCF, CAC45, Members	Information/Action	<p><u>Approval of Maximum Levels of cadmium in cocoa powder (100% of total cocoa solids on a dry matter basis)</u></p> <p>Supported the adoption of the regional position, as agreed at CCCF15, to advance the ML of 2.0 mg/kg cadmium for cocoa powder from 100% total cocoa solids to Step 5/8 and its adoption by CAC45 and endorsed the agreements reached in the technical committee (CCCF15) and recommended not to reopen the technical discussion at CAC45.</p> <p><u>Proposal for the establishment of Maximum Levels (MLs) for Inorganic Arsenic in shellfish and fish</u></p> <p>Supported the work proposal</p>	75 - 77

Responsible Party	Purpose	Text/Topic	Para.
CCEXEC, CAC45	Information	<p><u>Application of the Statements of Principle (SoP) Concerning the Role of Science and the Extent to which other Factors are taken into Account</u></p> <ul style="list-style-type: none"> took note of the information provided in the working document and the additional information provided by the Vice-Chairperson of the CAC and the Codex Secretariat during the session; supported Option 1, in relation to the options for acknowledging the use of Statement 4 of the SoP, i.e. to record in the report the position of those members who abstain based on other factors that fall outside the mandate of CAC; did not believe that Option 2 was feasible as it was not possible to justify the inclusion of a footnote in a standard which would include the above-mentioned factors as the basis for a member abstaining from accepting a specific standard; and remained concerned regarding some aspects included in paragraph 23, CX/EXEC 22/83/3, "Other options in situations when the CAC is unable to advance/adopt a standard in line with the SoP and criteria for consideration of other factors" 	83
CCFH53, CCEXEC, CAC	Information/Action	<p><u>Future of Codex, in relation to working modalities - virtual, hybrid, in-person</u></p> <p>Stressed the importance of following up on the discussions and recommendations of the Executive Committee on this issue and that any and all working modalities to be adopted, should ensure transparency and the widest possible participation of Members.</p>	89
Members, CCEXEC, CAC, FAO/WHO	Information/Action	<p><u>New food technologies</u></p> <ul style="list-style-type: none"> appreciated the importance of new technologies to produce novel foods and recognized that there was an enormous diversity of foods at global level that were not known in other parts of the world that may need to be considered; underlined that Codex, as a standard-setting body, should not be concerned with production systems, which globally were very diverse and adapted to local realities. Therefore, the focus of Codex should be to assess the current situation and guide governments to detect, prevent and/or control food hazards; was convinced that Codex was the right body to deal with all these foods and new technologies, identifying risk factors, assessing them and determining appropriate risk management measures to ensure food safety and fair practices in the food trade globally; was also aware that in the future it may be necessary to convene expert groups to address some of the specific issues regarding these new and traditional foods entering the world market in order to regulate the relevant aspects, and CCLAC would always support the scientific advice provided by FAO and WHO. In this regard, CCLAC22 recalled that expert groups should have regional representation precisely because production systems were different all over the world; considered regarding the structure of Codex to address these new issues that they should be considered on a case-by-case basis, as for some foods it may be necessary to create a Task Force but for others, the simple revitalization of currently inactive committees or a small modification to the mandate of Codex committees would make them useful for this purpose, without having a disproportionate impact on the Codex budget; and 	91

Responsible Party	Purpose	Text/Topic	Para.
		<ul style="list-style-type: none"> urged the continuation of discussions on these issues at CAC so that as many Members as possible could listen to their peers, enrich their knowledge, allay their doubts, and intervene to ensure more transparency in the process. 	
Members, CCEXEC83, CAC45	Information/Action	<u>Discussion paper on the amendment of the General Standard for Fruit Juices and Nectars (CXS 247-2005)</u> Supported the amendment of the <i>General Standard for Fruit Juices and Nectars</i> (CXS 247-2005), for the stratification of the single Brix reference to cover the distinction between <i>Vitis vinifera</i> L and <i>Vitis labrusca</i> species.	97
Members, CCFA43	Information	<u>Use of certain additives in wine</u> Supported the advancement of a proposal that would lead to a consensus on the use of additives in wines, for eventual incorporation into the <i>General Standard on Food Additives</i> (GSFA).	95
CCLAC Coordinator, Members, FAO, WHO/PAHO, Codex Secretariat	Information/Action	<u>Implementation of the Codex Strategic Plan 2020-2025</u> Established an EWG working in English and Spanish, led by Ecuador (CCLAC Coordinator) to review and update the regional work plan for 2022- 2024 to support implementation of the Codex Strategic Plan 2020-2025; the regional communications work plan 2022-2024.	99

LIST OF ACRONYMS

AGROCALIDAD	Agencia de Regulación y Control Fito y Zoosanitaria
AMR	Antimicrobial Resistance
CAC	Codex Alimentarius Commission
CCCF	Codex Committee on Contaminants in Foods
CCEXEC	Executive Committee of the Codex Alimentarius Commission
CCFA	Codex Committee on Food Additives
CCFH	Codex Committee on Food Hygiene
CCLAC	FAO/WHO Coordinating Committee For Latin America and the Caribbean
CCNFSDU	Codex Committee on Nutrition and Foods for Special Dietary Uses
CCPFV	Committee on Processed Fruits and Vegetables
CCPR	Codex Committee on Pesticide Residues
CCRVDF	Codex Committee on Residues of Veterinary Drugs in Foods
CLs	Circular Letters
CRD	Conference Room Document
CTF	Codex Trust Fund
DVE	Performance Vision and Strategy
EWG	Electronic Working Group
FAO	Food and Agriculture Organization of the United Nations
GSFS	Global Strategy for Food Safety
IICA	Inter-American Institute for Cooperation on Agriculture
JECFA	Joint FAO/WHO Expert Committee on Food Additives
M&E	Monitoring and Evaluation
ML	Maximum Levels
MRL	Maximum Residue Limit
PAHO	Pan American Health Organization
PM	Codex Procedural Manual
SDGs	Sustainable Development Goals
SoP	Statements of Principle
SPS	Sanitary and Phytosanitary
SWOT	Strengths/Weaknesses/Opportunities/Threats
TAG	WHO Technical Advisory Group
TBT	Technical Barriers to Trade
TrACSS	Tripartite AMR Country Self-Assessment Survey
WFSD	World Food Safety Day
WHO	World Health Organization
WTO	World Trade Organization

1. The FAO/WHO Coordinating Committee for Latin America and the Caribbean held its 22nd Session (CCLAC22) online, from 24 to 28 October 2022, at the kind invitation of the Government of Ecuador. Mr Rommel Betancourt, General Coordinator for Food Safety, Agencia de Regulación y Control Fito y Zoonosanitaria (AGROCALIDAD), chaired the meeting. The Session was attended by 33 Member Countries, 7 Member Countries and one Member Organization from outside the Region and 6 Observer Organizations. The list of participants is contained in Appendix I.

OPENING OF THE SESSION¹

2. Hon. Bernardo Manzano, Ministro de Agricultura y Ganadería, welcomed the participants, and underscored the mission of Codex to guarantee safe, quality food for all people, everywhere, preserving their health and contributing to equity in international food trade. The Minister also highlighted Ecuador's defence of the scientific basis for decision-making, and contribution to achieving the adoption of five global standards related to maximum levels of cadmium in chocolate and the global categorization of chocolates.
3. Hon. Ms. Gabriela Aguinaga, Viceministra de Gobernanza de la Salud, Ecuador, addressed CCLAC22 stressing that promoting and strengthening food safety, based on robust proposals from Member countries, was essential to guarantee consumer health, reduce malnutrition gaps and ensure equitable access to food. The Vice-minister further noted that Codex Alimentarius was an important tool for the LAC region in reaching its food safety goals as well as for meeting the Sustainable Development Goals (SDGs).
4. Ms Marisa Caipo, FAO Food Safety and Quality Officer and Mr Oscar M. Barreneche, PAHO/WHO Representative for Ecuador welcomed the attendees on behalf of FAO and WHO respectively. The meeting was also addressed by Mr Steve Wearne, Chairperson of the Codex Alimentarius Commission (CAC), Mr Diego Varela, Vice-Chairperson of CAC, and Mr Patricio Almeida, Executive Director, AGROCALIDAD.

ADOPTION OF THE AGENDA (Agenda Item 1)²

5. CCLAC22 adopted the provisional agenda as its agenda for the session and agreed to discuss:
 - CRD2 under Agenda Item 3 (Matters arising from the Codex Alimentarius Commission and Codex subsidiary bodies); and
 - CRD6, CRD7 and CRD8 under Agenda Item 6 (Codex work relevant to the region).

KEYNOTE ADDRESS: "NEW TECHNOLOGIES IN THE AGRIFOOD CHAIN" (Agenda Item 2)³

6. The Chairperson introduced the item, recalling the role of the keynote address to stimulate and promote active discussion and information sharing on common, emerging or topical issues of interest to the region related to food safety and Codex work.
7. The keynote address was delivered by Professor Marcos X Sanchez, Texas Tech University, USA. Reflecting on the evolution of food safety management Prof Sanchez focused his presentation on two areas: new technologies and novel foods, highlighting both the current situation and the potential future directions.
8. With regard to new technologies, Prof Sanchez reviewed the opportunities they presented from primary production to consumer to improve food safety management. Prof Sanchez underlined how progress in this area centred on how data was collected, stored, shared, analysed, and converted into action. Opportunities to capture data in real time from the field to the consumer through, for example, the use of sensors, drones and robots among others have changed both the type and volume of data that can be made available. The digitalization of data presented new opportunities for data transfer, for example through the internet of things, and storage, such as in the cloud. Prof Sanchez highlighted that with increasing data volumes, new approaches to data analysis were required which included using tools based on machine learning and artificial intelligence. While access to these new tools could be a challenge, some, such as drones were already in use and others would become more cost effective as they prove their value. Prof Sanchez underlined that the rapid collection and processing of data could

¹ CRD1 (Opening remarks)

² CX/LAC 22/22/1

³ CX/LAC 22/22/2; CRD10 (Dominican Republic)

lead to quicker response times, and in the longer term, data on trends would facilitate prediction of problems and advance corrective action. The ultimate goal was to prevent food safety problems by using data on raw materials to direct further processing. Such technologies had the potential to improve risk analysis and ultimately food safety even though cost and access remained a challenge and issues such as data confidentiality and cyber security would have to be addressed.

9. Regarding novel foods, Prof Sanchez noted that a lot of work was ongoing in this area that covered cell-based foods, vegetable proteins, and protein alternatives such as insects, among others. Presenting a Strengths/Weaknesses/Opportunities/Threats (SWOT) analysis of some of these new foods, Prof Sanchez highlighted the importance of analysing novel foods from different perspectives to fully understand their potential benefits, their potential risks and their relationship to wider issues such as sustainability. Prof Sanchez also highlighted the importance of harmonization of terminology in this area to facilitate ongoing discussion and regulation of these new foods.
10. Prof Sanchez concluded that in the era of sustainability there was, in his view, a need to consider the concept of food integrity of which food safety was one important dimension along with other areas such as wellbeing all along the food chain (One Health); ethics and values; authenticity and transparency; culture; and sustainability.

Discussion

11. Members welcomed and appreciated the excellent keynote address and raised the following points:
 - Novel foods and new technologies will contribute to agriculture production, food safety and some issues pertaining to climate change and adaptation to new conditions;
 - The focus of Codex work should be on new technologies and novel foods rather than on food production systems;
 - The Codex Alimentarius Commission should determine what the role and goal of Codex can be in this area, and ensure that any Codex work focused on aspects that fall within its operational framework, which could include the development of best practices;
 - Codex should not lag behind in this area. Codex also needs to consider the mechanisms that it would use to undertake this work, its risk assessment needs, and how to communicate on these new issues;
 - These topics were also relevant for ongoing discussions on the future of Codex;
 - When considering these topics focus should be on addressing current challenges faced by countries. Food waste is a key challenge faced by many countries and using new technology to reduce food waste should be prioritized ahead of novel foods; and
 - Discussion on these topics should be science-based.
12. The Chairperson of the CCEXEC sub-committee on new food sources and production systems gave an update on the progress to date, highlighting some of the challenges that exist in the area such as those related to terminology, the breadth of foods that could be covered, the differences in production and the almost daily developments in the area. He noted that this presented difficulties for the sub-committee but that the report would be forthcoming shortly.
13. The Representative of FAO highlighted that technology and innovation were key levers for more efficient, inclusive, resilient and sustainable agrifood systems under the FAO Strategic Framework 2022-31⁴. Noting that new food sources and new technologies came with new challenges in terms of consumer acceptance, costs and social impact, need for agreement among countries about regulatory models, among others, the Representative underlined that technological advances needed to be coupled with sociocultural and economic contexts, and promoted by policy changes in order to be successful. The Representative recalled that FAO had developed a set of Strategic Priorities for Food Safety for 2022-2031, which would be submitted to the FAO Council for the Member's approval later this year and encouraged CCLAC22 Members to identify priorities for FAO support in the area of safe novel foods and new technologies.
14. The Representative of PAHO/WHO highlighted the importance of being alert to the potential risks posed by new food sources and the need to have scientific evidence to determine their safety and relevant

⁴ <https://www.fao.org/3/cb7099en/cb7099en.pdf>

regulations to protect consumers. The Representative also underlined the need to consider a broader picture of food safety challenges, including those related to climate change and changing consumer behaviour's such as the increasing use of e-commerce. The Representative recalled Strategic Priority 2 (Identifying and responding to food safety challenges resulting from the transformation and global changes in food systems transformation) within the WHO Global Strategy for Food Safety 2022-2030⁵, which invited countries to consider within their public policies the need to identify and respond to food safety challenges arising from global changes and transformation of food systems.

15. The Representative of FAO, based in the region, emphasized that the future is now, with discussion on many of these technologies and new food sources over the last two decades currently becoming a reality and it was important for the region to take action and work together. The Representative reiterated FAO's willingness to assist and mentioned the importance of foresight studies in order to anticipate future challenges in food safety.

Conclusion

16. CCLAC22:

- i. expressed appreciation to Dr Sanchez for his keynote address and to the participants for the open discussion;
- ii. recognized the importance of new technologies and new food sources and the importance of risk assessment and science in informing their use;
- iii. agreed on the importance of further discussions with the Codex membership on this topic in the Codex Alimentarius Commission and its subsidiary bodies to agree how Codex should address this new issue (e.g. working mechanisms), for example to consider the capacity of Codex to address this topic, including the consideration of associated risk factors;
- iv. noted the importance of minimizing food waste to ensure efficient use of existing food sources to produce safe food and that new technologies could play an important role in achieving this; and
- v. noted the ongoing work of FAO and WHO in this area and highlighted the need for capacity development in particular to ensure access to and capacity to implement and regulate new technologies beneficial to existing food systems as well as to development of new food sources.

MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND CODEX SUBSIDIARY BODIES (Agenda Item 3)⁶

17. CCLAC22 took note of the matters for information provided in document CX/LAC 22/22/3 and noted the additional information presented and/or made comments as follows:

Matters for information

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

18. Mr Raj Rajasekar, the Vice-Chairpersons of CAC, introduced the work on the application of the SoP undertaken at the Executive Committee of CAC (CCEXEC)⁷. The Vice-Chairperson recalled that, even though the SoP had been around for years, there were few cases where the SoP were practically applied in the standard-setting work when there was general agreement on science but different views on other factors. The Vice-Chairperson outlined the structure of the guidance on the application of the SoP and the scenarios where the SoP would be applied. The Vice-Chairperson emphasized that the intention of the CCEXEC work was to provide practical guidance and a flowchart to support the operationalization of the SoP for use by CAC and its subsidiary bodies when encountering such situations where there were different views on factors other than science. The Vice-Chairperson encouraged the Members of CCLAC to reflect on this work and actively contribute to discussions to address the application of the SoP.

⁵ <https://apps.who.int/iris/handle/10665/363475>

⁶ CX/LAC 22/22/3; CRD2. (Costa Rica); CRD10 (Dominican Republic)

⁷ REP22/EXEC1 para 69

19. Members expressed appreciation for the work on the SoP by CCEXEC. However, some concerns were expressed.
20. Concerning option 2 proposed in document CX/EXEC 22/83/3 Annex I para. 20 to include footnotes in a Codex standard it was underlined that the legal implications of having such a footnote in a Codex standard were unclear; that the use of footnotes in Codex standards, for example the use of note 16 in the *General Standard for Food Additives*, was a complicated approach that led to complex discussions at committee level; there was a risk that the use of such footnotes could become widespread and indiscriminate and proposed as an option when a member doesn't agree and could undermine the science based approach used to underpin Codex texts.
21. There were also concerns on how to define when such a footnote should be used in a standard; that if a Codex member abstained from accepting a standard, with no basis for this within the Codex mandate, Codex should not reflect the lack of acceptance in a standard, when all Codex procedures had already been followed during its development.
22. CCLAC22 noted that this matter would be further discussed under Agenda Item 6.

The 60th Anniversary of the Codex Alimentarius Commission

23. The Codex Secretariat noted that 2023 marked the 60th Anniversary of CAC (Codex@60) and recalled that CCEXEC82 had encouraged Members and Observers to fully engage in celebrating Codex@60⁸. The Codex Secretariat highlighted the plans underway, noting that; the central theme of World Food Safety Day (WFSD) in 2023 would be “standards” and that events to celebrate Codex@60 would be held in conjunction with WFSD as well as CAC46; that the annual Codex magazine in 2023 would be dedicated to Codex@60, and would include articles on the history of the Committees, and some of the key standards that Codex has developed over the past 60 years among others; and that an update of the layout and referencing of Codex texts to ensure they were fit for purpose and digitally robust was underway. The Codex Secretariat also recalled some proposals to celebrate Codex@60 made by CCEXEC82 members and delegates to other Coordinating Committees ranging from the products that could be developed, the types of initiatives that could be implemented at national level and high-level events to confirm political support for Codex.
24. The Codex Secretariat encouraged members to share their ideas to celebrate Codex@60 noting these could be sent directly to the Codex Secretariat. CCLAC22 noted that this matter would be further discussed under Agenda Item 7.

Monitoring the use and impact of Codex Standards

25. The Codex Secretariat provided an overview of the work to build a mechanism to monitor the use and impact of Codex texts in line with the Codex Strategic Plan 2020-2025, Goal 3 “increase impact through the recognition and use of Codex Standards”. The Codex Secretariat explained that the development of the monitoring and evaluation (M&E) framework as a means of assessing the use and impact of Codex texts was progressing in three directions:
 - a survey on the use of selected Codex texts and their impact to all Codex Members to be issued annually;
 - collaboration with the WTO Secretariat to explore monitoring of which Codex Texts have been highlighted in trade negotiations, SPS, TBT notifications, specific trade concerns, and disputes, but also for disputes that were prevented thanks to Codex texts; and
 - tailored case studies to assess the use and impact of specific Codex texts within the context of a Member Country or observer.
26. The Codex Secretariat encouraged Members of CCLAC to respond to the survey and to ensure the involvement of their stakeholders at national level.

⁸ REP22/EXEC1, para 129

Matters for action

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

27. The Codex Secretariat highlighted that, as a consequence of the adoption of the *General Standard for the Labelling of Non-Retail containers of Foods* (CXS 346-2021) at CAC44, the existing regional standards should be revised to be in line with CXS 346-2021 which provided a standardized text for the provision for the labelling of non-retail containers of foods:

“The labelling of non-retail containers should be in accordance with the *General Standard for the Labelling of Non-Retail Containers of Foods* (CXS 346-2021)”.
28. The Codex Secretariat drew the attention of CCLAC to two potential options; i) replacing the whole provision for the labelling of non-retail containers of foods with the standardized text, and ii) replacing the provision for the labelling of non-retail containers of foods with the standardized text and additionally retaining relevant subsections with necessary amendments as outlined in the Annex I Part B of CX/LAC 22/22/3.
29. Costa Rica, as a co-chair of the Electronic Working Group (EWG) that had elaborated the *General Standard for the Labelling of Non-Retail containers of Foods* (CXS 346-2021) at the Codex Committee on Food Labelling (CCFL), presented their proposal of replacing the provision with the standardized text while retaining a subsection for a specific requirement related to the “Nature of Produce” to ensure consistency with CXS 346-2021 as outlined in CRD2. In the case of the *Regional Standard for Yacon* (CXS 324R-2017), they also proposed a small modification to the text on the “Nature of Produce”, deleting reference to the quantity in the package, noting that non-retail containers in most cases did not have a specific weight.
30. CCLAC22 carefully reviewed both options for each of the standards and agreed to retain the subsection for the “Nature of Produce” following the insertion of the standardized text for the *Regional Standard for Culantro Coyote* (CXS 304R-2011), the *Regional Standard for Lucuma* (CXS 305R-2011) and the *Regional Standard for Yacon* (CXS 324R-2017) and also agreed with the deletion of the quantity of the product under the section of “Nature of Produce” in the *Regional Standard for Yacon* (CXS 324R-2017).
31. The Codex Secretariat explained that these revisions would be forwarded to CAC46 for adoption due to short time between CCLAC22 and CCEXEC83 and CAC45. The Codex Secretariat further clarified that the matters which did not directly relate to revision of standards and did not need to go through the critical review process would be considered at the upcoming CAC45 including the appointment of the regional coordinator, and that the report of CCLAC22 would be made available within two weeks of conclusion of the session to enable reference to the report at CCEXEC83 and CAC45.

Conclusion

32. CCLAC22:
 - i. took note of the information provided in the working document and the additional information provided by the Vice-Chairperson of the CAC and the Codex Secretariat during the session;
 - ii. took note of the comments on the SoP and agreed to further discuss under Agenda Item 6; and
 - iii. agreed to forward the revision to the section on labelling of non-retail containers in the *Regional Standards for Culantro Coyote* (CXS 304R-2011), *Lucuma* (CXS 305R-2011) and *Yacon* (CXS 324R-2017) to CAC46 for adoption (Appendix II).

ALIGNMENT OF FOOD ADDITIVE PROVISIONS IN CCLAC REGIONAL STANDARDS WITH THE GENERAL STANDARD FOR FOOD ADDITIVES (Agenda Item 4)⁹

33. The Codex Secretariat introduced the item recalling that, following CCLAC21, a series of circular letters (CLs) had been issued highlighting the options available for alignment of the food additive provisions in regional standards with the *General Standard for Food Additives* (CXS 192 – 1995) and seeking input from CCLAC members on potential ways forward and information supporting the proposed options. He presented the current food additive provisions and food additives permitted for corresponding food categories in CXS 192-1995 for each standard, together with the potential options; i) not permitting any food additives, ii) accepting food additives for use in accordance with CXS 192-1995, which was not

⁹ CX/LAC 22/22/4; CX/LAC 22/22/4 Add.1 (Costa Rica, Cuba and Peru); CRD10 (Dominican Republic)

applicable to the *Regional Standard for Lucuma* (CXS 305R-2011) due to the absence of the permitted food additives in the food category to which lucuma belongs, and iii) developing a list of food additives permitted in this commodity. The Codex Secretariat stressed that technical justifications should be submitted to the Codex Committee on Food Additives (CCFA) to permit food additives to be used in these commodities.

Regional Standard for Culantro Coyote (CXS 304R-2011)

34. CCLAC22 noted general support for the option of not permitting food additives due to the nature of the commodity as a fresh vegetable.
35. One Member, while not objecting to the option of not permitting food additives, noted that contamination of culantro coyote was a serious problem that could also affect trade and that it would be beneficial for producers to have options in terms of post-harvest disinfection. To facilitate this option there would be a need to accept food additives for use in accordance with CXS 192-1995 and revise Note 262 in CXS 192-1995 to make the food additives in the food category 04.2.1.1 acceptable for culantro coyote. However, the data and technical justification to support this proposal were not yet available.
36. The Codex Secretariat clarified that the Members could present a proposal to revise the food additive provisions in any of the regional standards at a future session of CCLAC, if and when new data on the use of food additives along with technical justifications became available.

Regional Standard for Lucuma (CXS 305R-2011) and *Regional Standard for Yacon* (CXS 324R-2017)

37. CCLAC22 noted general support for the option of not permitting food additives due to the nature of the commodities as fresh fruits or vegetables.
38. One Member, while accepting the option of not permitting food additives in a spirit of compromise, expressed the view that the option to develop a list of food additives permitted in these commodities when the data and technical justifications became available should remain.

Conclusion

39. CCLAC22 agreed:
 - i. that no food additives were permitted for culantro coyote, lucuma and yacon and to inform CCFA53 accordingly, noting that Members could present a new proposal regarding food additives at a future session of CCLAC based on new data and technological advances; and
 - ii. to forward the updated sections in the *Regional Standard for Culantro Coyote* (CXS 304R-2011) and the *Regional Standard for Lucuma* (CXS 305R-2011) to indicate that “No food additives are permitted in foods conforming to this standard” to CCFA53 for endorsement and to CAC46 for adoption (Appendix III).

FOOD SAFETY AND QUALITY IN THE REGION INCLUDING CURRENT AND EMERGING ISSUES-COUNTRY UPDATES (Agenda Item 5)¹⁰

40. The Representative from FAO in the region, introduced parts 1 and 2 of the working document, and reflected on the importance of reviewing the work of CCLAC in line with its terms of reference and identified key issues that were prioritized since its first session. The Representative recalled some of the milestones for CCLAC, including: coining of the term “alimentos inocuos” (safe food) (CCLAC3); consideration of the establishment of National Codex Committees (CCLAC6); regional needs on risk assessment (CCLAC12), welcoming the Codex Trust Fund (CTF) for enhanced participation of countries in Codex (CCLAC13); private standards for food safety (CCLAC17); revitalization of the Coordinating Committees (CCLAC19); and antimicrobial resistance (AMR), new technologies and climate change (CCLAC21).
41. The Representative also summarized the work on AMR from 2017-2022 at both global and regional levels. The Representative recalled the publication of new and revised Codex texts on AMR, underlined FAOs work on AMR in 13 countries in the region and acknowledged the support of several donors. With reference to the annual Tripartite AMR Country Self-Assessment Survey (TrACSS) which collects data on AMR action plan development and implementation status at country level, the Representative encouraged countries to update information on focal points to facilitate responding to the survey which provides FAO and WHO with data that enables them to better respond to regional needs.

¹⁰ CX/LAC 22/22/5; CRD9 (El Salvador)

42. The FAO Representative informed CCLAC22 on the background, content, elaboration and endorsement processes of the FAO Strategic Priorities for Food Safety within the FAO Strategic Framework 2022-2031 with the vision to provide “Safe food for all people at all times” and the mission “To support Members in continuing to improve food safety at all levels by providing scientific advice and strengthening their food safety capacities for efficient, inclusive, resilient and sustainable agrifood systems.”
43. The FAO Representative further noted that this would be considered by the FAO Council in December 2022 and highlighted the four Strategic Outcomes of the document which address (i) reinforcement of intergovernmental and multi-stakeholder engagement in inter-sectoral coordination of food safety governance for food safety, (ii) providing sound scientific advice and evidence as a foundation for food safety decision-making, (iii) further strengthening and improving national food control systems, and (iv) promoting public and private stakeholder collaboration to ensure food safety management and controls throughout agrifood systems.
44. The FAO representative thanked the CCLAC countries (Argentina, Brazil, Chile, Dominican Republic, Ecuador, Mexico, Peru, Nicaragua) who had reviewed and provided feedback on the draft strategic document. The Representative also reminded Members on the process to request capacity development support from FAO, namely by submission of such requests through the country and regional FAO offices and inclusion of the food safety domain in the FAO Country Programming Framework.
45. The PAHO/WHO Representative provided an overview of part 3 of the working document highlighting some of the progress made in capacity development in the region. These included: the progress in countries in the region in assessing their national food control systems using the PAHO/WHO-IICA Performance Vision and Strategy (DVE) tool and the FAO/WHO Food Control System Assessment Tool; progress in the area of risk analysis including an FAO/PAHO/WHO baseline survey with countries in the Americas to identify their needs and strengths in terms of risk analysis capacity building; and some of the new resources and manuals available to countries in the region.
46. With regard to the CTF, the Representative underlined the progress made by Honduras, Bolivia, El Salvador, Guatemala, Guyana and Cuba and encouraged remaining eligible countries¹¹ for CTF projects to submit project proposals for the next round before 20th December 2022.
47. Finally, the Representative provided an update on the Global Strategy for Food Safety (GSFS) that was adopted through the Resolution WHA75(22) in the World Health Assembly 75 in May 2022, and launched on 17 October 2022 with its main objective to guide and support Member States in their efforts to prioritize, plan, implement, monitor and periodically evaluate actions towards reducing the burden of foodborne disease by continuously strengthening their food control systems and promoting global cooperation. The Representative noted that a WHO Technical Advisory Group (TAG) was working towards the development of a roadmap to support effective implementation of the strategy and that WHO and FAO were developing a joint coordination framework to align WHO and FAO strategies, clearly outline the responsibilities of both organizations and build synergies to support countries with a common vision, safe food for all.

Discussion

48. Members expressed appreciation for the working document, presentations and efforts of FAO and WHO in the region and made the following points:

Codex Trust Fund

- Recipient countries expressed appreciation for the support received through the CTF as well as from other Codex members as they developed their national infrastructure and capacities.
- Recipient countries highlighted the value of CTF in supporting countries to enhance their participation and leadership in Codex and encouraged FAO and WHO to continue to support CTF graduate countries.
- Some members expressed ongoing willingness to share experiences in the region.

¹¹ Belize, Dominica, Dominican Republic, Grenada, Haiti, Jamaica, Nicaragua, Paraguay, Saint Lucia, Saint Vincent & Grenadines and Suriname.

Technical assistance

- Technical assistance provided by FAO and PAHO/WHO was fundamental to the region.
- Technical assistance initiatives should be spread out in an equitable manner across the region.
- Technical assistance from the Inter-American Institute for Cooperation on Agriculture (IICA) was also key to enhancing the regions capacity to participate in Codex work.

Information sharing

- Countries in the region should work together to both enhance their effectiveness in Codex and to continually improve food safety in the region.
- CCLAC countries could regularly report (e.g. on a quarterly or six-monthly basis) on national initiatives and activities through, for example, an online mechanism to identify synergies and facilitate cooperation.
- More discussions on Codex standards should be held with regulators to facilitate their uptake and use at the national level.

Emerging issues

- The top three emerging issues in food safety identified at regional level in CCLAC21, namely AMR, new technologies and climate change were still relevant.
- While new technologies were still emerging it was important to further explore and discuss this issue.
- In Codex work climate change should only be considered in terms of its direct impact on food safety and quality and within the Codex mandate.

Languages used in the region

49. One French speaking country in the region highlighted the challenges in participation in regional discussions and CCLAC in the absence of French interpretation and encouraged efforts to be made to address this in both informal and formal meetings. The Chairperson in acknowledging the challenge indicated that efforts would be made to see how this issue could be addressed.

Conclusion

50. CCLAC22:

- i. noted the information provided by FAO and WHO and expressed appreciation for the support provided through the CTF and other FAO and WHO/PAHO initiatives in the region;
- ii. acknowledged the support of IICA in strengthening the capacity of CCLAC members to participate in Codex;
- iii. requested FAO and WHO to continue to provide such support on an equitable basis across the region, particularly in areas such as improvement of the national food control systems, application of risk analysis, and risk-based food inspection systems;
- iv. encouraged eligible CTF countries to apply the Codex Diagnostic tool as a first step before applying for a CTF project;
- v. encouraged countries to regularly share information on food safety initiatives with the aim of identifying synergies and facilitating cooperation; and
- vi. requested, the Commission to consider adding French, an official UN language, as an official language for CCLAC, noting that there was also a French speaking country in the region, to ensure full inclusivity of that country in CCLAC meetings.

CODEX WORK RELEVANT TO THE REGION (AGENDA ITEM 6)¹²

51. The Chairperson introduced the item highlighting its importance for the region, and recalling the process established by CCLAC18 to develop regional positions. The Chairperson expressed appreciation to the Members for their inputs to the working document which covered Codex work relevant to the region since 2019. The Chairperson noted that Tables 1 and 2 in CX/LAC 22/22/6 were for information purposes only aiming to provide an overview of the Codex work items that members of the region were actively engaged with or were leading through electronic working groups. Table 3 on the other hand aimed to identify those items of ongoing work in Codex for which CCLAC might develop a regional position. The Chairperson noted that several Members had presented CRDs proposing additional items to be included in both Tables 1 and 3.

Discussion

Tables 1 and 2

52. With regard to the ongoing work in CCFH on the development of Guidelines for the safe use and re-use of water in food production, one Member highlighted some corrections to be made to Table 1 (i.e. replacing USA with EU as co-chair of the EWG) and requested CCLAC Members to review the current draft document and provide comments in response to CL 2022/48/OCS-FH. The Member also informed CCLAC22 that Honduras in collaboration with FAO had recently held a workshop on the application of decision tools to support safe use and re-use of water and that the report would be shared with Members as soon as it was available.
53. Requests for additions and/or amendments to Table 1 and 2, were also made in relation to the items concerning CCNFSDU and CCPR. A revised version of Table 1 and 2 is included in Appendix IV.

Table 3

54. In response to requests from Members the following items were added to Table 3:
- CCFA - Use of certain additives in wine (Chile)
 - CCCF - Proposal for the establishment of Maximum Levels (MLs) for Inorganic Arsenic in shellfish and fish (Chile)
 - CCPR - Guidelines for the recognition of active substances or authorized uses of active substances of low public health concern that are considered exempt from the establishment of maximum residue limits or that do not give rise to residues (Chile)
 - Amendment to the General Standard for fruit juices and nectars (CXS 247-2005) (Brazil)
 - CCNFSDU - Proposal for the elaboration of Harmonized Probiotic Guidelines for Use in Foods and Food Supplements (Argentina)
55. CCLAC22 discussed each of the items in Table 3 as outlined below and reached the following regional positions. The Chairperson confirmed that he would present them at the relevant Codex meetings as the regional positions.

Codex Committee on Residues of Veterinary Drugs in Foods – CCRVDF

Draft standard for zilpaterol hydrochloride held at step 4

56. CCLAC22 considered this issue using CRD4 as the basis for the discussion. There was general support for the content of CRD4 and for its inclusion in this report as Appendix V to support the regional position.

Conclusion

57. CCLAC22:
- agreed that all Codex decisions must be based on science and risk assessment principles;

¹² CX/LAC 22/22/6; CRD4 (Advancement of the Standard to Establish MRLs On Zilpaterol Hydrochloride, CRD Proposal – Regional Position), CRD6 (Chile); CRD7 (Brazil); CRD8 (Argentina); CRD9 (El Salvador); CRD11 (Costa Rica)

- agreed that it was clear that there were no scientific reasons contrary to the recommendation made by JECFA, nor any other legitimate factors that should be considered at the global level. In this regard, factors outside the Codex mandate should not influence risk management or achievement of consensus;
- supported the adoption of the proposed MRLs by CAC45 at Step 5/8 noting that the proposed MRLs for Zilpaterol Hydrochloride had a scientific basis that supported their use and reiterated the role of Codex standards as reference standards in the WTO SPS Agreement.

Codex Committee on Nutrition and Foods for Special Dietary Uses – CCNFSDU

Proposal for new work on the guidelines for the development of nutrient profiles for front-of-pack labelling

58. CCLAC22 discussed the proposal for new work based on the information provided in CRD11. There was general support for this work, although one Member questioned the need for it noting that WHO had already developed guidelines on nutrient profiles.
59. Another Member requested an extension to the scope of work to address the issue of criteria for qualifying or disqualifying the use of nutrition claims.

Conclusion

60. CCLAC22 supported the proposal for new work on the development of the General Guidelines for the Establishment of Nutrient Profiles and the referral of the project document by CCNFSDU43 to CAC46 for adoption as new work.
61. One Member did not support this regional position noting that WHO had already developed guidelines on nutrient profiles.

Finalize the update of the Standard for Infant Formula

62. CCLAC22 noted that this issue had been under discussion in CCNFSDU for more than a decade and the proposal that the region support completion at CCNFSDU43 and final adoption at CAC46.
63. While Members supported the importance of concluding this work and their commitment to this, they considered it difficult to develop a regional position at this session as technical discussions were still ongoing at CCNFSDU.

Conclusion

64. CCLAC22 agreed to invite its Members to continue to engage in this work and participate in CCNFSDU43 so that the update on the standard for infant formula could be finalised in a timely manner, ideally at CAC46.

Discussion on paper on harmonized probiotic guidelines for use in food and food supplements

65. CCLAC22 considered this issue as presented in CRD8, recalling that a similar proposal had been previously submitted to CCNFSDU. Argentina clarified that the current proposal had been substantially revised and included the proposal to develop a definition for probiotics.

Conclusion

66. CCLAC22 agreed to support the new proposal for inclusion on the agenda of CCNFSDU43.
67. One Member noted that they needed more time to consider this issue before they could support the regional position.

Codex Committee on Pesticide Residues – CCPR

Amendment of the portion of commodities to which maximum residue limits apply and which is analysed, CXA 4-1989 Classification of Foods and Animal Feeds

68. CCLAC22 deliberated on this issue, noting the importance of having the latest version of CXA 4-1989 *Classification of Foods and Animal Feeds* available on the Codex website, considering that the version online also did not include the latest harmonization of the products contained in Group 014 (Assorted fruits – inedible peel) and Group 006 (Assorted tropical and sub-tropical fruits - inedible peel) in the *Modification of the portion of commodities to which MRLs applied and which is analyzed*, with respect to whether they were the same commodities as well as the description of the portion of the commodities to which the MRLs were applied and analyzed.

69. One Member recalled that the issue raised in the proposal had been discussed by CCPR53 and that it would be further considered by the EWG on the revision of the classification of food and animal feed which would make recommendations for consideration by CCPR54.
70. CCLAC22 also noted that a review of the Guidelines on portion of commodities to which MRLs apply and which was analyzed (CXG 41-1993) with a comparison to the *Classification of Food and Animal Feed* (CXA 4-1989) to consider revocation of CXG41 to avoid coexistence of the two documents addressing the same provisions was ongoing.
71. Another Member noted that the version currently available online was not user friendly and this aspect should also be addressed in the update.

Conclusion

72. CCLAC22:
- recognized that the latest version of CCPR standards were available on the Codex website. However, the version of CXA 4-1989 *Classification of Foods and Animal Feeds* available on the website was still that amended in 1993 and did not include the latest update adopted at CAC42 *Revision of the Classification of Food and Feed* (CX/M 4-1989): *Miscellaneous commodities not meeting the criteria for crop grouping*;
 - taking into account that an EWG was working on the issue, considered that it was important that the updated version of CXA 4-1989 *Classification of Food and Feed* was available online and requested the Codex Secretariat to prioritize this update and ensure that the latest versions of standards were made available on the Codex website in a timely manner.

Guidelines for the recognition of active substances or authorized uses of active substances of low public health concern that are considered exempt from the establishment of maximum residue limits or that do not give rise to residues.

73. CCLAC22 considered this issue based on the information provided in CRD6.

Conclusion

74. CCLAC22 supported the advancement to Step 8 of the Guidelines for the recognition of active substances or authorized uses of active substances of low public health concern that are considered exempt from the establishment of maximum residue limits or that do not give rise to residues.

Codex Committee on Contaminants in Foods – CCCF

Approval of Maximum Levels of cadmium in cocoa powder (100% of total cocoa solids on a dry matter basis)

75. CCLAC22 supported the adoption of the regional position, as agreed at CCCF15, to advance the ML of 2.0 mg/kg cadmium for cocoa powder from 100% total cocoa solids to Step 5/8 and its adoption by CAC45.
76. CCLAC22 endorsed the agreements reached in the technical committee (CCCF15) and recommended not to reopen the technical discussion at CAC45.

Proposal for the establishment of Maximum Levels (MLs) for Inorganic Arsenic in shellfish and fish.

77. CCLAC22 supported the work proposal for the establishment of these MLs as proposed in CRD6.

Executive Committee of the Codex Alimentarius Commission – CCEXEC

Application of the Statements of Principle (SoP) Concerning the Role of Science and the Extent to which other Factors are taken into Account

78. CCLAC22 considered CX/EXEC 22/83/3 “CCEXEC subcommittee on the application of the SoP - report” highlighting the importance of actively engaging in the discussion of the SoP as it was fundamental to the role of science in the Codex decision making process.
79. CCLAC22 expressed the following concerns on Option 2 “Use of footnotes in standards” (para. 20 of Annex I of CX/EXEC 22/83/3) as one of the options for acknowledging the use of Statement 4 of the SoP, noting:
- there was a lack of understanding of its legal implications, e.g. in a WTO dispute panel; and

- inserting a footnote in a standard which made reference to Members who abstained from acceptance of a standard for reasons outside the mandate of CAC was not relevant and could cause confusion with other footnotes of a more technical nature.

80. One Member stressed their concerns with the flowchart, noting that some of the options presented were not applicable as the only option available if a Member opposed the adoption of a standard that was based on science was to abstain from acceptance of the standard while not preventing its advancement.
81. One Member stated that in their view the SoP were sufficiently clear and therefore further guidance was not needed.
82. Another Member mentioned that they had submitted a CRD for consideration at CAC45, which included proposals on the flowchart and other aspects related to the application of the SoP and encouraged Members to review it once made available on the CAC45 page.

Conclusion

83. CCLAC22:

- supported Option 1, in relation to the options for acknowledging the use of Statement 4 of the SoP, i.e. to record in the report the position of those members who abstain based on other factors that fall outside the mandate of CAC;
- agreed that Option 2 was not feasible as it was not possible to justify the inclusion of a footnote in a standard which would include the above-mentioned factors as the basis for a Member abstaining from accepting a specific standard.
- remained concerned regarding some aspects included in paragraph 23, CX/EXEC 22/83/3, "Other options in situations when the CAC is unable to advance/adopt a standard in line with the SoP and criteria for consideration of other factors", such as:
 - proposing more time for discussion, without clarifying that a deadline should be provided, so that it was not held indefinitely, without a decision being taken;
 - proposing the retention of the standard pending consideration of any new information that may be presented, without defining a deadline for evidence or data to be provided for the work of the expert committee;
 - proposing the revision of the scope of application of the standard (this is part of the critical review to be undertaken when the proposal is made).

84. One Member abstained from agreeing with the regional position.

Future of Codex, in relation to working modalities - virtual, hybrid, in-person.

85. In considering this issue, one Member expressed concern that it was not possible to intervene virtually in CCFH53 and requested that such participation be made possible, noting that Members facing different challenges e.g. lack of travel resources, could not otherwise participate.
86. Another Member stressed that the importance of transparency irrespective of meeting modality and that there was a need to have a clear understanding and consistent use of the term hybrid meeting.
87. The Codex Secretariat clarified that CCFH53 was a physical meeting which would be also broadcast in an effort to increase transparency and to ensure that small delegations could continue to be supported by experts not physically present in the room. The Codex Secretariat noted that additional costs associated with implementing hybrid meetings was a limiting factor to their use.
88. The Chairperson informed CCLAC22 that the Coordinator could support countries in bringing their positions to the attention of CCFH53.

Conclusion

89. CCLAC22 stressed:

- the importance of following up on the discussions and recommendations of the Executive Committee on this issue; and
- that any and all working modalities to be adopted, should ensure transparency and the widest possible participation of Members.

New food technologies

90. CCLAC22 considered the information on this topic that had been presented in other items (2, 3, 5) as the basis for reaching their conclusions.

Conclusion

91. CCLAC22:

- appreciated the importance of new technologies to produce novel foods and recognized that there was an enormous diversity of foods at global level that were not known in other parts of the world that may need to be considered.
- underlined that Codex, as a standard-setting body, should not be concerned with production systems, which globally were very diverse and adapted to local realities. Therefore, the focus of Codex should be to assess the current situation and guide governments to detect, prevent and/or control food hazards.
- was convinced that Codex was the right body to deal with all these foods and new technologies, identifying risk factors, assessing them and determining appropriate risk management measures to ensure food safety and fair practices in the food trade globally.
- was also aware that in the future it may be necessary to convene expert groups to address some of the specific issues regarding these new and traditional foods entering the world market in order to regulate the relevant aspects, and CCLAC would always support the scientific advice provided by FAO and WHO. In this regard, CCLAC22 recalled that expert groups should have regional representation precisely because production systems were different all over the world.
- with regard to the structure of Codex to address these new issues, considered that they should be addressed on a case-by-case basis, as for some foods it may be necessary to create a Task Force but for others, the simple revitalization of currently inactive committees or a small modification to the mandate of current Codex committees would make them useful for this purpose, without having a disproportionate impact on the Codex budget.
- urged the continuation of discussions on these issues at CAC so that as many Members as possible could listen to their peers, enrich their knowledge, allay their doubts, and intervene to ensure more transparency in the process.

92. One Member (Chile) noted that they needed more time to consider this issue before they could support the regional position.

Codex Committee on Food Additives (CCFA)

Use of certain additives in wine

93. In discussing this proposal contained in CRD6, Members highlighted the importance of this work particularly for wine producing countries in the region. They also recognized there were only very few food additive provisions in Codex for wine compared to other standard setting bodies and that based on this lack of Codex provisions, national regulations were incomplete, and this was resulting in barriers to trade.
94. One Member recalled the discussions that took place during CCEXEC78 and CCFA52 regarding the reference to specific documents of standards setting organizations that may have procedures different from those of Codex, like a more limited membership and development of standards in a less transparent manner than Codex.

Conclusion

95. CCLAC22 agreed to support the advancement of a proposal that would lead to a consensus on the use of additives in wines, for eventual incorporation into the *General Standard on Food Additives* (GSFA).

Codex Committee on Processed Fruits and Vegetables (CCPFV)

Discussion paper on the amendment of the General Standard for Fruit Juices and Nectars (CXS 247-2005)

96. CCLAC22 considered this issue based on CRD7.

Conclusion

97. CCLAC22 supported the amendment of the *General Standard for Fruit Juices and Nectars* (CXS 247-2005), for the stratification of the single Brix reference to cover the distinction between *Vitis vinifera* L and *Vitis labrusca* species, in order to improve both the accuracy and coverage of the standard for better adoption and transparency in the grape juice trade.

IMPLEMENTATION OF THE CODEX STRATEGIC PLAN 2020-2025 (Agenda Item 7)¹³

98. Due to time constraints, it was not possible to discuss this item during CCLAC22. The Chairperson nevertheless noted that this was an important item for the region, linked to many of the items already discussed, including Codex@60, and therefore proposed that discussion of this issue and in particular the update of the regional work plans to support implementation of the Codex strategic plan and the regional communication work plan could be undertaken by an electronic working group (EWG).

Conclusion

99. CCLAC22 agreed to establish an EWG working in English and Spanish, led by Ecuador (CCLAC Coordinator) and open to all Members and Observers from the region to:
- review and update the regional work plan for 2022 - 2024 to support implementation of the Codex Strategic Plan 2020-2025;
 - review and update the regional communications work plan 2022 - 2024; and
 - complete the update of the work plans within six months to facilitate their implementation in advance of CCLAC23.
100. CCLAC22 encouraged all Members, FAO, WHO/PAHO and the Codex Secretariat to participate in the EWG in the revision of the work plans and to ensure they were realistic and achievable in the next two years while also reflecting the priority needs of the region, and to work together in their implementation.

NOMINATION OF THE COORDINATOR (Agenda Item 8)¹⁴

101. The Codex Secretariat introduced the item recalling that Ecuador had been appointed as Coordinator for LAC by CAC43, and having served for one term, was eligible for re-appointment.
102. CCLAC22 acknowledged the excellent work of Ecuador and unanimously agreed to recommend CAC45 to reappoint Ecuador for a second term as Coordinator for LAC.
103. Ecuador thanked the Members of CCLAC for their support and accepted the nomination.

OTHER BUSINESS (Agenda Item 9)

104. There were no items raised for consideration under other business. However, Members expressed their grateful appreciation to IICA for the extensive support that they provide to CCLAC throughout the year, including for example hosting and providing interpretation for informal meetings, support to the Coordinator etc., which was fundamental for collaboration and coordination among all Members in the region.

DATE AND PLACE OF THE NEXT SESSION (Agenda Item 10)

105. CCLAC22 was informed that its 23rd Session would be held in approximately two years' time and that more detailed arrangements would be communicated to Members following the appointment of the Coordinator by CAC45 and further consultation with the Codex Secretariat.

¹³ CX/LAC 22/22/7; CRD3 (Codex Communications Work Plan – Progress Report); CRD5 (implementation of the Codex Strategic Plan 2020 – 2025: possible CCLAC Activities); CRD9 (El Salvador)

¹⁴ CX/LAC 22/22/8; CRD9 (El Salvador); CRD10 (Dominican Republic)

APPENDIX I**LIST OF PARTICIPANTS****LISTE DES PARTICIPANTS****LISTA DE PARTICIPANTES****CHAIRPERSON – PRÉSIDENT – PRESIDENTE**

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Ms Sofía Rivera Vega

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APPENDIX II

**AMENDMENT TO THE LABELLING PROVISIONS
FOR NON-RETAIL CONTAINERS IN RELEVANT CCLAC REGIONAL STANDARDS**

(For adoption)

New texts added are shown in **bold/underlined** font. Texts proposed for deletion are shown in ~~strike through~~

Regional Standard for Culantro Coyote (CXS 304R-2011)

6.2 Non-retail containers

The labelling of non-retail containers should be in accordance with the *General Standard for the Labelling of Non-Retail Containers of Foods (CXS 346-2021)*.

In addition, the following specific requirement shall apply:

~~Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside, or in the documents accompanying the shipment.~~

~~6.2.1 Identification~~

~~Name and address of exporter, packer and/or dispatcher. Identification code (optional).~~

~~6.2.2.1 Nature of Produce~~

~~Name of the produce “Culantro Coyote”, or its name in the country of marketing, if the contents are not visible from the outside. Name of the variety and/or commercial type (optional).~~

~~6.2.3 Origin of Produce~~

~~Country of origin and, optionally, district where grown or national, regional or local place name.~~

~~6.2.4 Commercial Identification~~

~~–Class;~~

~~–Net weight.~~

~~6.2.5 Official Inspection Mark (optional)~~

Regional Standard for Lucuma (CXS 305R–2011)

6.2 Non-retail containers

The labelling of non-retail containers should be in accordance with the *General Standard for the Labelling of Non-Retail Containers of Foods (CXS 346-2021)*.

In addition, the following specific requirement shall apply:

~~Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside, or in the documents accompanying the shipment.~~

~~6.2.1 Identification~~

~~Name and address of exporter, packer and/or dispatcher. Identification code (optional).~~

~~6.2.2.1 Nature of Produce~~

~~Name of the produce “Lucuma” if the contents are not visible from the outside. Name of the variety (optional).~~

~~6.2.3 Origin of Produce~~

~~Country of origin and, optionally, district where grown or national, regional or local place name.~~

~~6.2.4 Commercial Identification~~

~~–Class;~~

~~–Size (size code or maximum and minimum diameter in millimetres);~~

~~–Net weight;~~

~~–Lot number.~~

~~6.2.5 Official Inspection Mark (optional)~~***Regional Standard for Yacon (CXS 324R-2017)*****7.2 Non-retail containers**

The labelling of non-retail containers should be in accordance with the *General Standard for the Labelling of Non-Retail Containers of Foods (CXS 346-2021)*.

In addition, the following specific requirement shall apply:

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside, or in the documents accompanying the shipment.

For yacon transported in bulk (directly loading into a transport vehicle) these particulars must appear on a document accompanying the goods, and attached in a visible position inside the transport vehicle.

7.2.1 Identification

~~Name and address of the exporter, packer and/or dispatcher. Identification code (optional).~~

7.2.2~~1~~ Nature of Produce

Name of the produce, variety and/or commercial type (optional).

In the case of a mixture of distinctly different varieties and/or commercial types, names of the different varieties and/or commercial types.

In the case of a mixture of distinctly different varieties and/or commercial types and/or colours of yacon, which are not visible from the outside, varieties and/or commercial types and/or colours ~~and the quantity of each in the package~~ must be indicated.

7.2.3 Origin of Produce

~~Country of origin and, optionally, district where grown, or national, regional or local place name.~~

~~In the case of a mixture of distinctly different varieties and/or commercial types of yacon of different origins, the indication of each country of origin shall appear next to the name of the variety and/or commercial type.~~

7.2.4 Commercial Identification

~~–Class;~~

~~–Size~~

~~7.2.5 Official Inspection Mark (optional)~~

APPENDIX III

**REVISION TO THE FOOD ADDITIVE PROVISIONS AND CONSEQUENTIAL AMENDMENTS
IN RELEVANT CCLAC REGIONAL STANDARDS**

(For adoption)

New texts added are shown in **bold/underlined** font. Texts proposed for deletion are shown in ~~strike through~~

Regional Standard for Culantro Coyote (CXS 304R-2011)**7. FOOD ADDITIVES****No food additives are permitted in foods conforming to this standard.****7.8. CONTAMINANTS**

~~7.8.1~~ The produce covered by this Standard shall comply with the maximum levels of the Codex General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995).

~~7.8.2~~ The produce covered by this Standard shall comply with the maximum residue limits for pesticides established by the Codex Alimentarius Commission.

8.9. HYGIENE

~~8.9.1~~ It is recommended that the produce covered by the provisions of this Standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice – General Principles of Food Hygiene (CAC/RCP 1-1969), Code of Hygienic Practice for Fresh Fruits and Vegetables (CAC/RCP 53-2003), and other relevant Codex texts such as Codes of Hygienic Practice and Codes of Practice.

~~8.9.2~~ The produce should comply with any microbiological criteria established in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21-1997).

Regional Standard for Lucuma (CXS 305R-2011)**7. FOOD ADDITIVES****No food additives are permitted in foods conforming to this standard.****7.8. CONTAMINANTS**

~~7.8.1~~ The produce covered by this Standard shall comply with the maximum levels of the *General Standard for Contaminants and Toxins in Food and Feed* (CXS 193-1995).

~~7.8.2~~ The produce covered by this Standard shall comply with the maximum residue limits for pesticides established by the Codex Alimentarius Commission.

8.9. HYGIENE

~~8.9.1~~ It is recommended that the produce covered by the provisions of this Standard be prepared and handled in accordance with the appropriate sections of the *General Principles of Food Hygiene* (CXC 1-1969), *Code of Hygienic Practice for Fresh Fruits and Vegetables* (CXC 53-2003), and other relevant Codex texts such as Codes of Hygienic Practice and Codes of Practice.

~~8.9.2~~ The produce should comply with any microbiological criteria established in accordance with the *Principles and Guidelines for the Establishment and Application of Microbiological Criteria Related to Foods* (CXG 21-1997).

APPENDIX IV

TABLE I AND II ON CODEX WORK RELEVANT TO THE REGION

Table 1 - Agenda items by Codex Committee that CCLAC Member Countries mainly addressed during meetings.

Committee	Agenda items	Country leading the discussion or posing the question	Remarks
General Subject Committees			
Codex Committee on Contaminants in Foods - CCCF	Sampling plan(s) for total aflatoxins in certain cereals and cereal-based foods, including foods for infants and young children.	Brazil (co-chair)	Support the Chair's proposal (15µg per kg with support for review in 5 years) in order to reach consensus and mention the importance of risk mitigation measures.
Codex Committee on Contaminants in Foods - CCCF	Maximum Levels (MLs) for total aflatoxins and ochratoxin in nutmeg, chilli, dried paprika, ginger, pepper and turmeric.	Brazil (co-chair)	Draft associated sampling plans. Propose discussion in CCSC6 because of concern that no specific categories have been identified for most culinary herbs.
Codex Committee on Contaminants in Foods - CCCF	Maximum Levels (MLs) for cadmium in cocoa and cocoa products.	Ecuador (Chair)	The proposed MLs for the ready-to-eat cocoa powder category (100% of total cocoa solids on a dry matter basis) and a commitment to ensure an acceptable rejection rate for all regions were approved.
Codex Committee on Contaminants in Foods - CCCF	Code of Practice for the prevention and reduction of cadmium contamination in cocoa beans.	Peru (Chair) Ecuador (co-chair)	Support advancement of the document to step 5/8.
Codex Committee on Contaminants in Foods - CCCF	Maximum levels for methylmercury in certain fish species (orange roughy, forkbeards and conger eels) and associated sampling plan.	Various	Support the MLs for lead in some food categories. Support the MLs for methylmercury in some fish species. Mention the importance of differentiating between different situations that are detrimental and hinder the search for solutions.
Codex Committee on Food Additives- CCFA	Discussion paper on the use of certain food additives in wine production.	Chile (leading the discussion paper)	The document will be presented at CCFA53 next year, 2023.
Codex Committee on Food Hygiene - CCFH	Proposed draft decision tree (revision of the General Principles of Food Hygiene) (CXC 1-1969).	Brazil introduced the agenda item Honduras and Jamaica, among others	The "Tools for Critical Control Point (CCP) Identification" at the forty-fifth Session of the CAC for adoption at Step 5/8 and subsequent inclusion as Annex 2 to the General Principles of Food Hygiene (CXC1-1969) (Appendix III, Part A); and

Committee	Agenda items	Country leading the discussion or posing the question	Remarks
			The consequent amendment of Section 3.7 of Chapter 2 of CXC 1-1969 to refer to Annex 2 (Appendix III, Part B).
Codex Committee on Food Hygiene - CCFH	Guidelines for the Control of Shiga Toxin-Producing <i>Escherichia coli</i> (STEC) in Raw Beef, Leafy Greens, Raw Milk and Cheese Produced from Raw Milk, and Sprouts.	Chile (chair of the eWG)	<p>Chile, with the assistance of France, New Zealand and the United States of America as co-chairs, is leading the electronic Working Group on the development of draft guidelines for the Control of Shiga Toxin-Producing <i>Escherichia coli</i> (STEC) in Raw Beef, Leafy Greens, Raw Milk and Cheese Produced from Raw Milk, and Sprouts.</p> <p>The latest version of these draft guidelines has been posted on the web page of the fifty-third Session of the Codex Committee on Food Hygiene (CCFH) and is currently open for comments from all members and observers (CL 2022/56/OCS-FH). A face-to-face working group meeting will take place immediately prior to the fifty-third CCFH to consider the comments received before discussing the draft guidelines in the plenary session of the fifty-third CCFH.</p>
Codex Committee on Food Hygiene - CCFH	Guidelines for the safe use and reuse of water in food production.	Honduras (Chair) Chile and EU (co-chair)	<p>Honduras, with the assistance of the European Union and Chile as co-chairs, is in charge of managing the proposed draft guidelines for the safe use and reuse of water in food production. The latest version of these draft guidelines has been posted on the web page of the fifty-third Session of the Codex Committee on Food Hygiene (CCFH) and is currently open for comments from all members and observers (CL 2022/48/OCS-FH). A face-to-face working group meeting will take place immediately prior to the fifty-third CCFH to consider the comments received before discussing the draft guidelines in the plenary session of the fifty-third CCFH. A workshop on the safe use and reuse of water in food processing was held in Honduras from 11 to 13 October 2022 to explore some aspects of the practical application of guidance in this area.</p>
Codex Committee on Nutrition and Foods for Special Dietary Uses - CCNFSDU	General principles for establishing NRVs-R for persons aged 6 to 36 months.	Costa Rica (eWG member)	<p>In CCNFSDU the draft general principles for NRVs-R for persons aged 6 to 36 months / pilot for vitamin B12, iodine, vitamin B6, riboflavin, thiamine, niacin and vitamin C are under discussion; the EWG led by Ireland, the United States of America and Costa Rica have summarised the results of the pilot test for these nutrients and the second round is currently in consultation with the EWG members.</p> <p>As a result of this second round, the Chairs and Co-Chairs will present draft recommendations of the NRVs-R for consideration by CCNFSDU43.</p>

Committee	Agenda items	Country leading the discussion or posing the question	Remarks
			Costa Rica invites CCLAC members to participate and support the proposed draft general principles for NRVs-R for persons aged 6 to 36 months / Pilot for vitamin B12, iodine, vitamin B6, riboflavin, thiamine, niacin and vitamin C.
Codex Committee on Methods of Analysis and Sampling (CCMAS)		Various	Revision of the General Guidelines on Sampling (CXG50-2004). Review of analytical methods in CXS234: fats and oils workable package.
Codex Committee on Pesticide Residues- CCPR	Guidelines on performance criteria for methods of analysis for the determination of pesticide residues in food and feed.	Various	Concern about the use of environmental inhibitors was a cross-cutting issue that could include veterinary medicines, fertilizers, feed additives, etc. Revision of the Classification of Food and Feed (CXA 4-1989). General agreement to re-establish the eWG and to continue work on the Guidelines in the light of comments received in response to CL 2021/38-PR. 192.
Codex Committee on Pesticide Residues- CCPR	Amendment of the portion of commodities to which maximum residue limits (MRLs) apply and which is analysed	Agenda item raised by Ecuador	Ecuador asked the Codex Committee on Pesticide Residues (CCPR) to clarify provisions for the portion of commodities to which MRLs apply and which is analysed with regard to Group 014 (Assorted fruits – Inedible peel) and Group 006 (Assorted tropical and subtropical fruits – Inedible peel) to ensure that commodity classifications in the <i>Guidelines on the portion of commodities to which MRLs apply and which is analysed</i> (CXG 41-1993) and the <i>Classification of Food and Feed</i> (CXA 4-1989) are harmonized, in order to safeguard the health of consumers and avoid adverse effects on trade. The Committee agreed to forward this request to the Electronic Working Group on the Revision of the Classification, which is chaired by the United States of America and co-chaired by the Netherlands.
Codex Committee on Pesticide Residues- CCPR	Guidelines for the recognition of active substances or authorized uses of active substances of low public health	Agenda item raised by Chile	The Committee agreed to advance the Guidelines to Step 8 for adoption

Committee	Agenda items	Country leading the discussion or posing the question	Remarks
	concern that are considered exempt from the establishment of maximum residue limits or that do not give rise to residues.		
Codex Committee on Residues of Veterinary Drugs in Foods - CCRVDF	Maximum residue limits (MRLs) for zilpaterol hydrochloride (cattle fat, kidney, liver and muscle).	Various	Under discussion, document circulated for comments.
Commodity Committees			
Codex Committee on Fish and Fishery Products - CCFFP			No specific issues identified: ongoing work on sardine species to be included in the sardine standard and interest in work on seaweeds.
Codex Committee on Fresh Fruits and Vegetables - CCFFV	<ul style="list-style-type: none"> - Proposed draft standard for onions and shallots. - Proposed draft standard for berry fruits. - Proposed draft standard for fresh dates. 	Mexico (Chair)	Adoption at Step 5/8 - Appendices II, III, VI respectively.
Codex Committee on Fats and Oils- CCFO	Amendment/revision of the Standard for Named Vegetable Oils (CXS 210-1999): Inclusion of avocado oil.	Mexico (chair of the eWG)	Chile expressed its reservation on the definition as it included a reference to the whole fruit and, in its view, avocado oil is derived only from the mesocarp.
Codex Committee on Fats and Oils- CCFO	Proposed draft revision of the Standard for Named Vegetable Oils (CODEX STAN 210-1999): Inclusion of Sacha Inchi oil.	Peru	Subject to approval by CAC45. The draft will be prepared for circulation for comments at Step 3 and consideration by CCFO28 (2024).
Codex Committee on Spices and Culinary Herbs - CCSCH	Proposed draft standard for dried or dehydrated chilli pepper and paprika.	Mexico	<p>Mexico submitted the following comments through CRD9:</p> <ul style="list-style-type: none"> - Proposed change to Table 1: Dried or dehydrated chilli pepper and paprika - Proposed change to Table 3: Physical requirements for dried or dehydrated chilli pepper and paprika

Committee	Agenda items	Country leading the discussion or posing the question	Remarks
			- Proposed change to Table 4: Method of analysis
Codex Alimentarius Commission and Executive Committee			
Executive Committee of the Codex Alimentarius Commission - CCEXEC	Application of the Statements of Principle Concerning the Role of Science and the Extent to which other Factors are Taken into Account.	Ecuador (regional coordinator) Uruguay (geographical representative) Several countries involved in submission of the Conference Room Document (CRD)	The position that science is respected as the basis for decision-making was maintained; there is no need for interpretative guidance, since the Procedural Manual is clear, and votes could be taken if strictly necessary; OLFs must be tested, or they should not be taken into account; and there is no need for a revision of the Procedural Manual or the Statements of Principle. Members mentioned that their strategy would be to refer to the recommendations of the scientific advisory bodies and follow the Procedural Manual to reach consensus, taking note of reservations in such a way as not to impede the progress of standards. The countries of the region submitted a counterproposal on the diagram and the framework for using the Statements in different situations.
Executive Committee of the Codex Alimentarius Commission - CCEXEC	New food sources and production systems	Ecuador (regional coordinator) Uruguay (geographical representative)	See Agenda item 2.
Codex Alimentarius Commission - CAC	MRLs for zilpaterol hydrochloride	Ecuador and several Member Countries from the region that participated in the informal discussions organized by the CAC Chair	Report by the Chair of the CAC available on the Codex website. CCLAC will be consulted on the regional position to be adopted at the coming CAC45, in support of science and adherence to the Procedural Manual.

Table 2 - Topics relevant to the Electronic Working Groups (eWGs) hosted by Member Countries of the Latin America and Caribbean Region.

eWG	Development
<i>Host country: Chile</i> Guidelines for the Control of Shiga Toxin-Producing <i>Escherichia coli</i> (STEC) in Raw Beef, Leafy Greens, Raw Milk and Cheese Produced from Raw Milk, and Sprouts.	Annex covers specific guidance for the control of STEC related to sprouts that are intended to be consumed uncooked. Sprouts and home-grown sprouts, watercress and microgreens where the seed is not retained in the final product are not within the scope of this document. This Annex should be used in conjunction with the General Principles of Food Hygiene (CXC 1-1969) and the Code of Hygienic Practice for Fresh Fruits and Vegetables (CXC 53-2003), including Annex II for sprout production.

<p><i>Host country: Chile</i></p> <p>Management of unsupported compounds without public health concern scheduled for periodic review by JMPR</p>	<p>To further develop and refine the management proposal for unsupported compounds without public health concerns scheduled for periodic review presented in the Section 1 of Appendix I of CRD09 and further develop the recommendations of Section 2 of Appendix I of CRD 09, to explore further options for efficient data support that could be addressed by Codex, FAO/WHO, JMPR, governments and the industry to assist countries in the preparation of data packages required to conduct periodic reviews.</p> <p>That proposals should take into consideration the information presented in CX/PR 22/53/13, CRD09 and the written comments submitted and those received during the plenary meeting.</p> <p>Based on the above considerations, to present a management proposal for consideration and adoption by CCPR54.</p>
<p><i>Host country: Honduras</i></p> <p>Guidelines for the safe use and reuse of water in food production.</p>	<p>Continue to develop the draft guidelines and annexes (fresh produce, fishery products and dairy sector), and requested FAO/WHO to schedule regular communication to facilitate consideration of JEMRA outcomes and obtain advice on any relevant issues.</p>
<p><i>Host country: Mexico</i></p> <p>Amendment/revision of the Standard for Named Vegetable Oils (CXS 210-1999): Inclusion of avocado oil.</p>	<p>The recommendation is for the parameter values shared with us to be as up to date as possible and come from academic organizations, from internationally recognized testing laboratories accredited to ISO standards or from producers whose data are obtained from accredited laboratories, and that the method of obtaining the levels of desmethylsterols is accredited by the accreditation body of each country.</p> <p>The United States of America also recommends that the percentage of cholesterol be included in a footnote in Table 3 and requests corrections while continuing to collect information on tocopherols and tocotrienols in response to CL22_13e.</p>
<p><i>Host country: Peru</i></p> <p>Amendment/revision of the Standard for Named Vegetable Oils (CXS 210-1999): Inclusion of Sacha Inchi oil.</p>	<p>Proposed draft revision of the Standard for Named Vegetable Oils (CODEX STAN 210-1999): Inclusion of Sacha Inchi oil. The mandate of the group is subject to approval of new work, to prepare the proposed draft revision for circulation for comments at Step 3.</p>
<p><i>Host country: Brazil</i></p> <p>Sampling plan(s) for total aflatoxins in certain cereals and cereal-based products including foods for infants and young children</p>	<p>Further develop the sampling plan considering the possibility of harmonizing the sampling plans for maize grain and flour, meal, semolina and flakes derived from maize with the sampling plan for Deoxynivalenol (DON) and fumonisins and the sampling plan for cereal-based foods for infants and young children with the sampling plan for DON, taking into account the points raised in paragraph 153 of REP22/CF15.</p>

APPENDIX V

ADVANCEMENT OF THE STANDARD TO ESTABLISH MRLS ON ZILPATEROL HYDROCHLORIDE, CRD PROPOSAL – REGIONAL POSITION

(Prepared by the Coordinator, Argentina, Brazil, Costa Rica, Ecuador, Uruguay, with the support of Antigua and Barbuda, Bahamas, Belize, Chile, Colombia, Cuba, Dominican Republic, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, St. Kitts and Nevis, St. Lucia, St. Vincent/Grenadines, Suriname, Trinidad and Tobago, Venezuela)

Introduction and background

1. The above countries belonging to the FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC) have been supporting the conclusions reached by JECFA, as well as their adherence to the Codex Procedural Manual, for the advancement of the standard to establish MRLs on zilpaterol hydrochloride (fat, kidney, liver and muscle of cattle), which is currently at Step 4 in the CCRVDF.
2. It is worth mentioning that, during the 20th session of the CCRVDF (2012), “delegations supported the addition of this veterinary drug to the priority list, as long as the grounds for supporting or opposing it were based on scientific knowledge and as such it should be requested. JECFA to evaluate the submitted data and provide an evaluation to the CCRVDF so that the Committee could discuss the risk management recommendations” (REP12/RVDF, para. 110).
3. We highlight the risk assessments that JECFA has carried out over these years (REP15/RVDF, para. 40, REP17/RVDF, para. 74) based on solid scientific data available; in which no safety concern associated with the use of Zilpaterol Hydrochloride has been identified; as well as the fact of no further scientific evidence having been sent to CCRVDF or JECFA after the last JECFA evaluation presented in 2016, where it is mentioned that some references to effects observed in cattle could not be directly linked to the administration of Zilpaterol Hydrochloride at the recommended doses (MRL of 3.5 µg/kg for liver, 3.3 µg/kg for kidney and 0.5 µg/kg muscle in cattle). Also, JECFA at its 85th meeting (2017) evaluated the data and concluded that the additional bioavailability data provided supports the approach used in the previous evaluation. After evaluation of additional data, the MRLs recommended by JECFA in 2015 (81st JECFA) remained unchanged.
4. Due to the foregoing, it is considered that the procedures to develop this preliminary project have been fulfilled step by step, including the evaluations/approval of the scientific advisory body established by the Codex Alimentarius and no interest has been expressed by any member in any of the sessions held by the CCRVDF, CCEXE and the CAC, to present new available scientific data that justify the retention of the standard in process 4 as it is currently and much less, a new evaluation by JECFA, since it has already carried out 3 with the same information available.
5. As mentioned, the Codex Alimentarius is the world reference body for consumers, food producers and processors and clearly contributes with its recommendations to the national regulation process of control bodies, as well as to international trade. It plays a relevant role at the global level for food safety, especially for those developing and least developed countries that do not have the necessary infrastructure, economic resources and knowledge to generate sufficient scientific support to support national measures or regions that adapt in health matters.
6. Limiting the progress of a standard project for the establishment of an MRL without technical support distorts the exercise and work of the Committee and of Codex as a whole, since it ignores/does not respect the procedure for the approval of standards, which are based in it, as in this case, in the evaluations carried out by JECFA, as such the Group of Experts that carries out risk assessments for additives, contaminants and veterinary drugs with ample solvency and that the justification is given based on scientific information available in Codex safety standards. In it, there is concern about the negative impact on the international harmonization process that these repeated delays are making sense in the adoption of Codex standards, which could affect the credibility of Codex as a reference entity in food matters.
7. All Codex Members have finally reached the conclusion that there are no scientific reasons contrary to the recommendation made by JECFA, nor have other legitimate factors that should be considered at the global level.
8. We confirm that paragraph 4 of the Declaration of Principles established that “*When the situation arises that members of Codex agree on the necessary level of protection of public health but hold differing views about other considerations, members may abstain from acceptance of the relevant standard without necessarily preventing the decision by Codex*”. Referring to this and taking into account that the proposed standard for the establishment of MRLs for Zilpaterol Hydrochloride has a scientific basis that supports its use as reference standards in the WTO SPS Agreement, we ratify that there is broad support for the Advance this draft standard to Step 5/8.

9. Factors outside the Codex mandate should not influence risk management to achieve consensus. Decisions must be based on risk assessment, and taking into account, where appropriate, other legitimate factors relevant to the protection of consumer health and the promotion of fair practices in the food trade, as indicated in the Procedural Manual.
10. Given the aforementioned problem, Antigua and Barbuda, Argentina, Bahamas, Belize, Brazil Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Saint Kitts and Nevis, Saint Vincent/Grenadines, Saint Lucia, Suriname, Trinidad and Tobago, Uruguay, Venezuela ratify their support for the conclusion of the CCRVDF that is reflected in the REP21/RVDF report, paragraph 87, which indicates “... *The chairperson.... noted that CCRVDF had reiterated its view that there was no public health concern in relation to the proposed MRLs and endorsed JECFA's scientific assessments,...*”

Recommendation

11. Based on the recommendations included in the different JECFA reports regarding risk assessment, the countries previously also requested the 45th Codex Alimentarius Commission to be held in November 2022, to adopt the MRL for Zilpaterol hydrochloride in Step 5/8.