CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - Fax: (+39) 06 5705 4593 - E-mail: codex@fao.org - www.codexalimentarius.org

REP12/CAC

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-fifth Session

FAO Headquarters, Rome, Italy

2-7 July 2012

REPORT

EXECUTIVE SUMMARY

The Commission:

a) Adopted several amendments to the Procedural Manual;

b) Adopted 20 new or revised Codex standards or related texts or amendments to these texts and many new or revised provisions for additives and MRLs for pesticides and veterinary drugs;

c) Adopted 8 Codex draft standards or related texts and several MRLs for pesticides at Step 5;

d) Approved several proposals for new work or discontinuation of work, and revoked several standards and related texts;

e) Agreed to consider further at its next session the issues related to possible work on a standard for processed cheese;

f) Noted the Codex budget and expenditure for 2010-2011 and the budget for 2012-2013; expressed its thanks to FAO and WHO for their support to the Codex programme and the provision of scientific advice; noted the critical funding situation of FAO/WHO scientific advice; agreed with the establishment of a sub-committee of the Executive Committee to consider this issue and prepare proposals for consideration at its 36th Session; and invited member countries to provide support to FAO and WHO expert bodies;

g) Noted the status of the implementation of the Strategic Plan 2008-2013; considered the draft Strategic Plan 2014-2019 as revised by the Executive Committee and agreed on the process for its further development;

h) Considered the Annual Report (2011) and 16th Progress Report of the FAO/WHO Project and Trust Fund for Enhanced Participation in Codex, including the implementation of the mid-term review, and expressed its thanks to FAO, WHO and donor countries for their support to the Trust Fund;

i) Supported continued cooperation and coordination with international governmental and non-governmental organizations; and

j) Re-elected as Chairperson Mr Sanjay Dave (India), and as Vice-Chairpersons: Dr Samuel Godefroy (Canada), Mrs Awilo Ochieng Pernet (Switzerland), and Professor Samuel Sefa-Dedeh (Ghana).

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INTRODUCTION

1. The Codex Alimentarius Commission held its Thirty-fifth Session in Rome, Italy from 2 to 7 July 2012. Mr Sanjay Dave (India), Chairperson of the Commission presided over the Session, assisted by the Vice-Chairpersons, Dr Samuel Godefroy (Canada), Mrs Awilo Ochieng Pernet (Switzerland), and Professor Samuel Sefa-Dedeh (Ghana). The Session was attended by 623 delegates from 147 Member countries and 1 Member Organization, 37 international governmental and non-governmental organizations, including UN agencies. A list of participants, including the Secretariat, is given in Appendix I to this report.

2. The session was opened by Mr José Graziano da Silva, Director-General FAO, who welcomed the Commission to Rome. He said that the objectives of the Commission to protect the health of consumers and ensure fair practices in the food trade where more relevant today than ever. He explained the FAO strategic thinking process that he had started to define the future strategic direction of FAO based on five strategic objectives dealing with eradicating hunger, increasing food production sustainably, improving livelihoods of rural populations, enabling inclusive and efficient agricultural and food systems locally to internationally, and increasing the resilience of rural livelihoods to crises. He said that Codex contributed importantly to these objectives because eradicating hunger was impossible without having safe and nutritious food. Food safety crises could cause unnecessary hardships and changes in production had important implications for food safety and quality. The role of Codex had become even more significant since it had been referenced in the WTO SPS agreement.

3. The Director-General praised the inclusiveness, universality and transparency of the Commission seen at the level of participation of civil society that had inspired other FAO fora. He also welcomed the increasing level of participation of developing countries, in many cases assisted by the Codex Trust Fund which had been so successful that now in some cases previous beneficiaries had become contributors. He stressed the importance of ensuring that this participation was sustainable and further improved, noting that the life span of the Trust Fund ended in 2015. He also stressed the need to ensure funding for independent scientific advice to Codex and to the Codex Secretariat. He noted that in a large membership finding a consensus could be difficult and urged the Commission to address the underlying issues of disagreements while keeping in mind the objectives of the Commission. In light of the proliferation of private standards he proposed to use the occasion of the 50th anniversary of the Commission in 2013 to promote Codex as the only acceptable forum of international food safety standards. He assured delegates of the continuing commitment of FAO to provide Codex with the required resources.

4. Dr Angelika Tritscher, Acting Director, Department of Food Safety and Zoonoses, WHO, welcomed the Commission on behalf of WHO Director-General Dr Margaret Chan. She said that in light of challenges such as globalization, urbanization, climate change and changing food production systems, the work of the CAC was becoming ever more important to contribute to a decreased global health burden and to increased global health security. She mentioned that the UN conference on sustainable development, Rio +20 had expressed deep concern, about the level of extreme poverty and undernourishment in the world and the omnipresent health threats such as epidemics or pandemics. She said that recent food related outbreaks had contributed to such threats. She informed the Commission that the WHO reform process driven by WHO Member States had resulted in concentrating on 5 technical categories: communicable diseases; non-communicable diseases; health through the life course; health systems; and the preparedness-surveillance-response area, which included the important aspect of prevention under which the work of this Commission fell.

5. Dr Tritscher said further that the Rio+20 declaration had stressed the need for a sound evidence base for decision-making., In line with this thinking, WHO had implemented in a rigorous process for systematic reviews to assure a consistent and sound scientific basis for its work, which was also relevant for the scientific advice provided by FAO and WHO as the basis for Codex food standards. She praised Codex as a model of effective collaboration in the UN system and said that WHO and FAO were working together to ensure the widest and most effective participation possible in Codex through the Codex Trust Fund and thanked those countries who had contributed to the trust fund. She concluded by saying that Rio+20 participants had reaffirmed their commitment to enhancing food security and access to adequate, safe and nutritious food for present and future generations, which showed the important link between food safety and food security, and to nutrition. She assured the Commission of the full commitment of WHO to the work of Codex and Codex-related matters which are an important contribution to achieve these goals and thereby improving global public health.

6. The Chairperson of the Commission also welcomed the delegations to Rome. He said that, as the Commission was approaching its 50th anniversary, one should praise the foresight of FAO and WHO to establish Codex to ensure food safety and quality to complement food security. Global trade in food products had grown immensely since then and the Commission had contributed to this growth. Recent years however, had seen a proliferation of private standards, which had led to difficulties in market access for the small and marginal farmers in developing countries. The Chairperson stressed the need to ensure that Codex remained the pre-eminent food standards setting organization through greater acceptability and visibility, e.g. using a Codex logo.

7. The Chairperson said that the pre-eminence of Codex standards came through greater contribution of developing countries to the Codex process. Effective participation of developing countries in Codex had grown thanks to the consistent efforts of FAO and WHO for capacity building and financial support from the Codex Trust Fund. He noted that the Codex Strategic Plan for 2014-2019 was scheduled for discussion at the current session and was scheduled for adoption in 2013, so there was a need to make substantial progress on the document. The Chairperson urged the Commission to address difficult issues in the spirit of giving and moving from national positions. Concluding, he thanked the staff of FAO, WHO and the Codex Secretariat for their work and appealed to FAO, WHO and members to provide them with the necessary support.

Division of Competence

8. The Commission noted the division of competence between the European Union and its Member States, according to paragraph 5, Rule II, of the Rules of Procedure of the Codex Alimentarius Commission, as presented in document CRD 1.

ADOPTION OF THE AGENDA (Agenda Item 1)[1]

9. The Commission adopted the Provisional Agenda as its Agenda for the session. The Commission agreed to discuss the following under item 16: (a) Proposal for use of a Codex logo; (b) Celebration of the 50th anniversary of the Commission; (c) the proposal for the establishment of a Codex Committee for Herbs and Spices and their formulations (CX/CAC 12/35/19 (India)); and (d) Information on the upcoming session of the Codex Committee on Fish and Fishery Products in Indonesia.

10. The Commission agreed to the proposal of the Chairperson to hold an in-session facilitated discussion on the MRLs for ractopamine on the second day of the Commission, facilitated by the Chairperson.

REPORT BY THE CHAIRPERSON ON THE 66th and 67th SESSIONS OF THE EXECUTIVE COMMITTEE (Agenda Item 2)[2]

11. In accordance with Rule V.7 of the Rules of Procedure, the Chairperson reported to the Commission on the outcome of the 66th and 67th sessions of the Executive Committee, and noted that the recommendations from these sessions on specific questions would be considered under the relevant Agenda items.

12. As regards the critical review, the Committee had considered at its 66th Session the status of elaboration of Codex standards and at its 67th Session the standards submitted for adoption and new work proposals.

13. The Committee had discussed in detail the draft Codex Strategic Plan 2014-2019 in the light of the comments received from Members and the revised text was attached to the report of the 67th Executive Committee, for consideration at this Session under Agenda 10(b). A sub-committee of the Executive Committee was set up, to work through the coming year to ensure that, after consideration of the revised draft by the Coordinating Committees, a final draft would be available by March 2013 for consideration and adoption by the 36th Session of the Commission (2013).

14. Both sessions of the Executive Committee had discussed issues relating to the Codex budget as well as progress under the Codex Trust Fund. Both sessions of the Executive Committee had deliberated on scientific advice, noting the critical funding situation for this important activity. The discussion paper on the funding for scientific advice prepared by the Member for Europe in cooperation with the Member for North America and other members had been discussed in detail and a sub-committee of the Executive Committee was set-up to explore additional funding options for the sustainability of scientific advice.

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1 CX/CAC 12/35/1.

2 REP12/EXEC1, REP12/EXEC2.

15. The 66th Session had discussed the possibility of using a web-based platform for electronic working groups to facilitate submission of comments and had agreed that the Codex Secretariat would further identify the tools available, development costs and training needs of countries.

16. The 67th Session had recommended the development of a Codex logo with a view to promoting it internationally for greater visibility of Codex, together with a communication strategy to be prepared for the next session. It had also considered proposals to celebrate the 50th anniversary of the Commission's sessions in 2013 and agreed to establish an organising committee for this purpose. Both items will be discussed under Agenda 16 - Other Business.

PROPOSED AMENDMENTS TO THE PROCEDURAL MANUAL (Agenda Item 3)[3]

Provisions on the Use of Proprietary Methods in Codex Standards

17. The Delegation of India proposed to refer the draft provisions back to the CCMAS for further consideration, as the use of proprietary methods raised several concerns and had important implications for governments, and the draft had been finalized in only one session, while some countries could not attend the last session.

18. The Chair of the CCMAS clarified that the question of proprietary methods had been discussed for three years and that at the last session the proposed text had been agreed unanimously.

19. After some discussion, the Commission adopted the text as proposed.

Risk Analysis Principles and Procedures Applied by the Codex Committee on Food Hygiene

Risk Analysis Principles Applied by the Codex Committee on Food Additives

Risk Analysis Principles Applied by the Codex Committee on Contaminants in Foods

20. The Commission adopted the texts as proposed.

Definition of "Contaminant"

21. The Commission recalled that the revision of the definition of contaminant followed the revision of the Risk Analysis Principles applied by the Codex Committee on Contaminants in Foods and the revision of the Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals to make it more explicit as regards its applicability to feed as recommended by the 33rd Session of the Commission.

22. A Delegation requested clarification as to whether the revised definition excluded substances intentionally added to feed and whether residues of veterinary drugs in food of animal origin as carry over from feed (i.e. medicated feed) would be included in the revised definition. The Delegation also suggested that a review of the Section on contaminants in the Format of Commodity Standards may be needed, with the revision of the definition (Procedural Manual, 20th edition, page 52).

23. The Commission noted that the Committee on Residues of Veterinary Drugs in Foods had the responsibility for feed additives when establishing maximum residue limits for veterinary drugs in food of animal origin arising from the addition of veterinary drugs to feed (i.e. medicated feed).

24. The Commission adopted the revised definition of "contaminant" as proposed by the Committee and endorsed by the Committee on General Principles. In addition, as part of the ongoing editorial revision of the GSCTFF, the Commission requested the Committee to look into the relevant sections of the General Standard e.g. Section 1.1 (Scope) and 1.2.2 (List of substances that meet the definition of contaminants) to fix any possible discrepancy in relation to the revised definition and the issue of feed additives / feed additive residues.

Proposed revision of the Risk Analysis Principles Applied by the CCRVDF and of the Risk Assessment Policy for Residues of Veterinary Drugs in Foods

25. Some delegations were of the opinion that the text should be retained as it had not been reviewed by the Committee on General Principles (CCGP) due to the schedule of meetings.

26. The Commission adopted the text as proposed and noted that the CCGP could review the document for consistency at its next session.

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[3] CX/CAC 12/35/2 and-Add.1, CX/CAC 12/35/2-Add.2 (Comments of Brazil, Colombia and Kenya), CRD 7 (Nigeria), CRD 10 (Philippines), CRD 12, (Indonesia), CRD 13 (India), CRD 14 (Dominican Republic), CRD 16 (Peru), and CRD 17 (Honduras).

27. The amendments to the Procedural Manual are presented in Appendix II.

DRAFT STANDARDS AND RELATED TEXTS AT STEP 8 OF THE PROCEDURE (INCLUDING THOSE SUBMITTED AT STEP 5 WITH A RECOMMENDATION TO OMIT STEPS 6 AND 7 AND AT STEP 5 OF THE ACCELERATED PROCEDURE) (Agenda Item 4)[4]

28. Taking into consideration the recommendation of the 67th Session of the Executive Committee in performing the critical review, the Commission adopted the Draft Standards and Related Texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5 with a recommendation to omit Steps 6 and 7), as well as other standards and related texts submitted for adoption, as presented in Appendix III to this report. The standards and related texts were adopted as endorsed by the relevant committees as regards provisions for food additives, food hygiene, food labelling and methods of analysis and sampling, including editorial changes.

29. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Proposed Draft Nutrient Reference Values (NRVs)[5]

30. The Delegation of Malaysia did not support the adoption at Step 5/8 because several major issues that would be considered in the Proposed Draft General Principles for Establishing Nutrient Reference Values for Nutrients Associated with the Risk of Diet-Related Non-communicable Diseases for General Population, currently at Step 3, were not solved. The Delegation was of the view that the adoption of NRVs for saturated fatty acids and sodium, before the draft principles and criteria had been fully resolved was inconsistent with the decision of the 30thCCNFSDU (2008) to develop principles and criteria for the development of NRVs-NCD, and then select and prioritize nutrients for NRVs. This view was supported by an Observer.

31. The WHO Representative informed the Commission of the work undertaken by the WHO Nutrition Guidance Expert Advisory Group (NUGAG) Subgroup on Diet and Health. Systematic reviews had been undertaken to update the guidelines on sodium, potassium, total fat and sugars intake. Regarding ***sodium***, the guidelines are for reducing blood pressure and risk of cardiovascular disease (CVD), stroke and coronary heart disease (CHD) in adults and for reducing blood pressure in children. In developing the recommendations, the NUGAG reviewed the issues related to thresholds as well. Regarding ***saturated fatty acids (SFA)***, WHO is undertaking the systematic reviews to address health outcomes such as CHD, blood lipids, stroke, diabetes, CVD and all-cause mortality. This work also includes the assessment of thresholds for the prevention of the non-communicable diseases mentioned.

32. The Commission agreed to adopt the Proposed Draft NRVs at Step 5 for further consideration by the CCNFSDU in the light of the outcome of the WHO work on sodium and saturated fatty acids.

Food Hygiene (CCFH)

Proposed Draft Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food[6]

33. The Delegation of Norway, while not opposed to the adoption of the Guidelines, expressed the view that there was a need for more communication and cooperation among committees, so as to avoid duplication of work and to ensure that readers of Codex texts would find all relevant information on one subject in one document. The Delegation informed the Commission that Norway had raised this general issue in the Committee on General Principles (CCGP) and that CCGP had agreed to consider this question at its next session.

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4 CX/CAC 12/35/3 ; CX/CAC 12/35/3-Add.1; CX/CAC 12/35/3-Add.2; CX/CAC 12/35/4 (Comments of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, European Union, Japan, Malaysia, Netherlands, Paraguay, Republic of Korea, United States of America, IFU) ; CRD 2 (Comments of Brazil, Argentina, Chile, Costa Rica, Cuba, Dominican Republic, Federation of St Kitts and Nevis, Paraguay, Suriname) ; CRD 5 (Comments of Kenya) ; CRD 6 (comments of European Union) ; CRD 7 (Comments of Nigeria) ; CRD 8 (Comments of Papua New Guinea) ; CRD 10 (Comments of Philippines) ; CRD 11 (Comments of IFAH) ; CRD 12 (Comments of Indonesia) ; CRD 13 (Comments of India) ; CRD 14 (Comments of Dominican Republic) ; CRD 16 (Comments of Peru) ; CRD 17 (Comments of Honduras) ; CRD 18 (Comments of Haiti) ; CRD 19 (Comments of Dominica) ; CRD 20 (Comments of Malaysia) ; CRD 21 (Comments of European Union) ; CRD 22 (Comments of CI).

5 REP12/NFSDU para. 76, Appendix III.

6 REP12/FH, para.50, Appendix III.

34. The Delegation of the United States, speaking as Chair of the CCFH, pointed out that while there was a need for increased communication between Codex Committees, texts developed by general subject committees are used very broadly and should be easily accessible to all and it might not be convenient for users to search through various specific texts for general guidance.

35. Noting the above, the Committee adopted the proposed Draft Guidelines with some editorial amendments as proposed in CX/CAC 12/35/4. The Commission further agreed to forward the Guidelines to the Committee on Fish and Fishery Products (CCFFP) for their information and/or comment.

Proposed Amendment to the Principles and Guidelines for the Conduct of Microbiological Risk Assessment[7]

36. The Committee adopted the proposed Amendment with an amendment to better indicate the conditional applicability of the risk assessment principles to feed and feed ingredients as follows: "These principles for risk assessment also apply to feed and feed ingredients for food-producing animals in cases where it could impact food safety."

Methods of Analysis and Sampling (CCMAS)[8]

Methods of Analysis in Codex Standards at different steps, including methods of analysis for food grade salt

37. The Commission adopted the methods of analysis as proposed with the amendments proposed by Argentina[9].

38. With regard to the method of analysis for total nitrogen in fish sauce, the Committee agreed with the method proposed by CCMAS because another proposed method, AOAC 981.10, is not applicable to the commodity.

Food Additives (CCFA)

Draft and Proposed Draft Food Additive Provisions of the General Standard for Food Additives (GSFA)[10]

39. A number of delegations proposed to discontinue the provisions for phosphates associated with the four food categories related to vegetable juices and nectars and their concentrates. These delegations noted that these provisions were associated with Note 40 "INS 451i (pentasodium triphosphate) only, to enhance the effectiveness of benzoates and sorbates" and that there were no provisions for benzoates and sorbates in the four food categories (the 44th CCFA had decided to discontinue work on the provisions of sorbates in these food categories). One Observer recalled that at the 40th CCFA they had proposed to associate to the provisions for phosphates Note 40 and Note 122 "Subject to national legislation of the importing country" for consistency with the provisions for the four food categories for fruit juices and nectars and their concentrates (i.e. 14.1.2.1, 14.1.2.3, 14.1.3.1 and 14.1.3.3) and that the use of preservatives in these food categories was essential to take account of the extreme temperatures in certain countries. It was also noted that the GSFA included a provision for benzoates in food category 14.1.3.4 "Concentrates for vegetable nectar".

40. A number of delegations did not support the adoption of the proposed maximum level of 200 mg/kg for sorbates in food category 08.4 "Edible casings (e.g. sausage casings)" as the level was not sufficient to achieve its technological function in collagen casing. It was also noted that this problem could be indicative of a broader problem related to the use of food additives in edible casing and that it would be appropriate for the CCFA to review all provisions for food category 08.4 to avoid any inconsistencies.

41. The Commission adopted the draft and proposed draft food additive provisions as proposed by the CCFA, with the exception of: (i) the provisions for phosphates in food categories 14.1.2.2 "Vegetable juice"; 14.2.2.4 "Concentrates for vegetable juices"; 14.1.3.2 "Vegetable nectars" and 14.1.3.4 "Concentrates for vegetable nectar" that were returned to the CCFA for a review of the use of phosphates, benzoates and sorbates for the purpose of ensuring consistency; and (ii) the provisions for sorbates in food category 08.4 "Edible casings (e.g. sausage casings)" for further consideration.

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7 REP12/FH, para.118 and Appendix IV.

8 REP 12/MAS, paras 23 - 60, Appendix III).

9 CX/CAC 12/35/4.

10 REP12/FA para.131, Appendix VI.

42. The Commission noted the reservations of the European Union, supported by Croatia, Egypt and Norway, for the provisions for:

- Caramel III (INS 150c) and caramel IV (INS 150d), due to safety concerns.
- The use of colours in food categories related to cocoa-based confectionary products; namely, the provisions for carotenes-beta, vegetable (INS 160a(ii)) and grape skin extracts (INS 163(ii)) in food categories 05.1.3 "Cocoa-based spreads, including filling" and 05.1.4 "Cocoa and chocolate products", as this use could mislead consumers.
- Para-hydroxybenzoates (INS 214; 218) and sorbates (INS 200-203) in food category 04.1.2.5 "Jams, jellies and marmelades", which were not technologically justified other than in low sugar versions of this food category.

43. The Commission further noted the reservations of Chile for the provision for erythrosine (INS 127) in food category 08.3 "Processed comminuted meat, poultry and game products", which could mask poor hygienic practice, and of the United States of America for the provisions for carotenoids (INS 160a(i), 160a(iii), 160e, 160f) and erythrosine (INS 127).

Draft Revision of the Standard for Food Grade Salt (CODEX STAN 150-1985)[11]

44. Some delegations made comments on sections, namely Section 3 Essential Composition and Quality Factors" and Section 8 "Packaging, Transportation and Storage", which were outside of the scope of the CCFA revision. The Commission noted that delegations could present proposals for new work on the revision of these sections to the CCFA.

45. The Commission adopted the revision of the Standard, as proposed by the CCFA, and noted the reservation of Colombia.

Proposed draft Amendments to the International Numbering System (INS) for Food Additives[12]

46. The Commission recalled that the 67th CCEXEC had noted that the INS number for sodium potassium hexametaphosphate should be corrected to read 452(vi) and had recommended not to adopt the new INS 561, erroneously associated with potassium aluminium silicate[13].

47. The Commission adopted the proposed draft amendments to the INS as proposed by the CCEXEC and recommended to the CCFA to reconsider a new INS number for "potassium aluminium silicate, based pearlescent pigments" on the basis of the description of the specifications monograph prepared by the 74th JECFA.

Contaminants in Foods (CCCF)

Revision of the Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals[14]

48. The Commission agreed to include a footnote to the term "feed" in paragraph 4 of the Code to make it clear that the ALARA Principle ("as low as reasonably achievable") applied to maximum levels of contaminants from feed as carry-over into food of animal origin which were relevant to public health in accordance with the use of this Principle in the General Standard for Contaminants and Toxins in Food and Feed. It was noted that the addition of this note was for clarification purposes and did not change the content of the provisions in the Code.

49. The note would read as follows: The General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995) limits application of the 'as low as reasonably achievable' concept to feed to those contaminants than can be transferred from feed to food of animal origin and thereby can be relevant for public health.

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11 REP12/FA para.141, Appendix XI.

12 REP12/FA para.152, Appendix XII.

13 REP 12/EXEC 2, paras 9-12.

14 REP12/CF para. 38, Appendix III.

Pesticide Residues (CCPR)

Draft and proposed draft maximum residue limits for pesticides in food and feed[15]

50. The Delegation of the European Union expressed its reservation on a number of MRLs proposed for the following pesticide / commodity combinations: tebuconazole (lettuce, head); acephate / methamidophos (rice); hexythiazox (hops, dry and tea, green, black (black, fermented and dried)); tebuconazole (table grapes, dried grapes, peaches (includes nectarines at EU level), apples, pears, peppers, cherries and apricots); pyraclostrobin (papaya, citrus, oilseeds (except peanuts)); spirotetramat (edible offal (mammalian)); acetamiprid (spring onions and plums) and isopyrazam. The rationale for the reservations is explained in CX/CAC 12/35/4. The Delegation of Norway also expressed its reservation in this regard.

51. The Delegation of Egypt expressed its reservation on the following pesticide / commodity combinations: methamidophos in rice, husked and rice straw and fodder, dry; profenofos in peppers chilli and peppers chilli, dried and tebuconazole in wheat and wheat straw and fodder, dry as the MRLs proposed would adversely affect consumers' health due to high national consumption patterns for these products.

52. The Delegation of Colombia noted that the MRLs proposed for acephate and methamidophos in rice, husked should be adopted at Step 5 only and be further considered by the Committee on Pesticide Residues as the national consumption data for this product exceeded the Acceptable Daily Intake (ADI) established by the Joint FAO/WHO Expert Meeting on Residues of Pesticides (JMPR) therefore the MRLs proposed would not protect consumers' health.

53. The Representative of WHO clarified that, when estimating exposure from long term consumption, the consumption figure was based on the figure for cluster K in which Colombia was represented. This figure was an average for countries within the cluster so values for individual countries could be above or below. Since the total exposure for long term consumption was below 10% of the ADI, even higher consumption of rice should not present a health concern.

54. The Commission adopted all the draft and proposed draft MRLs for the various pesticide / commodity combinations as proposed by the CCPR while noting the reservations of the European Union, Norway, Egypt on a number of MRLs as indicated above and the reservation of Colombia on acephate and methamidophos in rice, husked.

Residues of Veterinary Drugs in Foods (CCRVDF)

Draft MRLs for Narasin (cattle tissues)[16]

55. The Commission adopted the draft MRLs for narasin in cattle tissues, as proposed by the CCRVDF.

56. The Commission noted the reservation of the Delegations of the European Union, Norway and Switzerland because narasin in cattle is used for growth promotion.

Proposed draft MRLs for Amoxicillin (cattle, sheep and pig tissue and cattle and sheep milk) and Monensin (cattle liver)[17]

57. The Commission adopted the proposed draft MRLs for amoxicillin and monensin, as proposed by the CCRVDF, and noted that the proposed draft MRL for monensin in cattle liver, would replace the MRLs adopted at its 32nd Session.

58. The Commission noted the reservation of Egypt to the adoption of the proposed draft MRL for monensin, as they suggested retaining the previous one.

Food Labelling (CCFL)

Draft Revision of the *Guidelines on Nutrition Labelling* (CAC/GL 2-1985) concerning a new definition of "nutrient reference values"[18]

59. The Delegation of Malaysia, while not opposing the adoption of the new definition on "nutrient reference values", entered a reservation on the inclusion of the sentence "or with the reduction in the risk of diet-related non-communicable diseases".

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15 REP12/PR paras 28-85, Appendix II and Appendix III

16 REP12/RVDF para. 65, Appendix III.

17 REP12/RVDF para. 65, Appendix IV.

18 REP12/FL, para. 46, Appendix IV.

60. The Commission adopted the definition as proposed by the CCFL, noting the reservation from Malaysia.

Proposed Draft Revision of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997) concerning a new definition for "non-addition claim", conditions for free of salt claims, amendments to the section on comparative claims and conditions for non-addition of sugars claims[19]

61. The Delegation of Malaysia reiterated their position that they did not support the addition of Section 6.4 on comparative claims fortrans-fatty acids associated with saturated fatty-acids content. They maintained that any claims for trans-fatty acids should not be associated with saturated fatty acids or vice versa as these fatty acid components were not comparable in their definitions and their effects on health.

62. The Delegation of Malaysia also sought clarification on the status of Section 6.3 on comparative claims. They recalled that the CCFL had agreed to request advice from the CCNFSDU whether the condition for 10% of the NRV for comparative claims for micronutrient was still in line with current evidence-based guidance on micronutrients, particularly in light of the work being undertaken on NRVs The Delegation sought the Commission's advice on whether the procedure allowed to adopt this Section at Step 5/8 before receiving the advice from CCNFSDU.

63. The Delegation of Canada, speaking as Chair of the CCFL, noted there had been no support for the position of Malaysia on 6.4 in the Committee. Concerning the question on 6.3 he clarified that the revision proposed by the CCFL related to the fact that sodium had been explicitly included under the comparisons with a relative difference of 25%, however, no change to the existing text had been proposed to the part on micronutrients. If the advice of the CCNFSDU would eventually result in a change, this was not related to the present work but a separate amendment.

64. The Commission adopted the revision as proposed by the CCFL at steps 5/8 noting the reservations from Malaysia on 6.3 and 6.4.

Proposed/Draft amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods* (CAC/GL 32-1999): use of ethylene for ripening of fruit (Step 8) and inclusion of new substances (Step 5A)[20]

65. Some delegations commented that the use of ethylene in organic production should be re-examined in light of new findings on the risks to operators and other concerns. The Delegation of Egypt also mentioned that the use of ethylene for inhibiting sprouting in onions and potatoes should require special attention.

66. The Commission adopted the proposed draft/draft amendments at Steps 8 and 5A respectively and noted that further concerns on risks of ethylene could be addressed in the CCFL. The Commission noting also that the use of ethylene as sprouting inhibitor was still under discussion in the CCFL.

Standards and Related Texts Held at Step 8 by the Commission

Draft MRLs for bovine somatotropin[21]

67. The Commission recalled that its 34th Session had requested the Codex Secretariat to prepare a paper on the history of the discussion of the MRLs for bovine somatotropin (bST) in cattle tissues in Codex, including a summary of the JECFA evaluation.[22] This had been in response to concerns raised by some delegations regarding the delay in taking a decision on these MRLs, which had been held at Step 8 since its 23rd Session (1999).

68. The Commission recalled the sequence of the discussions and decisions on this issue in the CCRVDF and in the Commission as well as the consideration of "other legitimate factors" in relation to bST in the CCGP. The Commission further recalled the main outcome of the evaluation of bST by the 40th and 50th Meetings of JECFA.

Discussion

69. In the discussion delegations were split between those supporting the adoption of the draft MRLs and those supporting discontinuation of work or continuing to hold the draft MRLs at Step 8.

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19 REP12/FL, para 39, Appendix II.

20 REP12/FL, para 71,76 and 80, Appendix VI and VII.

21 ALINORM 95/31, Appendix II.

22 REP11/CAC, paras 88-89.

70. Delegations in favour of adoption of the draft MRLs recalled that the MRLs had been held at Step 8 for more than thirteen years and that all scientific information, available at the time of the evaluations, had been considered by JECFA. They noted that the JECFA evaluation had shown that, if used according to Good Veterinary Practices, bST did not represent a risk to human health. They recalled that the 40th JECFA had established an ADI 'not specified' and that the margin of safety was extremely high with no impact on food safety; and that the 50th JECFA had concluded that "rbSTs could be used without appreciable health risk to consumers". The delegations noted that no new data, which could challenge the JECFA evaluation, had been submitted to the CCRVDF for evaluation by JECFA. They further noted that bST was already registered and authorised for use in many countries and that the adoption of the draft MRLs would contribute to ensure the safety of milk, especially in countries which depended largely on milk imports. They noted that access to tools, such as bST, could contribute to an increase in the production of milk and, thus, contribute to food security.

71. Some delegations, while stating that they had no particular interest in bST, because it was either not used or not authorised for use in their countries, supported the adoption of the draft MRLs for bST, which had been developed according to the Risk Analysis Principles applied by the CCRVDF.

72. Delegations noted that failure to adopt the draft MRLs would undermine Codex work and make it difficult to achieve harmonisation of national legislation. They recommended that consideration of 'other legitimate factors' should not overshadow the scientific basis of Codex work and recalled that Codex had developed criteria for the consideration of other legitimate factors. Delegations recommended that countries not using bST should not prevent other countries from using it; they noted that striving to reach consensus should not prevent the adoption of Codex texts.

73. Other delegations recalled that bST had not been evaluated for some years and encouraged submission of data to allow a JECFA re-evaluation, while not preventing countries to adopt the draft MRLs. One delegation, proposed to retain the draft MRLs at Step 8 and wait for the outcome of a JECFA re-evaluation of the new information.

74. Delegations, which were not in support of the adoption of the draft MRLs, noted that countries had banned bST because they considered it harmful. They recalled that many countries banned the use of veterinary products for non-therapeutic use and that the use of bST increased the potential risk of mastitis, with consequential increased use of antibiotics and, thereby, increased risks of antimicrobial resistance. Delegations expressed concerns for animal health and welfare issues related to the use of bST and were of the view that risk managers should take these concerns into account when taking risk management decisions. They recalled that Codex should work only on matters where consensus is achievable, thus allowing better use of Codex resources. They also noted that since bST had not been evaluated for more than thirteen years, it needed to be re-evaluated and that animal health issues related to the use of bST should also be taken into account. They noted that there was no trade problem related to the use of bST, but concrete indications of animal health and animal welfare associated with bST use, which could not be ignored. They were of the opinion that the adoption of the MRLs would undermine the credibility of Codex. One Observer spoke out against the adoption of these MRLs, noting that the use of bST cannot lead to better food security where it makes animals less healthy and the world food supply more fragile. Another Observer noted that new scientific information had become available since September 1997 that calls into question the conclusions of the 50th JECFA.

75. The Chairperson, while noting the above discussion, observed that the scientific assessment of bST, on which the Commission was asked to make a decision, was dated back to the 1990s and that Codex risk management decisions should be based on sound, relevant and up-to-date information.

76. In view of the general discussion and the above consideration, the Chairperson proposed, as a way forward, to request JECFA to update the risk assessment upon which the MRLs for bST had been recommended, including consideration of the impact on human health and the potential for antimicrobial resistance. He further highlighted the need for the risk assessment to remain within the scope of the Codex mandate and to focus on impacts on human health. The Chairperson proposed to continue holding the draft MRLs at Step 8 and to reconsider them in light of the JECFA re-evaluation.

77. Delegations generally supported the proposal and pointed out the importance for Codex to base its decisions on updated scientific information; delegations also highlighted the need to focus the re-evaluation on aspects relevant to Codex work, while recognizing that animal health and welfare were outside the Codex mandate. It was also noted that JECFA had already established the safety of bST and that the JECFA re-

evaluation should focus on information that is supplemental to rbSTs, evaluated at the 40th and 50th JECFA Meetings and on data available in the public domain.

78. Some delegations were of the opinion that the potential for increased use of antibiotics might contribute to the development of antimicrobial resistance and that this should also be considered. Other delegations were of the view that the focus of the assessment should be on bST and that risk assessment for antimicrobial resistance should not be within the scope of the JECFA re-evaluation.

Terms of Reference of JECFA re-evaluation of bST

79. In light of the above discussion, the Commission agreed to request JECFA to re-evaluate bST and that re-evaluation should be limited to the four analogues of natural bovine somatotropin (bST), produced by recombinant DNA techniques (rbSTs): somagrebove, sometribove, somavubove and somidobove which had been previously evaluated by the 40th and 50th JECFA Meetings and to their use according to good veterinary practice.

80. In particular, the Commission agreed to request JECFA to:

- Update the toxicological evaluation.
- Update the exposure assessment based on any new occurrence data in food.
- Evaluate potential adverse health effects.
- Consider the need to revise or maintain the ADI and MRLs for rbSTs, on the basis of the above.

81. The Commission further requested JECFA to consider new data and information related to other factors pertaining to human health, including: the possible increased use of antibiotics to treat mastitis in cows; possibilities of increased levels of IGF1 in the milk of cows treated with rbSTs; potential effects of rbSTs to the expression of certain viruses in cattle; possibilities that exposure to human neonates and young children to milk from rbSTs treated cows increases health risks, for example developing insulin-dependent diabetes mellitus.

82. The Commission concurred with the suggestion of the JECFA Secretariat that aspects of human antimicrobial resistance could be considered in the evaluation, as appropriate.

83. With regard to the process of the JECFA re-evaluation of bST, the Commission noted that the JECFA Secretariats would prepare and publish a call for data, including scientific assessments prepared by government authorities, in accordance with its standard procedures for requesting data for veterinary drugs used in food producing animals.

84. It further noted that:

- JECFA would consider all data submitted as well as relevant scientific studies available in the public domain published since the call for data of its 50th Meeting was closed.
- The outcomes of the JECFA re-evaluation would be prepared and made available in a manner consistent with its commonly used procedures.
- Full reports of the JECFA evaluation would be provided to the CCRVDF for consideration as soon as possible so that it could conduct its risk management business and make recommendation to the Commission.

85. With regard to the timing, the Commission noted that the JECFA evaluation would be scheduled in a timely manner, consistent with the availability of appropriate budget and scientific resources and also taking into account the schedule of CCRVDF.

Conclusion

86. In view of the above discussion, the Commission agreed to continue holding the draft MRLs for bST at Step 8, pending JECFA re-evaluation and CCRVDF recommendations.

Draft MRLs for ractopamine[23] (pig and cattle tissues: muscle, liver, kidney and fat)

87. The Chairperson provided a brief summary of the recent development of the discussion on the draft MRLs for ractopamine in Codex since the 33rd Commission. He recalled that the issue related to the adoption

[23] ALINORM 08/31/31, Appendix II.

of the draft MRLs had been considered by the 66th Executive Committee during the Critical Review, and that some Members had felt that more efforts should be made to reach consensus through a transparent and inclusive process and had suggested that a special meeting be organized, possibly in conjunction with the session of the Committee on General Principles, in April 2012. They had also noted that informal discussions between Codex members could always take place during or between Codex sessions.

88. The Chairperson explained that subsequent to his discussions with some members of the CCEXEC, it had been agreed to hold an informal meeting on ractopamine, on 5 April 2012, in the margins of the CCGP, and that the Delegation of France had kindly confirmed availability of a meeting room to facilitate the consultations. He added that the Codex Secretariat had sent an invitation on his behalf, on 4 March 2012, to all members and observers to participate in the informal discussions and that he had prepared, with support from the Vice-Chairs, a background note to facilitate the discussion. The note, in addition to some historical context, proposed the following options, which had been put forth by different delegations during previous discussions on this matter and further recognized that other possibilities might be explored to find consensus.

89. The summarized options were:

i. Continue to hold the draft MRLs at Step 8.

ii. Discontinue the work on the draft MRLs.

iii. Hold the draft MRLs in abeyance for a specified period of time.

iv. Adopt the draft MRLs without a footnote.

v. Adopt the draft MRLs with a footnote.

90. The Chairperson provided a brief account of the informal meeting on ractopamine as follows:

"The informal consultations took place as scheduled from 13:30-16:15. Several members and observers participated in the discussions. In my opening remarks, I recalled a brief account of the process between the CAC Sessions of 2010 and 2011. The Commission had voted against conducting a vote on adoption of the draft MRLs for Ractopamine as a result of which these remained at Step 8.

During this informal meeting, I noted that the objective of the informal consultation was to come to a better appreciation of the relevant issues and come closer to finding consensus so as to utilize the Commission's time more efficiently. It was recalled that the mandate of CAC is to take decisions on draft Codex standards proposed by the relevant Committees. In light of the previous discussions, the participants were asked to express their views. A summary of the general comments is as follows:

- *This matter has been under discussion at the Commission level for the last four Commission sessions;*
- *All Codex requirements as per the Procedural Manual have been fulfilled;*
- *JECFA has carried out the risk assessment three times as per the procedures and that the MRLs should be adopted as proposed by the CCRVDF;*
- *The scientific concerns have not been fully addressed;*
- *Consumer preferences in certain countries are against use of veterinary drugs for growth purposes;*
- *Work on these standards should either be discontinued or be put in abeyance for some time due to lack of consensus;*
- *Whatever option is selected must foster consensus.*

This was an informal meeting and not a forum for making decisions or recommendations to the Commission. I must say and I had also concluded at the end of the meeting, that the participation of several members and observers and the level of their engagement was a demonstration of the willingness of the members to continue their dialogue and discussion on this matter. There was divergence in the opinion on scientific assessment, the manner of considering consumer preferences as part of factors influencing Codex standards, and on the fulfilment of all Codex requirements to support adoption of the draft MRLs."

91. The Chairperson further recalled the efforts made to develop the various options for consensus among members of the Commission. He recalled specifically the various informal meetings that he had organised

with interested parties and representatives of all FAO/WHO regions, which took place on Sunday, 1 July 2012, with an effort to develop further options for consensus.

92. He also recalled the facilitated session, agreed during the adoption of the agenda that he had organized, open to all members and observers of the Commission, on Tuesday, 3 July 2012, where a revised set of options was presented and where it was agreed not to further discuss the options presented.

93. Before opening the floor for comments, he concluded that none of the efforts described above had led to consensus to emerge around the proposed options and, moreover, that no other options had been put forward by Members.

Discussion

94. The Chairperson invited the Commission to discus on how to proceed on the adoption of the draft MRLs for ractopamine.

95. The delegations expressed appreciation for the efforts of the Chairperson to find consensus on this issue.

96. Delegations which were against taking a decision at the present session considered that there was lack of consensus and recommended to postpone a decision until consensus could be found. They were of the view that consensus was necessary to make a decision on the draft MRLs and that more time was necessary to find a solution that would allow the establishment of standards that were universally acceptable and applicable. The high level of participation in the informal consultations was, in their opinion, a clear sign of the level of countries' engagement to find a solution on this issue. They noted that ractopamine was banned in several countries because of consumer health concerns and because many countries banned the use of veterinary drugs other than for animal therapeutic use. They pointed out that two thirds of the world population was living in countries where ractopamine was not authorized.

97. These delegations were of the opinion that more time and information were needed before an informed decision could be made as there were still unanswered safety questions, particularly with respect to the residues in lung tissue and scientific concerns linked to the use of ractopamine, which required further studies. They considered that it was premature to adopt the proposed MRLs before the studies on residues in pig lung tissues had been completed and evaluated by JECFA. They also noted that studies on residues of veterinary drug were done on individual substances and were of the opinion that caution should be used before authorizing the use of new substances that would contribute to increasing the amount of residues in food, with cross effects that were not known.

98. These delegations noted that the development of an international standard for a substance that was prohibited in many countries could have repercussion on the credibility of Codex as the pre-eminent organization for setting international standards for food safety. They further noted that it was essential for Codex to base its decisions on a broad consensus not to undermine its credibility.

99. Delegations which were in favour of taking a decision at the present Session, considered that all efforts had been made to find consensus and that it was urgent to adopt the MRLs to protect the health of consumers. They noted that international standards for ractopamine were needed in many countries to control the use of this substance and to avoid its abuse or misuse, as well as to monitor the import of meat products and to determine the acceptance or rejection of consignments and thus protect the health of their consumers. This was particularly important for those countries that relied heavily on imports for their meat supply. They were of the opinion that countries opposed to the adoption of the MRLs on the basis of their national legislation did not offer any alternative other than their own legislation to be adopted by other countries to the discussion to find consensus.

100. These delegations supported the adoption of the draft MRLs and emphasized that JECFA had reviewed the MRLs three times and fulfilled its task by considering all available data. They highlighted that the draft MRLs were based on the JECFA risk assessment, as prescribed in the *Risk Analysis Principles Applied by the CCRVDF.* They noted that no additional study, contradicting the conclusion of JECFA evaluations, had been put forward for JECFA evaluation and reiterated their confidence in the science-based work of JECFA. They expressed concern about the precedent that could be set, undermining the work of JECFA and risk assessment by not adopting or delaying the adoption of the MRLs. They also recalled that it was important for Codex to make the maximum use of JECFA limited resources and that it was important for Codex to base its standard on sound science and JECFA recommendations. They further noted that the lack of international standards could give rise to the development of regional or private standards to fill the gaps and result in

disruption to trade. They highlighted their concerns on the long delay to adopt the MRLs based on non-scientific factors and stressed the need for Codex to base its decisions on science, in view of the status of Codex standards under the WTO SPS Agreement. They recalled that failure to adopt the MRLs for ractopamine could negatively impact on food security as the establishment of MRLs for ractopamine would allow the safe use of new technologies to meet the increasing demand for food production foreseen by FAO. One delegation pointed out that 26 countries were using ractopamine without problems and that no technical barriers to trade or food safety alerts through INFOSAN had been reported due to its use.

101. The JECFA Secretariat clarified that ractopamine had been evaluated on several occasions and an ADI had been established and MRLs proposed that are compatible with consumer safety. Additional residue studies in pig lungs had been evaluated based on request of the Commission and the report was published and considered at the 34th CAC. If safety concerns were brought forth regarding ractopamine, these needed to be supported by data.

102. After an extensive debate, which had essentially reproduced the discussion that took place at the 34th CAC about the three main options on the way to proceed (i.e. continue to hold the draft MRLs at Step 8; discontinue work on the draft MRLs; and vote on the adoption of the draft MRLs) and their rationale, a large number of delegations and two observers continued to request the floor. Therefore, the Chairperson proposed, in view of time constraints, to interrupt the general discussion and to focus on how to move forward.

103. The Chairperson noted that the Commission had not found consensus and noted that as per Rule XII.2 of the *Rules of the Procedure of the Codex Alimentarius Commission*, the Commission should make every effort to reach consensus on the adoption or amendment of standards by consensus. The Chairperson noted that the Procedural Manual provided sufficient guidance through the *Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius Commission*, the *Risk Analysis Principles Applied by the CCRVDF* and the *Statements of Principles Concerning the Role of Science in the Codex Decision-Making Process and the Extent to which other Factors are Taken into Account*.

104. The Delegation of Ghana was of the view that, according to Rule XII.2 "consensus" was not a must but rather a preference for Codex. Therefore, the Delegation called for a roll-call-vote on the adoption of the draft MRLs for ractopamine as, in their view, all seven "Measures to Facilitate Consensus" had been explored.

105. The Chairperson raised the question whether every effort had been made to reach consensus before proceeding with such a vote, as required by the Rule XII.2

106. Delegations were split among:

(i) those who considered that not all measures had been exhausted and, in particular, the following required further efforts:

- *Refraining from submitting proposals in the step process where the scientific basis is not well established on current data and, where necessary, carry out further studies in order to clarify controversial issues.*
- *Providing that matters are not progressed from step to step until all relevant concerns are taken into account and adequate compromises worked out.*
- *Emphasizing to Committees and their Chairpersons that matters should not be passed on to the Commission until such time as consensus has been achieved at the technical level.*

In their view, not all scientific evidence had been fully explored; the CCRVDF had prematurely forwarded the draft MRLs to the Commission without having achieved consensus at the technical level.

(ii) those who considered that all efforts to reach consensus had been made. They were of the view that: JECFA had clarified that all relevant data had been considered in their recommendations; that the CCRVDF had in fact considered all relevant concerns and those concerns that were not addressed were not scientific concerns; and that the Chairperson of the CCRVDF had followed the *Guidelines to the Chairperson of Codex Committees* to achieve consensus at the technical level but no consensus could be found.

107. Following some further debate and in the absence of consensus on whether the requirements of Rule XII.2 had been met, the Chairperson proposed to vote on the following question: "*Do you wish to proceed with a vote on adoption of the proposed MRLs for ractopamine at this Session of the Commission*?" (Vote 1). The FAO Legal Counsel clarified that voting would be conducted either by a show of hands, a roll- call vote, if requested by a Member, or a secret ballot, if so determined by the Commission.

108. A number of delegations wished that the vote be conducted by secret ballot. However, in the absence of consensus on the manner of voting, the Commission carried out a vote by show of hands to decide on how to conduct Vote 1.

109. It was noted that, as the European Union was competent to vote on this matter on behalf of its Member States (*see* CRD1), the European Union cast 27 votes, one for each of the European Union Member States present at the Session (at the start of the voting the presence of the 27 European Union Member States was confirmed by the Secretariat). Prior to the vote, the Secretariat established that a quorum was present of more than half of the members in attendance at the Session but not less than twenty percent of the membership of Codex, or less than 25 members, as prescribed by Rule VI-7 of the Rules of Procedure.

Vote cast:	133
Majority required:	67
Votes in favour:	92
Votes against:	41
Abstaining:	3
Results:	Vote 1 should be conducted by secret ballot.

110. In view of the above result, the Commission proceeded with Vote 1 by secret ballot. The presence of the 27 European Union Member States was again verified by the Secretariat. Prior to the vote, the Secretariat established that a quorum was present of more than half of the members in attendance at the Session but not less than twenty percent of the membership of Codex, or less than 25 members, as prescribed by Rule VI-7 of the Rules of Procedure. The result of the secret ballot on Vote 1 was:

Ballots papers deposited:	136
Defective ballots:	0
Abstentions:	4
Votes cast:	132
Majority required:	67
Votes in favour:	68
Votes against:	64
Result:	Proposal adopted; the Commission would proceed with a vote on the adoption of the proposed MRLs for ractopamine at the present Session.

111. Following the results of Vote 1, the Commission proceeded with the vote on the following question: "*Do you wish to adopt the proposed MRLs for ractopamine?*" (Vote 2).

112. The Commission agreed with the proposal of the Chairperson to proceed with Vote 2 by secret ballot. The presence of the 27 European Union Member States was again verified by the Secretariat. Prior to the vote, the Secretariat established that a quorum was present of more than half of the members in attendance at the Session but not less than twenty percent of the membership of Codex, or less than 25 members, as prescribed by Rule VI-7 of the Rules of Procedure.

113. The result of the secret ballot on Vote 2 was:

Ballots papers deposited:	143
Defective ballots:	0
Abstentions:	7
Votes cast:	136
Majority required:	69
Votes in favour:	69
Votes against:	67
Result:	Proposal adopted; the Commission adopted the MRLs for ractopamine in cattle and pig tissues, i.e., muscle, liver, kidney and fat.

114. The Delegation of China expressed their disappointment that the Commission did not resolve the issue by consensus. They reiterated their position against the adoption of the MRLs for ractopamine and expressed their reservation.

115. The Delegation of Norway strongly opposed the adoption of the draft MRLs, as they still had human health concerns and because of the non-therapeutic use of ractopamine. The Delegation was concerned because the draft MRLs had been pushed forward when many members had asked for a consensus-based decision and the MRLs had been adopted despite a clear lack of consensus. They noted that without a global agreement the MRLs would not be applicable worldwide.

116. The Delegation of the European Union stated that it was strongly opposed to the adoption of the MRLs for ractopamine in pigs and cattle as there were outstanding concerns regarding its safety assessment. The European Union's risk assessment body, the European Food Safety Authority, concluded that there is insufficient data upon which to make a proposal for MRLs for ractopamine and that possible risks to human health had not been sufficiently ruled out. As ractopamine is solely used for the purpose of growth promotion, the European Union could not support an international standard that endorsed, or worse still, encouraged its use.

117. The European Union, therefore, recorded its strong opposition to the adoption of the MRLs for ractopamine by the Commission. The Delegation also underlined that, given its outstanding safety concerns, the European Union's current legislation would remain in place. The Delegation was also of the view that the Commission should take time to reflect upon what to do about standards held at Step 8. There had been a number of attempts to seriously consider what to do in these cases, and yet, for a variety of reasons, these attempts had been thwarted and no real progress had been possible. The Delegation emphasised that it was in the best interest of the Commission to seriously reflect on this matter.

118. The European Union stressed that Codex, as a consensus-based organisation had not been well served by what had happened at this session of the Commission. The membership of Codex, had spoken out, loud and clear on various occasions, expressing their clear preference for matters to be decided in Codex on the basis of consensus. By conducting a vote at this session, this preference had been blatantly ignored. The European Union deplored not only the fact that an international standard had been set for ractopamine but also deplored, in the strongest of terms, the manner in which this conclusion was reached. For the above reason, the European Union recorded their strong opposition to the adoption of the MRLs for ractopamine.

119. The Delegation of the United States of America stated that they were pleased with the adoption of the MRLs for ractopamine, but they took no pleasure in the fact that this had been a difficult decision. The Delegation thanked the Chairpersons of the Commission and the CCRVDF for all efforts made over the years to try to achieve consensus and to use all the tools in the Procedural Manual to find a way forward. The Delegation expressed the wish that adopting standards in Codex through a vote should remain a rare exception to the general rule of consensus. They looked forward to working with members to ensure that Codex remains willing and able to make science-based and timely decisions on food safety.

120. The following delegations expressed their reservation to the adoption of the MRLs for ractopamine and made the following comments:

- Kenya: was of the view that not all safety concerns had been addressed and that with such sustained opposition no international standard should be set.

- Egypt: considered that safety concerns continued to exist and this was particularly important for Egypt which relies on meat imports.
- Turkey: strongly opposed the adoption of the MRLs and considered that more time was needed before deciding on the MRLs.
- Croatia: strongly opposed the adoption of the MRLs and the way they had been adopted.
- Iran: considered that the MRLs were based on insufficient data.
- Switzerland: regretted the process that had taken place and that the decision was not based on consensus and that it was made with such a narrow majority.
- Russia Federation: strongly opposed and found it unfortunate that the decision did not consider the concerns expressed throughout the process.
- Zimbabwe: opposed the adoption.

PROPOSED DRAFT STANDARDS AND RELATED TEXTS AT STEP 5 (Agenda Item 5)[24]

121. The Commission adopted at Step 5 the Proposed Draft Standards and Related Texts submitted by its subsidiary bodies, as presented in Appendix IV to this report, and advanced them to Step 6.

122. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Food Import and Export Inspection and Certification Systems (CCFICS)

Proposed Draft Principles and Guidelines for National Food Control Systems (Introduction, Sections 1-3)[25]

123. A number of delegations, while not opposed to the adoption at Step 5 of the proposed draft Principles and Guidelines (Introduction and Section 1-3), noted that some parts needed further discussion, including definitions and some principles, as indicated in the written comments provided at this session.

124. The Commission adopted the proposed draft Principles and Guidelines, as proposed by the CCFICS, and invited delegations to resubmit the comments at Step 6 in order to be considered by the next Session of CCFICS.

Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Proposed Draft Revision of the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (CAC/GL 8-1991)[26]

125. One Observer did not support the adoption because inappropriate marketing was not considered in the labelling section and other sections required further review. One delegation proposed to delete the square brackets in the text in section 6.5.1 concerning use of sweeteners. Other delegations pointed out that this was a technical comment and should be discussed further in the Committee. Several members stressed the need for a revised text as the current provisions of the Guidelines were outdated and therefore supported the current text, with the understanding that it would be further considered in the Committee in the light of the comments made. The Commission agreed to adopt the proposed draft revision at Step 5.

Animal Feeding (TFAF)

Proposed Draft Guidelines on Application of Risk Assessment for Feed[27]

126. Some delegations congratulated the TFAF for the proposed draft, which was a good basis for the further development of the document. They were of the opinion that some aspects could be included, e.g. consideration of viruses in feed, and that specific comments could be addressed in the further development of the document.

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[24] CX/CAC 12/35/5; CX/CAC 12/35/5-Add.1; CX/CAC 12/35/6-Rev (Comments of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Egypt, European Union, Japan, Malaysia); CRD 9 (Comments of IBFAN); CRD 10 (Comments of Philippines); CRD 12 (Comments of Indonesia); CRD 13 (Comments of India); CRD 16 (Comments of Peru).

[25] REP12/FICS, para.46, Appendix II.

[26] REP12/NFSDU, para.126, Appendix IV.

[27] REP12/AF, para.47, Appendix II.

127. The Commission adopted the Proposed Draft Principles and Guidelines, as proposed by the TFAF, and invited delegations to resubmit the comments at Step 6 in order to be considered by the next Session of the Task Force.

Pesticide Residues (CCPR)

Proposed draft maximum residue limits for pesticides[28]

128. The Commission adopted all proposed draft MRLs for pesticides at Step 5 and advanced them to Step 6 for comments and further consideration by the next session of the Committee on Pesticide Residues.

129. The Delegation of the European Union expressed its reservation on the following proposals for MRLs for pesticide / commodity combinations: general reservation on diflubenzuron as the evaluation of this compound was ongoing in the EU and specific reservations for the proposals for peaches, plums and peppers; hexythiazox for strawberries; etofenprox for grapes; dicamba for soybeans; acetamiprid for scarole (leafy vegetables except spinach) and flutriafol for dried grapes (= currants, raisins and sultanas) and grapes. More detailed explanations on the rationale for these reservations are provided in working document CX/CAC 12/35/6 (Rev). The Delegation also expressed a general reservation on the application of the proportionality approach to the derivation of MRLs until further guidance and principles had been agreed by the CCPR. The Delegations of Croatia and Norway also expressed their reservations on these MRLs and the use of the proportionality approach.

REVOCATION OF EXISTING CODEX STANDARDS AND RELATED TEXTS (Agenda Item 6)[29]

130. The Commission agreed to revoke all texts proposed, as presented in CX/CAC 12/35/7. The list of texts approved for revocation is summarized in Appendix V to this report. Additional information on the comments made and decisions taken is presented below.

Revocation of CODEX STAN 229-1993: Recommended Methods of Analysis for Pesticide Residues

131. The Delegation of India indicated that it did not oppose the revocation of CODEX STAN 229-1993: Recommended Methods of Analysis for Pesticide Residues; however clarification should be provided on the status of the Joint FAO/IAEA Division repository list of methods of analysis for pesticide residues vis-à-vis the status of Codex standards under the WTO/SPS Agreement. The Delegation indicated that methods of analysis for the determination of pesticide residues was an important and integral part of the enforcement of MRLs for pesticides and the identification of suitable methods of analysis should not be left to national laboratories as this might result in barriers to trade. The Delegation expressed the view that, in accordance with the Terms of Reference and the Risk Analysis Principles applied by the CCPR, work should continue on exploring feasible ways to develop and maintain an updated list of methods of analysis for enforcement of Codex MRLs for pesticides.

132. The Commission noted that the Joint FAO/IAEA Division web-based repository list of methods of analysis was not intended to be a list of Codex reference or preferred methods for the determination of Codex MRLs for pesticides but a resource list that countries might consult for the identification of suitable methods for the determination of pesticide residues. The Commission further noted that the Committee on Pesticide Residues was currently working on the development of performance criteria for methods of analysis as opposed to a list of methods of analysis, as recommended by the 34th Session of the Commission, to assist countries to choose their own validated methods based on these criteria.

133. Based on the above considerations, the Commission revoked CODEX STAN 229-1993: Recommended Methods of Analysis for Pesticide Residues while requesting CCPR to continue to explore feasible ways to identify methods of analysis for pesticide residues.

AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS (Agenda Item 7)[30]

134. The Commission noted that this item was related to the ongoing work of the Codex Secretariat to ensure consistency throughout Codex texts.

135. The Commission adopted the amendments as presented in the working document.

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28 REP12/PR, para. 117, Appendix IX.

29 CX/CAC 12/35/7, CRD 4 (comments of Chile), CRD 12 (comments of Indonesia), CRD 13 (comments of India), CRD 16 (comments of Peru)

30 CX/CAC 12/35/8.

136. One of the amendments was to delete the section on methods for the determination of lead in the standards for cocoa products as there were no MLs for lead for these products. In this context, the Commission noted the request from a Delegation to develop MLs for lead in cocoa products as especially children consumed these in large amounts. The Commission noted that this proposal could be put forward in the Committee on Contaminants in Foods, which had undertaken a review of all current maximum levels for lead.

PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 8)[31]

ELABORATION OF NEW STANDARDS AND RELATED TEXTS

137. The Commission approved the elaboration of new standards and related texts summarized in Appendix VI. The following paragraphs provide additional information on comments made and decisions taken on the following items:

Food Hygiene (CCFH)

Revision of the Code of Hygienic Practice for Spices and Dried Aromatic Plants[32]

138. The Delegation of Brazil reiterated its position presented at the 43rd CCFH that the Committee should follow a more horizontal approach to the development of Codex texts and that it would be more appropriate to deal with hygienic practices for spices in the context of a more general Code of Hygienic Practice for Low-moisture Foods. The Commission noted that it was the intention of the CCFH to follow a more horizontal approach and that it would be considering a discussion paper on the development of a code of hygienic practice for low-moisture foods at its next session, but that it would start work on the revision of the Code of Hygienic Practice for Spices and Dried Aromatic Plants, which was outdated and required updating, in the interim for possible inclusion in a future code of hygienic practice for low-moisture foods. The Commission approved the new work and noted the reservation of Brazil to this decision.

Contaminants in Foods (CCCF)

Annex for Prevention and Reduction of Aflatoxins and Ochratoxin A in Sorghum to the Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals[33]

139. In response to the question from a Delegation, the Commission noted that proposals for the expansion of the scope of the Code should be put forward in the Committee.

Proposed Draft Maximum Levels for Hydrocyanic Acid in Cassava and Cassava Products[34]

140. The Commission noted that the establishment of maximum levels for hydrocyanic acid in cassava and cassava products would be limited to the section on contaminants, to establish safe levels of this natural toxin in the aforesaid products. It was also noted that different varieties of cassava contained different levels of cyanogenic glycosides, from which hydrocyanic acid is formed, therefore this should be taken into account when establishing maximum levels. It was further noted that cyanogenic glycosides also occurred in other products for which it would be useful to establish maximum levels.

141. The Representative of the WHO noted that this issue had been considered by the Committee on Contaminants in Foods at the request of the Committee on Fresh Fruits and Vegetables, when considering the Standard for Bitter Cassava in view of the different levels of cyanogenic glycosides in cassava varieties, especially bitter and sweet varieties. This work should also be seen in the context of the development of a Code of Practice to reduce the presence of cyanogenic glycosides in cassava.

142. The Commission approved new work on proposed draft maximum levels for hydrocyanic acid in cassava and cassava products.

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31 CX/CAC 12/35/9; CX/CAC 12/35/9-Add.1; CRD 3 (Comments of Brazil); CRD 7 (Comments of Nigeria); CRD 10 (Comments of Philippines); CRD 11 (Comments of IFAH); CRD 12 (Comments of Indonesia); CRD 13 (Comments of India).

32 REP12/FH, paras 137 - 138, Appendix VII.

33 REP12/CF, para. 141, Appendix X.

34 REP12/CF, para. 165.

Proposed Draft Levels for Radionuclides in Food [35]

143. The Delegation of Japan emphasised the importance of working in the Codex framework of risk analysis on this issue and expressed gratitude to the Joint FAO/IAEA Division for their kind intention of providing scientific support. They expressed their interest in working closely with the Netherlands in the development of this document.

144. The WHO Representative informed the Commission of the work undertaken by WHO to perform a preliminary global health risk assessment on the implication of the Fukushima nuclear accident. The first part of the work, the preliminary dose assessment has been published recently. This feeds into the preliminary health risk assessment currently being undertaken and the final report will be published in the fall. This preliminary assessment, based on information available up to September 2011, feeds into a more detailed assessment undertaken by UNSCEAR.

145. The Commission approved new work on the proposed draft levels for radionuclides in food.

Coordinating Committee for the Near East

Regional Standard for Date Paste [36]

146. The Commission noted the advice given by the Executive Committee on this matter, which was to adopt new work and to refer the proposal on a standard for date paste to the Committee on Processed Fruits and Vegetables (CCPFV) as the project document indicated that there was worldwide trade in this commodity. The Executive Committee had also recommended that if the CCPFV considered that the development of a worldwide standard for date paste was not possible, work could be carried out as a regional standard in the CCNEA.

147. The Delegation of the United States, speaking as Chair of the CCPFV, said that the Committee could examine the proposal and then either continue the work or recommend its elaboration as a regional standard. The goal of developing an international standard for this commodity could be reached faster if it started in the CCPFV rather than developing a regional standard first and then converting it.

148. The delegations of the Near East region who expressed their views and one IGO observer stated that it was their preference that work on a standard for date paste would start in the CCNEA as the main production and trade of the product and the main expertise were concentrated in the region, and it would be difficult for delegations from the region to attend the CCPFV. They proposed further that the conversion into a worldwide standard could be undertaken at a later step of the procedure.

149. The Secretariat clarified that the procedure for conversion of a regional standard could be started at any time after adoption of the regional standard at step 8, thus if work was started in the CCNEA it would have to continue there until Step 8, after which a project document for development of a worldwide standard could be submitted for approval to the Commission.

150. One delegation stated that as there was international trade in the commodity, Codex procedures required that a worldwide standard be considered, as regional standards for products that were traded internationally could be trade disruptive.

151. Noting the strong support from the region for the development of a regional standard for date paste and the fact that the main expertise about the product was in the Near East region, the Commission agreed as a pragmatic way forward to approve new work on a regional standard for date paste which would be undertaken by the CCNEA. After completion of the work, a project document would be submitted to allow the CCEXEC and the Commission to consider the conversion into an international standard.

DISCONTINUATION OF WORK

152. The Commission approved discontinuation of work as summarized in Appendix VII.

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[35] REP12/CF, para. 169.

[36] REP11/NEA para. 92, CX/CAC 12/35/9-Add.1 Rev.1.

MATTERS REFERRED TO THE COMMISSION BY CODEX COMMITEES AND TASK FORCES (Agenda Item 9)[37]

A. Matters Related to Requests from the Commission

153. The Commission noted several matters arising from the reports of Codex Committees in relation to requests from previous sessions of the Commission, as presented in CX/CAC 12/35/10 Add.1.

154. The following paragraphs provide additional information on the comments made and decisions taken on certain items.

Proposed Draft Standard for Processed Cheese

155. The Chairperson briefly recalled the history of the consideration of the standard for processed cheese in the Committee for Milk and Milk Products (CCMMP) and in the Commission. The standard had been considered for more than fourteen years in Codex and the Chairperson noted the difficulties to achieve progress in developing this standard, including the difficulty to define its scope. The Chairperson also recalled that the 33rd CAC deferred making the decision on discontinuation of work on this standard, pending advice and comments from the FAO/WHO coordinating committees. He also recalled that, in its last effort to make a decision on this item, the 34th CAC tasked the Codex Secretariat, supported by the Chairperson of the CCMMP, to gather additional information from members, which would help document, amongst other things, whether processed cheese is amenable to standardization and whether there are documented impediments to trade in this commodity internationally, which the development of this standard would help mitigate. The outcome of this survey was reflected in document CX/CAC 12/35/10.

156. The Chairperson summarized the main findings of the survey, based on input from members as follows:

- The survey did not identify any major documented impediments or problems in international trade in processed cheese, despite the increase in the trade of this commodity over the past period.
- The survey identified a high number of variations for compositional and functional characteristics for this commodity, making it not amenable to standardisation, within the current attempts to scope the work on this standard.
- The survey also confirmed that general safety and labelling requirements for processed cheese are well covered by current Codex standards, including the code for hygienic practice for milk and milk products.

157. The Commission noted that the 67th CCEXEC had agreed with the recommendation presented in CX/CAC 12/35/10 and had recommended to discontinue work on the Standard given the findings described above.

158. The Chairperson sought the Commission's concurrence with the recommendation of the 67th CCEXEC to discontinue work, while acknowledging that the absence of a Codex standard for this commodity did not prevent competent authorities from developing their own requirements to manage this commodity at the national level and noting that, should there be gaps identified in the future, related to safety or quality of processed cheese, these gaps could be addressed by a proposal for new work by the relevant Codex committee.

159. Some delegations noted that a relatively small numbers of replies had been submitted in response to the CL 2011/20-CAC/MMP and that countries needed more time to collect and compile information on problems associated with the trade of processed cheese, scope of the standard and how to address the specific issues related to the composition and other characteristics of these products. Some delegations were of the view that the analysis presented in document CX/CAC 12/35/10 did not address the concerns of countries which supported the development of the standard, in particular the need to ensure the safety of processed cheese, largely consumed by children, through specific provisions for food additives, contaminants and hygiene as a tool for importing countries to support their food control system. In view of the constraints to develop an international standard, some delegations supported the development of regional standards to address these needs.

[37] CX/CAC 12/35/10; CX/CAC 12/35/10 Add.1; CX/CAC 12/35/10 Add.2; CRD 11 (Comments of IFAH); CRD 21 (Comments of European Union); CRD 24 (Comments of Dominican Republic)

160. Other delegations supported discontinuation of work and recalled that Codex had devoted more than twenty years to this work and that the inability to develop the standard was due to unsolved issues regarding compositional aspects and not to safety aspects of these products. They further recalled that no major impediments in the international trade of these products had been identified. They were of the view that the development of regional standards for processed cheese could result in barriers to trade, as processed cheese were manufactured in many countries and traded worldwide, and that countries could address intraregional trade problems in their national legislation. They further noted that regional standards could not be developed for commodities with significant trade outside a region to avoid the development of more than one standard for the same commodities. They further noted that Codex had already developed general guidance on essential health and safety aspects of these products and labelling for consumers information. One observer noted that processed cheese was not facing international trade impediments and was not amenable to standardization, given the variety of compositional and functional characteristics of products currently available internationally.

161. In view of the lack of consensus, the Chairperson proposed, as a compromise, to continue the collection of information documenting gaps that could be addressed through a Codex standard for both safety and quality requirements of processed cheese, while discontinuing the work on the current standard.

162. Several delegations supported the proposal of the Chairperson, which would enable the Commission to have a more informed discussion on the need for a standard for processed cheese and the exact scope and possible gaps that any new work should address. Other delegations, while supporting continuing the discussion on the need for work on processed cheese, were not in favour of discontinuation of work at the current Session. One Delegation was of the opinion that more time was necessary for countries to identify the gaps in the current Codex standards and define the scope of new work for processed cheese.

Conclusion

163. The Commission agreed to discontinue work on the development of a standard for processed cheese. The Commission further requested the Codex Secretariat to prepare a Circular Letter asking members to identify the gaps in the safety and quality provisions of Codex texts that would justify new work on processed cheese and describe the scope of any new work to be considered to address such gaps. The Commission further agreed to request the upcoming sessions of the FAO/WHO Coordinating Committees to further discuss the need for a standard for processed cheese and document the scope of the work that might be needed in this area.

164. The Codex Secretariat would analyse the information received in response to the Circular Letter; the analysis along with the inputs of the FAO/WHO Coordinating Committees would be presented at the next Session of the Commission, which would decide whether new work addressing safety or quality requirements is necessary and, if so, the scope and the mechanisms for carrying out the work.

165. The delegations of Algeria, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Iran, Iraq, Jordan, Kenya, Kuwait, Lebanon, Libya, Morocco, Oman, Panama, Paraguay, Qatar, Saudi Arabia, United Arab Emirates, Uruguay and Yemen expressed their reservation on the discontinuation of work on the standard for processed cheese.

B. Matters referred by Codex Committees and Task Forces

Committee on Sugars

Proposed draft Standard for Panela

166. The Commission recalled that the development of a Standard for Panela had been approved as new work by the 34th Session of the Commission and that the timeframe for completion of this work was the 36th Session of the Commission in 2013.

167. The Delegation of Colombia, as Chair of the Committee on Sugars, informed the Commission about the status of development of this Standard. The Delegation indicated that, based on the comments submitted, the main issues surrounding the development of the Standard related to the clear placement of the product in the General Standard for Food Additives (GSFA), which might require revision of the description of the relevant food category of the GSFA, and the definition of the physical and chemical characteristics of the product. The Delegation noted that the Standard should be ready for adoption at Step 5/8 by the next Session of the Commission, in compliance with the timeframe allocated for completion of this work.

Conclusion

168. The Commission noted the status of work on the Standard for Panela and looked forward to the final adoption of this Standard at its next Session.

Committee on Residues of Veterinary Drugs in Foods

Zilpaterol hydrochloride

169. The Chairperson introduced the matter arising from the 20th CCRVDF and explained that the Committee could not reach consensus on the inclusion of zilpaterol in the Priority List of Veterinary Drugs for Evaluation or Re-evaluation by JECFA ("Priority List") and had sought the Commission's guidance regarding the factors that should be considered in making a decision on whether or not to include a veterinary drug in the Priority List. The CCRVDF had further requested guidance as to whether the concerns of countries not in favour of the inclusion should be considered before or after the risk assessment evaluation by JECFA. The CCRVDF had finally requested the Commission to either adopt the new work by including the veterinary drug zilpaterol hydrochloride in the Priority List for JECFA evaluation or to exclude the veterinary drug, zilpaterol hydrochloride, from the Priority List for JECFA evaluation.

170. The Chairperson further recalled that the 20th CCRVDF had forwarded a Priority List to the Commission for approval as new work, as contained in Appendix IX, Part A of its report, and that zilpaterol had been included in Part B of the same Appendix, pending the outcome of the Commission's discussion.

171. Delegations who objected to the inclusion of zilpaterol in the Priority List mentioned that the compound was similar to another beta-agonist, ractopamine, for which draft MRLs had been kept at Step 8 for several years in the absence of consensus and that this issue needed to be considered taking into account other pending issues as provided for in the Procedural Manual[38] before proceeding with another similar compound in the Priority List. They were of the view that the inclusion of zilpaterol in the Priority List did not meet one of the Codex criteria for the establishment of work priorities, as outlined in the Procedural Manual[39], to complete work in a reasonable period of time. They further expressed the view that the inclusion of zilpaterol in the Priority List could waste JECFA resources because of the difficulties to find a consensus. In view of its limited resources, requests to JECFA needed to be prioritised to allow JECFA to focus on compounds, for which Codex could complete work within a reasonable time. It was further noted that Member countries could address their requests directly to JECFA[40]. They further noted the importance for Codex to strive for consensus-based decisions to ensure its credibility as the pre-eminent authority in the field of food safety and food quality. One Delegation suggested to also include consideration of offal in the evaluation of JECFA, in case zilpaterol is added to the Priority List.

172. Delegations that supported the inclusion of zilpaterol in the Priority List highlighted that the compound was approved for use in several countries and met the CCRVDF criteria for inclusion and "other legitimate factors" should not be taken into account in taking the decision. They pointed out that the evaluation of zilpaterol could help to re-assure consumers on the safety of its use in animal food production. They were of the opinion that there was no need to change the CCRVDF procedure for the inclusion of veterinary drugs in the Priority List and that it was not appropriate to pre-empt the outcome Codex discussions on the JECFA assessment of zilpaterol, by preventing its evaluation. They stressed that risk management decisions should be taken only after the risk assessment had been carried out.

173. On the issue of the status of the criteria of paragraph 13 of the *Risk Analysis Principles Applied by the Codex Committee on Residues of Veterinary Drugs*, the Representative of the Legal Counsel of FAO, speaking on behalf of the legal offices of both FAO and WHO, noted that compliance with the criteria could not, normally, trigger an automatic decision for inclusion in the Priority List and that members of Codex would normally retain a degree of discretion on inclusion of a veterinary drug in the Priority List.

174. The Representative indicated that there was a clear need for predictable procedures in Codex and noted that a consistent practice in the CCRVDF had been established over the years. It was, therefore, reasonable for Codex members to expect that when a compound met the criteria for inclusion in the list, inclusion would follow. On that basis, the legal offices considered that a veterinary drug should be included in the Priority List for JECFA evaluation if it meets the criteria of paragraph 13 of the *Risk Analysis*

[38]Procedural Manual: Risk Analysis Principles applied by the CCRVDF (page 125, para. 17)

[39] Procedural Manual: page 40

[40] Procedural Manual: Risk Analysis Principles applied by the CCRVDF (page 123, para. 6)

Principles Applied by the Codex Committee on Residues of Veterinary Drugs. He further recalled that acceptance of new work required approval by the Commission irrespective of inclusion of drugs in the priority list by CCRVDF. If changes to the criteria or procedures were needed, the appropriate channels of Codex could be followed, for example through the Committee on General Principles.

175. One Delegation also questioned how precedence could be established when to their knowledge the CCRVDF had never experienced similar situation i.e. "no consensus on the substances in the Priority List".

176. The Chairperson noted the views expressed by the Representative of the Legal Counsel and the discussion above. He concluded that the Procedural Manual provided sufficient guidance for the inclusion of zilpaterol in the Priority List and that several countries depended on JECFA evaluations to assess veterinary drugs. The Chairperson further noted that the Representative of the Legal Counsel had stated that once the criteria listed in para. 13 of the *Risk Analysis Principles applied by the CCRVDF* were met, inclusion of the veterinary drug the Priority List would follow.

Conclusion

177. The Chairperson concluded that, based on the above legal opinion, zilpaterol should be included in the Priority List for JECFA evaluation, that no further guidance was required for the CCRVDF, that risk management decisions should follow the risk assessment and that the Commission approved the Priority List with the addition of zilpaterol hydrochloride. On this basis, the CCRVDF would initiate work based on the recommendations of the JECFA evaluation.

178. The Delegations of China, Croatia, Egypt, European Union, Norway and Switzerland expressed their reservation to this decision.

STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 10)

GENERAL IMPLEMENTATION STATUS (Agenda Item 10a)[41]

179. The Commission noted the discussion that had been held on the monitoring of the Codex Strategic Plan 2008-2013 at the 67th CCEXEC, which had noted that there were no specific concerns and that the overall implementation of the Strategic Plan was progressing satisfactorily.[42]

180. With regard to Activity 5.2 "*Promote effective use of written comments in the Codex process*", one Delegation noted that replies to the questionnaire on the use of written comments indicated that late comments were not dealt with consistently across Codex and suggested to consider the development of a procedure to ensure a consistent approach among Codex committees on how to handle late comments as an activity of the new Strategic Plan.

181. In response to a request for clarification of the status of Activity 5.3 "*Evaluate effectiveness of Codex Committee sessions held in developing countries*", the Codex Secretariat clarified that the activity was completed. A comprehensive study on the effectiveness of Codex committees session held in developing countries[43] had been considered by the 32nd CAC and the practical recommendations of the Commission, including the amendment of the *Guidelines for Host Governments of Codex Committees and ad-hoc Intergovernmental Task Forces* and creation of a specific page on co-hosting on the Codex website[44], had been implemented.

Conclusion

182. The Commission concurred with the conclusion of the 67th CCEXEC and noted that the implementation of the Codex Strategic Plan was underway and progressing in a satisfactory manner.

DRAFT CODEX STRATEGIC PLAN 2014 – 2019 (Agenda Item 10b)[45]

183. The Chairperson introduced the item and provided an update on the progress made on the development of the draft Codex Strategic Plan 2014-2019. Based on the latest draft proposed by the drafting team led by the Member for North America, the 67th CCEXEC had discussed changes to the text in an in-session working

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41 CX/CAC 12/35/11

42 REP12/EXEC2, para.48

43 ALINORM 09/32/9B Part III

44 http://www.codexalimentarius.org/meetings-reports/co-hosting-meetings/en/

45 REP12/EXEC2, paras 49-60 and Appendix II, CRD 4 (comments of Chile), CRD 6 (comments of EU), CRD 16 (comments of Peru), CRD 24 (Comments of Dominican Republic)

group, taking into account all written comments submitted and those made during the CCEXEC. The CCEXEC had further agreed to establish a sub-committee, to be chaired by Dr Samuel Godefroy, Vice-chairperson and open to all CCEXEC members, to further develop the draft Strategic Plan, in accordance with a procedure agreed at the CCEXEC. The sub-committee was tasked to

- By the end of July 2012: Complete the draft Strategic Plan 2014-2019, taking into account the discussion at the 35th Commission and including proposed performance indicators and the workplan;
- Through the Codex Secretariat send this draft to all FAO/WHO Coordinating Committees for discussion and input;
- By mid March 2013: Finalise the Strategic Plan 2014-2019 based on the inputs of the FAO/WHO Coordinating Committees.

184. The Commission agreed to consider the draft Strategic Plan, as presented in Appendix II of REP12/EXEC2, to provide guidance to the Sub-Committee of the CCEXEC, and to focus the discussion on the strategic goals and their objectives. It was noted that the activities would be further elaborated once the strategic goals and its objectives were finalised and that a logical framework with a work plan, timelines and performance indicators would be further developed by the sub-committee of the CCEXEC before the text would be sent to the Coordinating Committees.

Discussion

185. There was general agreement with the preparatory work done in developing the draft Strategic Plan and the process that would be followed in its further development proposed by the CCEXEC.

186. In the following, comments and proposals made at the Session, excluding activities, are reflected to be transmitted to the CCEXEC sub-committee for further discussion and possible inclusion in the draft Strategic Plan.

General Comments

187. Some general issues were highlighted:

- Emerging issues and climate change should be taken into account as drivers that will influence and shape the future of the food safety agenda;
- The importance of nutrition should be more prominently included in the Strategic Plan,considering that Codex had done well on food safety and could make progress on nutrition quality of food products to respond to the objective of WHO of preventing non-communicable diseases;
- The plan should not only focus on food safety issues but also address issues related to fair practices in the food trade; and
- Factors such as emerging risks, food security, effects of shifting population patterns and climate change should be discussed in a general statement that could be inserted after the Strategic Vision.

Specific comments

Strategic vision

188. It was suggested that:

- The statement should be written as a vision of how Codex is seen in future and not like an objective.
- The statement should include the words “Codex Alimentarius Commission” so that it was clear to whom the statement referred;
- Rather than being the “pre-eminent body” Codex should be the “trusted body” for development of standards;
- Codex should be “the only body” for standard-setting so as to avoid the development of private standards, however it was recognised that there were other standard-setting bodies such as ISO;
- The preservation of the environment should be included; and
- The words “to protect ..” should be changed to “to contribute to the protection ..” since Codex standards are voluntary and do not directly protect consumers if they are not complied with.

Core values

189. It was proposed that consideration should be given to the reordering of the key core values and the possible inclusion of other core values, such as the scientific basis of Codex work. However, it was noted that the core values expressed were the key core values and the listing was not meant to exclude other values, which were inherent in the work of Codex.

Strategic Goals

Strategic Goal 1: Establish international food standards that address current and emerging food issues

190. There was general agreement with Strategic Goal 1; and additionally it was proposed to:

- Make the goal more explicit to address consumers' concerns; emerging food safety issues; and feed, as it impacts on food safety; others who commented did not share this view;
- Add the notion of acceptability of Codex standards to be in line with the Strategic Vision.
- Include the need for the development of tools to assist with the implementation of the risk-based approach in Codex codes of practice.

Objective 1.3

191. Several delegations expressed concern that the current wording of this objective included cooperation with international non-governmental standard-setting bodies and proposed that cooperation should be limited to intergovernmental standards-setting bodies. It was also proposed to delete the final part of the sentence relating to avoiding duplication of efforts, as it was considered that the terms of reference of each organization was clear and that there was no duplication of work. Other delegations, however, pointed out the need for cooperation also with other non-governmental bodies, which were already observers in Codex. They noted that private standard-setting organizations were being encouraged to base their standards on Codex and, therefore, cooperation and coordination with them were important. It was pointed out that coordination of all food standards work by international governmental and non-governmental organizations was part of the mandate of Codex.

Strategic Goal 2

Objective 2.2

192. It was proposed to include in this objective "achieving optimum and sustainable access to scientific advice" and to highlight the importance of securing financial resources for the provision of scientific advice.

Objective 2.3

193. It was proposed that this objective should not be limited to developing countries, but reflect the need for increased scientific input from all countries. It was pointed out that some activities could focus on increased input from developing countries.

Strategic Goal 3

Objective 3.2

194. It was suggested to delete this objective as FAO and WHO, and not Codex, were responsible for capacity building programmes. It was pointed out that should this objective be retained, the purpose needed to be clarified and the activities amended accordingly.

Objective 3.3

195. There was general agreement with the proposal of the CCEXEC to delete this objective.

Strategic Goal 4

Objective 4.1

196. There was general agreement with objective 4.1. It was proposed to add that the standard-setting process should be "applicable".

197. It was suggested that a mechanism to measure the degree of uptake of Codex standards into national legislation could be added.

Objective 4.2

198. Some delegations were of the opinion that this objective should be deleted as there was already sufficient guidance in the Procedural Manual on how to achieve consensus.

199. Other delegations were of the view that it should be retained as it was important to improve the skills of committee members and chairpersons on how to achieve consensus.

200. It was also mentioned that it was important to improve the capacity of Codex to address roadblocks and consensus building in working groups, and it was also proposed to strengthen the capacity of the Codex Secretariat.

Conclusion

201. The Commission concluded that all comments made would be noted and summarized for consideration by the Sub-Committee of the CCEXEC, which would complete the draft Strategic Plan 2014-2019. The Commission noted that the Sub-Committee of the CCEXEC would provide a summary of the rationale of the way the comments of the Commission had been taken into account in the completed draft Strategic Plan.

202. The Codex Secretariat would distribute the draft Strategic Plan in a circular letter to all members and observers to FAO/WHO Coordinating Committees for their comments and inputs. The Sub-Committee would consider all comments and the outcome of the discussions at the Coordinating Committees and prepare a revised draft Strategic Plan for circulation for comments and consideration at the next Session of the CCEXEC and adoption by the next Session of the Commission.

MATTERS ARISING FROM FAO AND WHO (Agenda Item 11)

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 11a)[46]

203. The Representative of WHO introduced the Annual Report 2011 and highlighted the following actions that had been taken to respond to the recommendations of the Mid-term Review of the Codex Trust Fund (CTF) as discussed at the 34th CAC and the FAO/WHO Coordinating Committees:

- A new Group 4 had been created to allow least developed countries and small island developing states to build up their capacity to sustain participation in Codex. After the end of regular support from the Codex Trust Fund, countries in this new group would receive two years additional support to participate in their two highest priority Codex meetings. This support would need to be matched with the same level of support funded from national resources.
- A shift in resources to Objective 2 to support FAO/WHO Codex capacity-building had taken place in line with a joint strategic planning process for Codex capacity development which had been undertaken by the two parent bodies.

204. The Representative gave an update on developments that had taken place in the first half of 2012. These included:

- The initiation of a pilot project to partner more experienced countries with less experienced countries to develop examples in the use of microbiological criteria in the context of CCFH (see CAC/35 INF/10). This pilot, which had taken place in the first months of 2012, was evaluated in May and was deemed by all participating countries to have been very successful. FAO and WHO and the Codex Secretariat were considering other areas where such an approach might be used to advance Codex work.
- The finalization of the CTF Monitoring and Evaluation (M&E) framework which had been developed in response to a recommendation of the Mid-term Review. The M&E framework had been piloted using data already being gathered by the CTF and the results were presented in the CTF Transitional Monitoring Report (CX/CAC 12/35/13-Add.1). Additional data and information would be gathered throughout 2012 in order to provide a full monitoring report to Codex members in 2013. This would allow the assessment of where further efforts could be required from the CTF, FAO and WHO and/or other partners in Codex to ensure effective participation in Codex.

[46] CX/CAC 12/35/13; CX/CAC 12/35/13-Add.1; CAC/35 INF/10 ;

205. The Representative thanked all donors for their contributions to the CTF and called attention to the fact that India had become the newest donor to the CTF and the recent contribution from Finland was also acknowledged.

206. The Delegation of Cameroon, speaking as CCAFRICA Coordinator, thanked donors for the keen attention given to the region by the CTF managers and recognized that the management of the Fund was deemed balanced in the region, for which it also thanked WHO. The Delegation nevertheless stressed that criteria for eligibility should be revised, especially with regard to "graduation" and called for reconsideration of the countries less prepared to "graduate".

207. Several delegations called for a review of the criteria that were used to establish the CTF country groupings based on several considerations including the size of the economy, the health and trade problems faced by the country or the changing economic or political circumstances and asked for reconsideration of the status. The Delegation of Costa Rica, speaking as CCLAC Coordinator, also proposed to revise the criteria in the light of what had been agreed by the region, as stated in the report of the last Session of CCLAC (REP11/LAC).

208. Delegations acknowledged the success of the pilot initiative that had taken place in the area of the use of microbiological criteria and requested that this be extended to other areas of Codex work. It was also suggested that CTF "graduates" could "mentor" other countries with less experience to help them participate effectively in Codex. It was further suggested to have an information bank of pilot projects so that countries might access this and draw on these experiences, including through Coordinating Committees.

209. The following comments were also made: participation of developing countries in Codex work had substantially increased; the bulk of the support should continue to be used to support the least developed countries; activities to achieve Objectives 2 and 3 were supported; and countries should prioritize their participation in Codex. The contribution of CTF donors was acknowledged and with reference to the statistics on contributions in CX/CAC 12/35/13, section C, a call was made for other members to contribute.

210. In response to the above, the Representative of WHO recalled that the criteria for the CTF had been extensively reviewed in 2011, taking into consideration discussions at the 33rd Commission and all FAO/WHO Coordinating Committees and that this had resulted in the creation of the new Group 4. With regard to the sustainability of participation in Codex by CTF graduates, the data on this were provided in the CTF Transitional Monitoring Report under Outcome 1-1. These data were constantly under review by the CTF with FAO and WHO to allow for intervention as and when necessary directly with concerned countries.

211. The Representative noted the point made on the difficulties faced by small economies and highlighted that this would be looked at in conjunction with other criteria, such as the data on sustained participation in Codex, as had been done for least developed countries and small island developing states prior to establishing Group 4. The suggestion with regard to looking into how Codex graduates might undertake "mentoring" roles had also been noted. The Representative stated that all information on pilot initiatives and projects would be made available for easy consultation by all. A final comment was made with regard to Codex capacity development whereby the resources available for this component in the CTF were strategically targeted to complement the efforts of FAO and WHO in this area.

212. The Representative of FAO thanked the donors who made the activities of the CTF possible. The Representative pointed out that the CTF was meant to act as a catalyst for participation in Codex. The aim was to reach a stage where special measures were no longer necessary to ensure participation in Codex. It was also highlighted that capacity development takes time and it was important to make sure that time frames were reasonable. The FAO/WHO Coordinating Committees would be used to begin discussions on what support developing and transition economy countries might need in the future, as well as the areas of Codex work that might benefit from partnership initiatives such as the one that had been used to draft examples of the use of microbiological criteria.

OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 11b)[47]

Provision of Scientific Advice

213. The Representative of WHO, on behalf of FAO and WHO, introduced the document CX/CAC 12/35/14 which was divided into 2 parts, namely recent FAO/WHO expert meetings and consideration by Codex; and status of requests for FAO/WHO scientific advice.

[47] CX/CAC 12/35/14; CX/CAC 12/35/14-Add.1.

214. The Representative summarized the outcome of recent FAO/WHO Expert Meetings related to chemical and microbiological hazards in food, as well as on nutrition labelling, as presented in part I of CX/CAC 12/35/14. All publications resulting from these meetings are available on the respective websites of FAO and WHO. The Representative also informed the Commission of the planned meetings for 2012, addressing requests from CCFA, CCPR, CCFH and CCFFP.

215. Referring to Part II of the document on the status of requests for scientific advice, the Representative pointed out that there is a long list of pending requests. She emphasized that both organizations continue to jointly prioritize these requests taking relevant criteria and available resources into account.

216. The Representative further emphasized the severe financial problems encountered by both Organizations for the scientific advice work, and that the current situation did not allow response to all requests in a timely manner.

Capacity building

217. The Representative of FAO, on behalf of FAO and WHO, presented document CX/CAC 12/35/14-Add.1 outlining the work undertaken by both Organizations which complement the work of Codex or support it at national, regional and international level. She explained that the document was organized differently than in previous years to better convey to delegates the main issues being dealt with in capacity development programmes. Part 1 of the document briefly underlines the emphasis on collaborative approaches taken by FAO and WHO in their capacity development programmes. Part 2 highlights selected areas of work currently under implementation including: the joint FAO/WHO work on antimicrobial resistance undertaken in several regions; activities focussed on the prevention of food safety emergencies through the recently established FAO EMPRES-Food Safety Programme; WHO's programmes of work on surveillance and burden of foodborne disease; development of capacities for implementing risk-based food inspection, and the ongoing work with governmental and non-governmental agencies to improve good hygienic practices along the food chain.

218. The Representative explained that the remaining Sections of the document presented new areas of work being initiated and publications that had been completed since the previous session of the CAC. The document provided the links to the FAO and WHO websites where full lists of activities at national and regional level could be found. She encouraged delegates to review the information provided and welcomed feedback on the new format of the document.

219. The Commission expressed its thanks to FAO and WHO for their work in capacity building and scientific advice. It was noted that scientific advice formed the basis for the work of Codex and that it was necessary for all members to increase their support to this critical activity.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 12)[48]

Codex Budget

220. The Secretariat presented the budget and detailed expenditures for 2010-2011, noting that travel expenditures included funding for the participation of several JECFA experts to the 75th JECFA in November 2011. The substantial contribution made by the host countries to support the Codex programme was also highlighted with appreciation.

221. The Commission was informed that the 2012-2013 budget was approximately similar to 2010-2011, including 10% efficiency savings applied to all programmes in FAO, and that specific FAO funds had been allocated for the use of the Russian language.

222. One delegation stressed the need to increase resources for translation of documents into Arabic, which was very important to facilitate the participation of countries in the Near East in Codex work.

223. The Commission expressed its appreciation to FAO, WHO and host countries for their continuous support to the Codex programme.

FAO/WHO Scientific Support to Codex

224. The Representative of FAO, referring to paragraphs 21 to 23 of CX/CAC 12/35/15 which include detailed figures, clarified that the support to scientific advice includes the staff costs, and approximately

[48] CX/CAC 12/35/15, CX/CAC 12/35/15-Add.1

80 % of the non staff costs which relates to the implementation of the various expert meetings, preparation and publication of reports, updating of databases etc.

225. Efforts to support the provision of scientific advice continue and an additional allocation has been provided to support scientific advice in the area of nutrition in the current biennium. Nevertheless, reductions in the availability of Regular Programme funds coupled with the increasing demand for scientific advice, for example on pesticide residues, and the increasing complexity of issues across the board, mean there is an ongoing and growing need for extra- budgetary resources to supplement the regular programme budget of FAO for the provision of scientific advice.

226. FAO wish to ensure that the processes for generating standards maintain the highest standards while increasing in efficiency and remaining sustainable. GIFSA and other mechanisms are in place in FAO to receive extra-budgetary resources to support this work. FAO very much appreciates the support that has been received from countries to date but does note that such support has been limited to a few countries. The Representative also indicated that the position of FAO JECFA Secretariat is currently under recruitment and applications are welcome until 17thJuly.

227. The WHO Representative, in referring to document CX/CAC 12/35/15, explained the estimated budget needs for scientific advice in food safety and nutrition and highlighted the current estimated budget gaps.

228. The Representative of FAO introduced the current FAO situation of the cost and output of the JMPR. He highlighted that the FAO Regular Programme funds in the work of JMPR has been significantly reduced in recent years, while there was an increasing demand for scientific advice on pesticide residues. He further emphasized that the JMPR now works over its capacity. To increase the output of JMPR would require additional sustainable financial resources for staff and non-staff costs, and additional expertise.

229. Many delegations stressed the importance of FAO/WHO scientific advice and supported the proposal made by the Executive Committee to set up a sub-committee to propose finding realistic solutions to the critical resource problem in scientific advice.

230. Several delegations expressed their concern about the possibility of funding from the private sector as this would impair the integrity of the process, transparency and independence of the scientific advice. Other delegations recalled that it was necessary to seek funding from other sources than governments, with the understanding that any such funding should be acceptable according to FAO and WHO rules

231. One delegation encouraged the Secretariat to prepare a report on the financial situation in order that FAO and WHO members' representatives could draw the attention of the governing bodies to the issues of funding for scientific advice.

232. In response to some comments, the WHO Representative clarified that the scientific advice programme is not part of the Codex work and has a separate budget, and clarified that estimated costs for individual scientific advice activities are as listed in the table to the document, and refer to activity cost only, excluding staff cost. Regarding rules for funding for scientific advice and Codex work, she clarified that this is considered as core business of the Organizations and, as normative work according to the rules and procedures, is excluded from receiving funds from private sector entities that have a direct interest in the outcome of the work, in order to safeguard the independence and integrity of this work.

233. As regards the information provided to the governing bodies of FAO, the Secretariat indicated that an information document on *FAO's Role in International Standard Setting*, including Codex and referring to the importance of scientific advice, had been presented to the Committee on Agriculture (COAG) in 2012.

234. The Commission expressed its thanks to FAO and WHO for their support to scientific advice, took note of the current challenges in meeting the funding gap for scientific advice and supported the conclusions of the Executive Committee and agreed with the establishment of a sub-Committee of CCEXEC, chaired by Professor Samuel Sefa-Dedeh, to consider funding options, for consideration at the next session of the CCEXEC and the Commission

235. The Commission endorsed the proposal of the CCEXEC to request member countries to reconsider their funding priorities and provide financial support to FAO and WHO expert bodies. It was also agreed that the attention of the governing bodies of FAO and WHO should be drawn to the financial situation of scientific advice through the appropriate reporting channels in both organizations.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 13)[49]

A. Relations between the Codex Alimentarius Commission and other International Intergovernmental Organizations

World Organization for Animal Health (OIE)

236. Dr Vallat, Director-General of the OIE, noted that during the past 12 months representatives of the OIE and Codex have continued to participate in relevant meetings of each organization. He emphasized that the maintenance and further strengthening of these arrangements is essential to ensure that standards pertaining to the food production continuum are consistent and to avoid gaps, contradictions and duplication in coverage.

237. Dr Vallat recalled that the potential development of joint standards was considered at the 27th Session of the CCGP and that following comments of Member Countries of the Commission, the OIE withdrew its original proposal and made a new one on possible means to harmonize approaches to standard setting, consistent with recommendations of the WTO SPS Committee. The OIE was pleased with the decision by the CCGP to establish an electronic working group to propose guidance for the OIE and the CAC on making consistent cross references to standards and guidance of each organization. Dr Vallat assured the Commission that the OIE will participate actively in this work.

238. On the issue of private standards in international trade, Dr Vallat indicated that the OIE has continued working on this issue with the objective of encouraging global private standard setting organizations to respect the official standards of the OIE and CAC. The OIE has taken steps to establish closer relationships with relevant global private standard setting organizations which included the signing of official agreements with ISO and the GFSI during 2011.

239. Dr Vallat noted that the OIE Expert *ad hoc* Group on Zoonotic Parasites, which includes participation from the WHO, FAO and CAC, is developing a revised *Terrestrial Code* chapter on trichinellosis which may be proposed for adoption at the 81st OIE General Session in May 2013. He sees that the current work of the Commission on trichinellosis has provided an opportunity to strengthen collaboration and coordination. The active involvement in each others' work on this topic will facilitate coordination between the two organisations in this area of work.

240. He also provided an update on OIE standards regarding antimicrobial resistance.

241. Dr Vallat noted that standards for high quality veterinary services and aquatic animal health services are set out in the OIE *Terrestrial* and *Aquatic Animal Health Codes*, respectively, and that these standards address animal production food safety and related activities, including the legislative framework for regulatory activities. In addition, he added that the OIE Tool for the Evaluation of Performance of Veterinary Services (OIE PVS Tool) covers food safety, including veterinary inspection at abattoirs, standards for the use of veterinary drugs and management of residues, and health certification for trade. Dr Vallat considered that these OIE standards and the PVS Tool were relevant to the development of Codex Guidelines on National Food Control Systems, by the CCFICS.

242. Dr Vallat assured the Commission of his strong commitment, on behalf of 178 OIE Member Countries, to maintaining and strengthening the close relationship between the OIE and the Codex Alimentarius Commission.

World Trade Organization (WTO)

243. The Observer from WTO presented a summary of the main aspects of relevance to Codex work since the 34th session of the Commission namely: trade concerns related to food safety; transparency, technical assistance; monitoring the use of international standards; cooperation between the WTO/SPS Committee and Codex, IPPC and the OIE and update on dispute settlement cases in the WTO addressing the SPS Agreement as indicated below. It was noted that further detail on WTO activities relevant to Codex could be found in the information document CAC/35 INF/3.

244. *Food safety:* in 2011 and the first trimester of 2012, 20 trade concerns related to food safety were discussed of which 12 were raised for the first time.

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[49] CAC 12/35/16. Information provided by OECD (CAC/35 INF/1); OIE (CAC/35 INF/2); WTO (CAC/35 INF/3); STDF (CAC/35 INF/4); OIV (CAC/35 INF/5); ISO (CAC/35 INF/6); and IAEA (CAC/35 INF/7).

245. *Transparency:* the SPS information management system (SPS-IMS) allowed easy access and management of all WTO-SPS related documentation including notifications of regulations affecting different products and countries or trade concerns presented to the WTO/SPS Committee.

246. *Technical assistance:* four regional workshops on the application of the WTO/SPS Agreement had been planned in 2012 for Latin America; English-speaking Africa; Asia and the Pacific; and Central and Eastern Europe, Central Asia and the Caucasus. A workshop on transparency focused on the use of the SPS IMS and the new online SPS notification submission system (SPS NSS) would be organized and the 3 sisters would be invited to present their online available tools in this regard.

247. *Monitoring the use of international standards:* several WTO members presented a joint submission on SPS measures and international standards, guidelines and recommendations, raising concerns with the increase in the number of SPS measures that were not based on international standards, guidelines and recommendations or that had inadequate scientific justification.

248. *Cooperation between the WTO/SPS Committee and the three sister organizations:* the WTO Secretariat organized a workshop on coordination of SPS matters at the national and regional levels, to bring together officials responsible for participation in and implementation of the SPS Agreement, Codex, IPPC and/or OIE to discuss best practices in coordination at national and regional levels. Two specific recommendations resulting from the workshop were (i) the possibility to develop guidelines for good national coordination and/or (ii) a manual of good practices. Also, the SPS Committee formally agreed to encourage the Three Sisters to undertake joint work on cross-cutting issues, such as, *inter alia*, certification, inspection, approval procedures and/or risk analysis.

International Atomic Energy Agency (IAEA)

249. The Representative of the IAEA reported on relevant matters of interest to Codex arising from the Joint FAO/IAEA Division of Nuclear Techniques in Food and Agriculture since the 34th Session of the Commission, including the control of food contaminants, the use of ionizing radiation and the management of nuclear and radiological emergencies particularly following the Japanese nuclear emergency.

250. The Representative noted that in follow-up to discussions at the 6th Session of the Committee on Contaminants in Foods (CCCF) to involve the IAEA and other relevant international organizations in the proposed revision of the Codex Guideline Levels for Radionuclides in Foods, the Joint FAO/IAEA Division noted its intention to participate actively in this new work. The participation of the IAEA and the Joint FAO/IAEA Division in the review of the guideline levels was also strongly supported by the latest meeting of the IAEA Radiation Safety Standards Committee.

251. The Representative also noted that the Joint FAO/IAEA Division had collaborated with the Committee on Residues of Veterinary Drugs in Foods in publishing analytical methods through the Joint FAO/IAEA Division Food Contaminant and Residue Information System (FCRIS) web application system. The methods database contained methods from various sources and would accommodate both multi-residue analytical methods and single analyte methods. Access to the methods is intended to enhance the capabilities of developing countries and strengthen residue monitoring plans.

252. The associated FCRIS Pesticide Attributes Database (PAD) and the Pesticide Residue Methods (PRM) database are being developed through collaboration with the Codex Committee on Pesticide Residues as resources for physicochemical / toxicological data and for methods of analysis for pesticides, respectively.

253. The Representative further noted that two new Food Irradiation Treatment Facilities and Irradiated Food Authorization databases have been developed and published on the Joint FAO/IAEA Division website.

254. The Joint FAO/IAEA Division representative noted that the IAEA Scientific Forum on "Food for the Future: Meeting the Challenges with Nuclear Applications", would be held from 18-19 September 2012 during the 56th Session of the IAEA General Conference and would include three separate sessions on Increasing Food Production, Ensuring Food Protection and Enhancing Food Safety.

255. The Delegation of Japan presented updated information on measures taken following radioactive contamination of food caused by the Fukushima Dai-ichi Nuclear Power Plant, as contained in CRD 15. The Delegation expressed its thanks for the continued support and assistance provided by IAEA and other international organizations in this regard. The Delegation explained that various countermeasures had been taken concerning radionuclides in foods such as monitoring, restricting the distribution of foods exceeding regulatory limits, and disclosing monitoring results. Japan announced that new standard limits for

radionuclides designed to deal with the contamination in the long term, have been implemented based on the intervention exemption level used as the basis for the Codex standards.

256. The Delegation emphasized that the percentage figure shown in CAC/35 INF/7, paragraph 6 did not represent the average rate of marketed food sample exceeding regulatory limits, and that the actual excess rate was much lower, as focus for inspection had been placed on the regions and foods that needed intense management and that monitored food included food before shipment and protective measures, such as restriction of distribution are taken on foods and food producing areas for which higher than standard limits value had been observed. The Delegation noted that the estimated annual effective dose of radioactive cesium from food purchased in Fukushima prefecture was less than 0.02 mSv/man/year.

257. The Delegation also reported that monitoring of radioactive Cesium in agricultural soil and mapping of distribution and level of radioactive Cesium had been conducted and remedial actions were being planned. Tolerances for radioactive Cesium in feeds had also been established and grass and fodders as well as organic fertilizers are monitored.

258. The Delegation of Egypt requested information on collaborative work on nanometric compounds, noting the difficulties for developing countries to control such compounds which were currently on the market.

259. The Representative of the IAEA indicated that food control programmes in the Joint FAO/IAEA Division were restricted to the field of contaminants, pesticide and veterinary drug residues including the application of nuclear technology for traceability systems, and that work on nanotechnology in relation to food additives and other food processing technologies might be carried out in future.

260. The Representative of FAO highlighted the work of FAO and WHO on the application of nanotechnologies to the food and agriculture sectors. In particular, reference was made to the development of tiered approaches for risk assessment of nanomaterials and the very recently published review of the state of the art of initiatives and activities relevant to risk assessment and risk management of nanotechnologies in food and agriculture. FAO together with WHO continued to monitor the needs of their members in this area in order to determine the direction of future work.

261. The Chair of the Committee on Veterinary Drugs thanked the Joint FAO/IAEA Division for its assistance with the web-based repository for methods of analysis for residues of veterinary drugs and its relevance for the veterinary residue monitoring programmes.

262. The Delegation of Chile highlighted the importance of the development of isotopic nuclear techniques in agriculture in particular in the area of pesticide residues.

International Organization of Vine and Wine (OIV)

263. The Observer from the International Organization of Vine and Wine (OIV) recalled that OIV was an intergovernmental organization of a scientific and technical nature with recognized expertise in the field of vines, wine and wine-based beverages, table grapes and raisins and other vine-based products and that the cooperation between OIV and Codex had produced positive results in several areas of Codex work such as food additives and contaminants, methods of analysis, labelling, etc. of interest to producers and consumers.

264. The Observer noted that the OIV contributed actively to the work of the Committee on Contaminants in Foods for instance the development of the *Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Wine* and intended to participate in the revision of certain maximum levels, in particular lead, being undertaken by this Committee. The OIV was also actively involved in the review of provisions for food additives in the General Standard for Food Additives. As regards methods of analysis, the OIV had developed methods of analysis, definition of standards for sampling and quality control in laboratories for wine and wine products and some of these methods had already been referenced by the Committee on Methods of Analysis and Sampling in the relevant Codex standards. In the Committee on Fresh Fruits and Vegetables, the OIV had also participated in the development of quality provisions in the *Codex Standard for Table Grapes* and could provide technical support for the revision of the *Codex Standard for Raisins* in the Committee on Processed Fruits and Vegetables.

265. The Observer further noted that the OIV also cooperated with FAO in the development of global statistics of the wine sector.

266. The Observer stressed the need to continue to coordinate and cooperate on activities of common interest to both OIV and Codex as also indicated in the current and new Strategic Plan.

267. The Delegation of Denmark, speaking on behalf of the member states of the EU present at the session, thanked all organizations for their collaborative activities with Codex, and called for close cooperation and coordination with these organizations in particular the three sisters in the area of food safety and the WTO/SPS Agreement to avoid gaps or overlapping and prevent barriers to trade. He also acknowledged the collaborative work with the IAEA in particular following the nuclear accident in Japan.

B. Relations between the Codex Alimentarius Commission and International Non-governmental Organizations

International Organization for Standardization (ISO)

268. The Observer of ISO recalled that ISO International Standards are developed according to principles stipulated by the WTO Committee on Technical Barriers to Trade, especially transparency, openness, impartiality and consensus and highlighted several areas of common interest and cooperation with Codex, as well as ISO technical assistance to developing countries. In this perspective, ISO organized, in cooperation with Codex, FAO, OIE and the Global Food Safety Initiative (GFSI), a regional workshop on safe and sustainable fisheries in September 2011 in Indonesia. Thirteen countries (with representatives of national standards institutes, government and industry) from East and South East Asia participated in this regional workshop, which was an opportunity to demonstrate each organization's complementarity, and together provide a valuable service to all stakeholders.

269. ISO organized, in cooperation with the Codex, OIE and UNIDO a regional workshop on Standards contribution to the food sector in Africa, in Nairobi, Kenya, in April 2012. Thirty-five African countries were invited as well as countries from other parts of the world. The 120 participants (from National Standardization Bodies, governments and industry) were provided useful information about food safety in different food sectors and could share their experiences and knowledge, thus to benchmark the different national practices. This workshop enhanced awareness of participants in terms of food safety and the role of the different international organizations.

270. The Observer indicated that ISO was cooperating with AOAC concerning work on methods of analysis for infant formula and foods for infant and children.

271. The Observer highlighted the work of the ISO Conformity Assessment Committee (ISO CASCO) noting that ISO did not assess conformity but provided guidance to its members on how to carry out conformity assessment, and recalled that Codex had liaison status with ISO CASCO.

Conclusion

272. The Commission expressed its appreciation to all international organizations that had provided information on their activities relevant to Codex work and looked forward to further cooperation and partnership that would result in mutual benefits for them and Codex. In this regard, the Commission recalled that three new organizations had been granted observer status with Codex as indicated in the report of the 67th Executive Committee, which should further enhance the objective of the Commission to coordinate food standards work.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS (Agenda Item 14)[50]

273. The Commission elected the following persons to hold office from the end of its present Session to the end of the next regular (36th) Session of the Commission.

Chairperson: Mr Sanjay DAVE (India)

Vice-Chairpersons: Dr Samuel GODEFROY (Canada)

Mrs Awilo OCHIENG PERNET (Switzerland)

Professor Samuel SEFA-DEDEH (Ghana)

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 15)[51]

274. The Commission confirmed the designation of the Host Governments as listed in the Appendix VIII to this report.

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50 CX/CAC 12/35/17.

51 CX/CAC 12/35/18.

275. It was clarified that the Codex Committee on Sugars was hosted by Colombia and it was noted that the Procedural Manual on the web should be amended accordingly.

OTHER BUSINESS (Agenda Item 16)

Proposal for establishment of a subsidiary body of the Codex Alimentarius Commission[52]

276. The Delegation of India referring to the proposal in CX/CAC 12/35/19 requested the Commission to consider the establishment of a Codex Committee on spices, aromatic herbs and their formulations. The Delegation pointed out that trade in these products, in particular spices, was increasing internationally; that the main producers of spices were in developing countries and that due to the lack of harmonized standards, these countries were increasingly finding it difficult to comply with the various existing standards, which could create trade barriers. The Delegation noted that harmonization would unify classification of spices and aromatic herbs and that such harmonization could take advantage of all other international standards available in this regard. Furthermore this would also contribute to ensuring transparency, fair trade practices and health of consumers worldwide, and lead to better consultation and cooperation among producing countries. The Delegation pointed out that although spices were of plant origin that they were not classified as fruit or vegetables and could not due to their nature be considered in either of the Codex committees for fruit and vegetables. The Delegation further noted that spices and aromatic herbs were quite specific products that might deserve tailor-made requirements that should be laid down in separate standards for different spices and aromatic herbs.

277. Several countries, both producers and importers of spices, supported the proposal to establish a Committee on Spices taking into account international trade in these commodities and their importance for developing countries. However, several other delegations, while not opposed to work on spices, noted that due to the short time for consideration of the proposal, more time was needed for consideration and analysis of the proposal. These delegations also stressed that it was important for the scope to be more clearly defined; that an analysis was needed on what could be addressed through the existing Committees and the relations between the work of a new committee and other committees in Codex; and that consideration should be given to the necessary human and economic resources if a new Committee was established, both as regards participation of member countries and providing the secretariat.

278. Some of the delegations also pointed out that new work did not necessarily imply the need for a new committee, but that consideration should be given to the establishment of a time-limited task force, which was recommended by the first Codex Evaluation under Recommendation 16. Consideration could also be given to the use of other mechanisms, in particular work by electronic means, such as was currently the case for the work on panela. Also, consideration should be given to the development of horizontal standards in line with the current approach of the Commission.

279. Noting the merits and general support for work on spices, but also that further analysis was needed, the Commission agreed to request the Delegation of India to prepare a discussion paper for consideration at the next session of the Commission, taking into account comments made at this Session, in particular the need to better clarify the scope of work; an analysis of the gaps in terms of work in the Commission; and the mechanism to undertake this work. Interested delegations were invited to provide their contribution to India in the preparation of the paper. The Commission also agreed to ask the Coordinating Committees for their views on the proposal for the establishment of a Committee on spices, aromatic herbs and their formulations. The next session of the Commission would further consider the proposal based on the abovementioned discussion paper as well as the views of the Coordinating Committees.

Celebrating the 50th Anniversary of the Codex Alimentarius Commission[53]

280. The Chairperson introduced the Discussion Paper (CRD 25) and also recalled the discussions held on this item at the 67th session of the Executive Committee. He noted that the CCEXEC had supported the celebrations to mark the 50th Anniversary of the Commission and that the CCEXEC had established an organising committee, on an informal basis, led by Vice-Chair Mrs Awilo Ochieng Pernet, and including Representatives of the FAO and WHO and the Codex Secretariat, to identify priorities and time-lines and to steer activities to be carried out in consultation with regional coordinators. The Chairperson then invited Vice-Chair Mrs Awilo Ochieng Pernet to provide additional information on this item.

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52 CX/CAC 12/35/19 Rev.

53 CAC35/CRD25.

281. Mrs Ochieng Pernet recalled that fifty years after its first session, the CAC had remained fully committed to protecting the health of consumers and ensuring fair practices in the food trade. She noted that the CAC had established itself as the internationally recognised food standards-setting body and that its membership had increased steadily from 30 members in 1963 to 185 members in 2011. She also highlighted the increase in participation at Commission sessions from 120 Delegates in 1963 to 625 Delegates in 2011.

282. The Commission generally agreed with the conclusions of the Executive Committee and noted the proposed objectives for marking the 50th Anniversary i.e. (1) to celebrate the CAC's key achievements since its foundation; (2) to consider emerging issues and future challenges that Codex will be facing and to envisage how the CAC could address them and (3) to increase awareness about Codex. In addition to the proposed activities in section 3.3 of CRD 25, the Commission also noted the following proposals that had been made at the side event that took place during the session:

- follow an integrated marketing approach e.g. develop a travelling display with 12 themes including six successes and six challenges;
- hold celebrations during 12 months;
- create a CAC 50th Anniversary banner to be used at Codex Committee sessions and on other relevant Codex occasions;
- create national CAC 50th Anniversary commemorative stamps;
- hold CAC 50th Anniversary side-events during Codex Committee sessions;
- the Codex Chairperson Mr Sanjay Dave could address a special message to the broader Codex community to mark the 50th Anniversary;
- develop and promote a Codex logo as part of a communication strategy;
- raise awareness amongst policy makers and other stakeholders about the importance of Codex food safety and quality work;
- encourage National Codex Contact Points to share their success stories, lessons learned and challenges with members from their respective regions; and
- issue a Circular Letter to collect further ideas.

283. The Commission also noted that organising such activities should not result in excessive additional costs in view of the fact that resources were already limited in essential areas such as scientific advice.

Proposal for the use of a Codex "Logo"[54]

284. The Commission took note of the information provided in the discussion paper (CRD 26) and concurred to proceed with the development of a Codex logo in line with the recommendations of the 67th CCEXEC [55].

Committee on Fish and Fishery Products (CCFFP)

285. The Delegation of Indonesia informed the Committee about the preparations for the next session of the CCFFP (Bali, Indonesia, 1-5 October 2012), co-hosted by Norway and Indonesia.

Other matters

286. The Delegation of Argentina made a statement requesting the secretariat to comply with United Nations Editorial Directive ST/CS/SER.A/42 of 3 August 1999.

[54] CAC35/CRD26.

[55] REP12/EXEC1, paras 98-108.

APPENDIX 1

CHAIRPERSON

Mr Sanjay Dave
Director
Agricultural and Processed Food Products Export
Development Authority (APEDA)
Ministry of Commerce
Government of India
NCUI Building, 3 Siri Institutional Area
August Kranti Marg, Hauz Khas
New Delhi – 110016
India
Phone: +91 11 26513162
Fax: +91 11 26519259
Email: dave.codex@apeda.gov.in

VICE-CHAIRPERSONS

Dr Samuel Godefroy
Director-General
Food Directorate
Health Canada
251 Sir Frederick Banting Driveway
Room E237 (2202E)
Ottawa, Ontario K1A 0K9
Canada
Phone: +1 613 957 1821
Fax: +1 613 957 1784
Email: Samuel.godefroy@hc-sc.gc.ca

Professor S. Sefa-Dedeh
Department of Food Process Engineering
Faculty of Engineering Sciences
University of Ghana
Legon, Accra
Ghana
Phone: +233 27 7553090
Email: sefad@ug.edu.gh

Mrs Awilo Ochieng Pernet
Vice-Chair, Codex Alimentarius Commission
Division of International Affairs
Federal Office of Public Health, FOPH
CH-3003 Bern
Switzerland
Phone: +41 31 322 0041
Fax: +41 31 322 1131
Email: awilo.ochieng@bag.admin.ch

LIST OF PARTICIPANTS
LISTE DES PARTICIPANTS
LISTA DE PARTICIPANTES

AFGHANISTAN - AFGANISTÁN

Mr Abdul Razak AYAZI
Agriculture Attaché
Alternate Permanent Representative to FAO
Embassy of the Islamic Republic
of Afghanistan
Via Nomentana, 120
00161 Rome
Italy
Phone: +39 06 5741841
Email: arayazi@hotmail.com

ALBANIA - ALBANIE

Ms Vera CARA
First secretary
Alternate Permanent Representative to FAO
Embassy of the Republic of Albania
Via Asmara, 5
00199 Rome
Italy

ALGERIA - ALGÉRIE - ARGELIA

M. Ali ABDA
Directeur Général
INSA
Ministère de l'agriculture et du développement rural
12, boulevard Colonnel Amirouche
Alger

Mme Melissa LAKEHAL YOUB
Secrétaire
Représentant permanent suppléant auprès de la FAO
Ambassade de la République algérienne démocratique et populaire
Via Bartolomeo Eustachio, 12
00161 Rome
Italie

ANGOLA

Sra. Maria SANAZENGE
2e Vice-Presidente Codex-Angola
Chefe de Division Higiene Alimentaire
Instituto Nacional de Salud Pública
Luanda
Phone: +244 923653695/244 9144359060
Email: sanazenge@hotmail.com

M. Manuel DOMINGOS
Conseiller
Représentant permanent suppléant auprès de la FAO
Ambassade de la République d'Angola
Via Druso, 39
00184 Rome
Italie

Sra. Teodora SILVA
Vice President
National Codex Committee
Luanda
Phone: +244 927308077
Email: tlourenosilva@gmail.com

ANTIGUA AND BARBUDA –
ANTIGUA-ET-BARBUDA –
ANTIGUA Y BARBUDA

Ms Dianne LALLA-RODRIGUES
Director
Antigua and Barbuda Bureau of Standards
Cor Redcliffe St and Corn Alley
P.O. Box 1550
St John's
Phone: +12685624011
Email: dianne.rodrigues@antigua.gov.ag

ARGENTINA - ARGENTINE

Sr Gustavo INFANTE
Ministro Plenipotenciario
Encargado de Negocios a.i.
Representante Permanente Adjunto ante la FAO
Embajada de la República Argentina
(Representación Permanente ante la FAO)
Piazza dell'Esquilino 2
00185 Roma
Italia
Phone: +39 06 4807 33.33
Fax: +39 06 48906984
Email: emfao@mrecic.gov.ar

Sra. Andrea Silvina REPETTI
Consejero
Representante Permanente Alterna ante la FAO
Embajada de la República Argentina
(Representación Permanente ante la FAO)
Piazza dell'Esquilino 2
00185 Roma
Italia
Phone: +39 06 4807 3333
Fax: +39 06 489 06 984
Email: emfao@mrecic.gov.ar

ARMENIA - ARMÉNIE

Ms Iren MELKONYAN
Codex Contact Point
Ministry of Agriculture
3rd Government Building
Republic Square
0010 Yerevan
Phone: +37410 524610
Fax: +37410 524610
Email: codexarmenia@gmail.com

AUSTRALIA - AUSTRALIE

Mr Greg READ
Executive Manager
Biosecurity Food Division
Australian Government Department of
Agriculture, Fisheries and Forestry
GPO Box 858
CANBERRA ACT 2601
Phone: +61 2 6272 3594
Fax: +61 2 6272 4112
Email: gregory.read@daff.gov.au

Ms Ann BACKHOUSE
Director
Codex International Standards
Food Division
Australian Government Department of
Agriculture, Fisheries and Forestry
GPO Box 858 CANBERRA ACT 2601
Phone: +61 2 6272 5692
Fax: +61 2 6272 3103
Email: ann.backhouse@daff.gov.au

Dr Paul BRENT
Chief Scientist
Food Standards Australia New Zealand
PO Box 7186
CANBERRA ACT 2610
Phone: +61 2 6271 2215
Fax: +61 2 6271 2278
Email: paul.brent@foodstandards.gov.au

Ms Emmy ARTHURSON
Executive Assistant
Biosecurity Food Division
Australian Government Department of
Agriculture, Fisheries and Forestry
GPO Box 858
CANBERRA ACT 2601
Phone: +61 2 6272 4461
Fax: +61 2 6272 4112
Email: emmy.arthurson@daff.gov.au

AUSTRIA - AUTRICHE

Mr Aleksander ZILBERSZAC
Head of Unit
Nutrition, Specific Goods and International
Food Affairs II/b/14
Federal Ministery of Health
Radetzkystraße, 2
A- 1031 Vienna
Phone: +43.1.71100.4617
Email: alexander.zilberszac@bmg.gv.at

Mr Erhard HÖBAUS
Austrian FAO/WHO Codex Contact Point
Federal Ministry of Agriculture, Forestry,
Enviroment and Water Management
A-1012 Vienna, Stubenring 12
Phone: +43 1 71100 2855
Fax: +43 1 71100 2901
Email:
Erhard.HOEBAUS@lebensministerium.at

BANGLADESH

Ms Sultana AFROZ
Counsellor (Economic Affairs)
Alternate Permanent Representative to FAO
Embassy of the People's Republic of
Bangladesh
Via Antonio Bertoloni, 14
00197 Rome
Italy

Dr Syed Humayun KABIR
Director (Standards)
Bangladesh Standards and Testing Institution
(BSTI)
116/A, Tejgaon I/A
Dhaka - 1208.
Phone: +88 02 8870278/+88 01948096260
Email: bsti@bangla.net, bsti_std@bangla.net
drhkabir_bsti@yahoo.com

BELARUS - BÉLARUS - BELARÚS

Ms Polina DOZOROVA
Third Secretary
Embassy of the Republic of Belarus
Via delle Alpi Apuane, 16
00141 Rome
Italy
Phone: +39 3895138934
Email: p.dozorova@gmail.com

BELGIUM - BELGIQUE - BÉLGICA

M. Carl BERTHOT
Conseiller général
Service Public Fédéral
Santé Publique, Securité de la chaîne alimentaire et Environnement
Place Victor Horta, 40 Boîte 10
Bloc II -7 étage
1060 Bruxelles
Phone: +32 (0) 2 5247369
Fax: +32 (0) 2 5247399
Email: Codex.be@health.belgium.be

M. Johan HALLAERT
Directeur Politique Alimentaire
FEVIA
Fédération de l'industrie alimentaire
Avenue des Arts 43
B-1040 Bruxelles
Phone: +32 2 550 1760
Fax: +32 2 550 1754
Email: jh@fevia.be

M. Guido KAYAERT
Vice President
Relations with EU Institutions
Nestlé
Rue de Birmingham 221 B
B - 1070 Bruxelles
Phone: + 32 2 529 53 30
Email: Guido.kayaert@be.nestle.com

M. Bart VANDEWAETERE
Assistant Vice-President
EU Affairs
Nestlé
Rue de Birmingham, 221B
1070 Bruxelles
Phone: + 32 2 529 52 27
Email: bart.vandewaetere@be.nestle.com

Mr Luc OGIERS
Director
FPS Economy, S.M.E.s, Self Employed and Energy
Vooruitgangstraat 50
1210 Brussels
Phone: +0032 2 277 74 81
Email: luc.ogiers@economie.fgov.be

BELIZE - BELICE

Dr Miguel Angel FIGUEROA
Director Food Safety Services
Belize Agricultural Health Authority (BAHA)
Saint Joseph street
Belize City
Phone: 501-2244794
Email: Miguel.figueroa@baha.bz

BENIN - BÉNIN

M. Olivier Marie Bienvenu Coffi VIGAN
Secrétaire Général
Ministère de l'Agriculture, de l'Élevage et de la Pêche
B.P. 03-2900 Cotonou
Phone: (00229)97083769
Email: vigolive@yahoo.fr

Dr Yombo MALETE
Directeur de l'Alimentation et de la Nutrition Appliquée
Point de Contact du Codex Alimentarius
Ministère de l'Agriculture, de l'Elevage et de la Peche
BP 295
Porto-Novo
Phone: +229 997 112020
Fax: +229 20213963
Email: Yombomalete@yahoo.fr
maepdana@ymail.com

BHUTAN - BHOUTAN - BHUTÁN

Mr Kinley PELDEN
Chief Regulatory and Quarantine Officer
Quality Control and Quarantine Division
Bhutan Agriculture and Food Regulatory Authority
Ministry of Agriculture and Forests
Post Box 1071
Thimphu
Phone: +975 17705885
Email: kinleypelden@gmail.com

Ms Ngawang PEM
Chief Human Resource Officer
Ministry of Agriculture and Forests
Post Box 1071
Thimphu
Phone: +975 17761028
Email: ngawangp@gmail.com
ngawangpem@moaf.gov.bt

BOLIVIA (PLURINATIONAL STATE OF) – BOLIVIE (ÉTAT PLURINATIONAL DE) - BOLIVIA (ESTADO PLURINACIONAL DE)

Sra. Roxana OLLER CATOIRA
Representane Permanente Alterno
Representación Permanente de Bolivia ante la FAO
Embajada del Estado Plurinacional de Bolivia
Via Brenta 2a - Int. 28
00198 Roma
Italia
Email: roxoller@yahoo.com

Ing. Lilis Ivan TICLLA IÑIGUEZ
Presidente
Comite Nacional de Codex Bolivia
Ministerio de Desarrollo Rural y Tierras
Av. Camacho nº 1471
Loayza y Bueno
Phone: 78783141
Email: solyluna1407@hotmail.com

Sra. Maria Eugenia GAZAUI
Consultora
Embajada del Estado Plurinacional de Bolivia
Via Brenta 2a - Int. 28
00198 Roma
Italia
Phone: 3346162269
Email: mariaeugeniagazaui@gmail.com

BOSNIA AND HERZEGOVINA – BOSNIE-HERZÉGOVINE – BOSNIA Y HERZEGOVINA

Dr Sejad MACKIC
Director
Food Safety Agency
Ante Starceviba bb
88000 Mostar
Phone: +387 36 336 950
Email: direktor@fsa.gov.ba

Dr Dzemil HAJRIC
Assistant Director
Food Safety Agency
Ante Starceviba bb
88000 Mostar
Phone: + 387 62 330 612
Email: hajric@fsa.gov.ba

BRAZIL - BRÉSIL - BRASIL

Mr Orlando RIBEIRO
Minister - Head of the Agriculture and Commodities Division
Ministry of Foreign Affairs
Palácio Itamaraty, Anexo I, sala 531
Brasilia, DF 70170-900
Phone: (+5561) 2030-8919
Email: orlando.ribeiro@itamaraty.gov.br

Mr Carlos Santos AMORIM JUNIOR
Director of External Relations
Associacão Brasileira de Normas Técnicas (ABNT)
Rua Minas Gerais, 190
Higienópolis
01244-010 -São Paulo
Phone: +55 11 3017 3618
Fax: +55 11 3017 3633
Email: csamorim@abnt.org.br
mmariotti@abnt.org.br

Mr Guilherme ANTÔNIO DA COSTA JÚNIOR
Brazilian Agricultural Attaché to WTO
Permanent Representation of the Federative Republic of Brazil to WTO
71, avenue louis-casaï
case postale 120
1216 cointrin - Genève
Suisse
Phone: +4122 929-0900
Email: guilherme.costa@delbrasgva.org

Mrs Antonia Maria DE AQUINO
Manager of Special Products
Nacional Health Surveillance Agency - Anvisa/MS
SIA Trecho 5 - Area Especial 57
Bloco D - 2º andar - CEP: 71.205050
Phone: + 55 61 3462 5329
Email: Antonia.maria@anvisa.gov.br

Mr Antonio MANTOAN
Assoc Director Regulatory Affairs
ABIA Assoc Brasileira da Industria da Alimentaçao
Av Brig Faria Lima
1478, 11 andar, Sao Paulo
Brasil 01451001
Phone: +55 11 99730 9777
Email: Antonio.mantoan@mjn.com

Mr Rogério PEREIRA DA SILVA
Coordinator For Codex Alimentarius Matters
Ministry of Agriculture, Livestock and Food Supply
Esplanada dos Ministérios
Bloco "D" - Edifício Sede - Sala 349
CEP: 70043-900 Brasília-DF
Phone: +55 61 3218-2416
Email: rogerio.silva@agricultura.gov.br

Mr Marcos PUPIN
Manager
ABIA - Brazilian Food Industry Association
Av. Brigadeiro Faria Lima
1478. São Paulo SP CEP 01451 001 Brazil
Phone: +55 11 5508 1788
Email: marcos.pupin@br.nestle.com

Dr André SANTOS
Deputy Coordinator of the Brazilian Codex Committee
National Institute of Metrology, Quality and Technology
Rua da Estrela, 67 - 4º andar
Rio Comprido - Rio de Janeiro - CEP:20251-900
Phone: + 55 21 32161008
Email: alsantos@inmetro.gov.br

BULGARIA - BULGARIE

Mr Ivanov LUBOMIR
Ambassador
Permanent Representative to FAO
Permanent Representation of the Republic of Bulgaria to FAO
Via Pietro Paolo Rubens, 21
00197 Rome
Italy

Ms Antoaneta DIMITORVA
Political Affairs
Embassy of Bulgaria
Via Pietro Paolo Rubens, 21
00197 Rome
Italy
Phone: +39 06 322 4640
Email: euaffairs@bulemb.it

Ms Ana PASKALEVA
Political Affairs
Embassy of Bulgaria
Via Pietro Paolo Rubens, 21
00197 Rome
Italy
Phone: +39 06 322 4640
Email: euaffairs@bulemb.it

BURKINA FASO

M Moussa OUATTARA
Chef de service du contrôle phytosanitaire de la qualité des produits agricoles et alimentaires
Direction de la Protection des Végétaux et du Conditionnement
Direction Générale des Productions végétales
Ministère de l'Agriculture et de l'Hydraulique
01 BP : 5362 Ouagadougou 01
Phone: +00226 71353315/00226 78199504/00226 50361915
Email: Ouattmouss@yahoo.fr

M. Laurent dit Diandiaoua COULIDIATI
Conseiller en agriculture
Représentant permanent adjoint auprès de la FAO
Ambassade du Burkina Faso
Via XX Settembre,86
00187 Rome
Italie
Phone: +39 06 420 10611
Fax: +39 06 420 16701

BURUNDI

M Damien NAKOBEDETSE
Directeur du Bureau Burundais de Normalisation et controle de la qualité
Ministère du Commerce, de l'industrie, des Postes et du tourisme
Boulevard de la Tanzanie No 500
P.O. 3535
Bujumbura
Phone: +257 2222 1815
Email: bbnorme11@yahoo.fr

CAMEROON - CAMEROUN - CAMERÚN

M. Charles Boniface BOOTO à NGON
Director Général Agence des normes et de la qualité
Coordonnateur du CCAFRICA
Minsitère de l'Industrie, des Mines et du Développement Technologique
Yaoundé
Fax: bootoangon@yahoo.fr

M. Urbain Noel EBANG MVE
Secrétaire général du Ministère de l'industrie, des mines et du développement technologique
Président du CNCOSAC
Yaoundé

M. Moungui MÉDI
Deuxième Conseiller
Représentant permanent adjoint auprès de la FAO
Ambassade de la République du Cameroun
Via Siracusa, 4-6
00161, Rome
Italie
Phone: +39 06 4403544
Fax: +39 06 4403644
Email: medimoungui@yahoo.fr

M. POUEDOGO POUEDOGO
Chargé d'études dans les Services du Premier Ministre
Yaoundé
Email: pouedo@yahoo.com

M. Solomon Enoma TATAH
Sous-Directeur a.i.
Minstère des relations extérieures
Yaoundé

M. Martin MINDJOS MOMENY
Chef de Division a.i. des normes et de la qualité
Ministère de l'industrie, des mines et du développement technologique
Yaoundé
Email: mindjos@yahoo.fr

M. Blaise MOUSSA
Directeur
Administration et des Finances à l'ANOR
Yaoundé
Email: blaise_moussa@yahoo.fr

M. Mohamadou AWAL
Expert/Formateur en qualité
Agence de normes et de la qualité (ANOR)
Yaoundé
Email: mohamadou_awal@yahoo.fr

Colette WOLIMOUN BOOTO A NGON
Sous-Directrice de l'alimentation animale
Ministère de l'élevage, des pêches et des industries animales
Yaoundé
Email: booto25@yahoo.fr

Mr Jean Martin ETOUNDI
Secrétaire technique du CNCOSAC
Agence des Normes et de la qualité
Yaoundé
Email: etoundijme@yahoo.fr

M. Delor Magellan KAMSEU KAMGAING
Président
Ligue amerounaise des consommateurs
BX 8133 Yaoundé
Phone: +237 999 96 6605

CANADA - CANADÁ

Dr John Arthur LYNCH
Executive Director
Food Safety Strategies Directorate
Canadian Food Inspection Agency
1400 Merivale Road
Ottawa, Ontario, K1A 0Y9
Phone: (613) 773 6045
Email: John.lynch@inspection.gc.ca

Mr Paul MAYERS
Associate Vice-President
Policy and Programs Branch
Canadian Food Inspection Agency
1400 Merivale Road
Ottawa, Ontario, K1A 0Y9
Phone: +613-773-5747
Fax: +613 773 5692
Email: Paul.mayers@inspection.gc.ca

Mr Bertrand GAGNON
Deputy Director
Canadian Food Inspection Agency
1400 Merivale Road
Ottawa, Ontario, K1A 0Y9
Phone: +613 773 6092
Fax: +613 773 5693
Email: Bertrand.gagnon@inspection.gc.ca

Mr Allan MCCARVILLE
Manager
International, Interagency and Intergovernmental Affairs
Deputy Codex Contact Point for Canada
Food Directorate, Health Canada
251 Sir Frederick Banting Driveway
Room C400 (2204C)
Ottawa, Ontario, K1A 0K9
Phone: +613 941 4616
Email: allan.mccarville@hc-sc.gc.ca

Dr Réjean BOUCHARD
Assistant Director
Policy and Dairy Production
Dairy Farmers of Canada
21 Flortence street
Ottawa, Ontario, K2P 0W6
Phone: +613 795 6269
Email: rejean.bouchard@dfc-plc.ca

Prof. Elizabeth SMYTHE
Professor Political Science
Concordia University College of Alberta
7128 Ada Blvd
Edmonta, Alberta, T5R 3W8
Phone: cell: 780 710 0795
Email: Elizabeth.smythe@concordia.ab.ca

Ms Pamela HARROD
Assistant Director, Policy and Law
Dairy Farmers of Canada
21 Florence Street
Ottawa ON, K2P 0W6
Phone: +613 238 9997
Fax: +613 236 0905
Email: Pamela.Harrod@dfc-plc.ca

CAPE VERDE - CAP-VERT - CABO VERDE

M. José Eduardo DANTAS FERREIRA BARBOSA
Ambassadeur
Représentant permanent auprès de la FAO
Ambassade de la République du Cap-Vert
Via Giosué Carducci 4 - Int. 3
00187 Rome
Italie

CENTRAL AFRICAN REPUBLIC - RÉPUBLIQUE CENTRAFRICAINE - REPÚBLICA CENTROAFRICANA

Dr Denis SAPOUA
Directeur Général du Projet d'appui à la Rehabilitation des infrastructures rurales
Ministère de l'agriculture et de developpement rural
BP 786
Bangui
Phone: +236 75 050106
Email: dsapoua@yahoo.fr

CHILE - CHILI

Sra. Ana Cristina CANALES
Coordinación Nacional y Punto de Contacto CODEX-CHILE
Agencia Chilena para la Calidad e Inocuidad Alimentaria (ACHIPIA)
Ministerio de Agricultura
Teatinos 40, 9º piso
Santiago
Email: ana.canales@achipia.gob.cl

Sra. Alejandra GUERRA
Consejero
Representante Permanente Alterno ante la FAO
Embajada de la República de Chile
Via Po, 23
00198 Roma
Italia
Phone: +39 06 844091
Email: aguerra@chileit.it

Sr Gonzalo RÍOS
Encargado de Acuerdos Internacionales
Servicio Agrícola y Ganadero SAG
Ministerio de Agricultura
Avenida Bulnes 140
Piso 5, Santiago
Phone: 56 2 3451581
Email: gonzalo.rios@sag.gob.cl

Sra. Gras NURI
Secretaria Ejecutiva
Agencia Chilena para la Calidad e Inocuidad Alimentaria ACHIPIA
Ministerio de Agricultura
Teatinos 40, 9º piso
Santiago
Phone: +56 2 3935170
Email: nuri.gras@achipia.gob.cl

Sr Fernando ACUÑA
Asesor
Dirección General de Relaciones Económicas Internacionales
DIRECON
Ministerio de Relaciones Exteriores
Teatinos 180
Piso 11
Santiago
Phone: +5628275447
Email: facuna@direcon.gob.cl

Sra. Gisela Angélica RODRÍGUEZ RIDEAU
Regulatory and Scientific Affairs Manager
Industria
Av. Las Condes 11287
Santiago
Phone: +56 2 3384209
Email: Gasela16@hotmail.com

CHINA - CHINE

Ms DUAN Dongmei
Deputy Director
Bureau of Food Safety Coordination and Health Inspection
Ministry of Health
1,Nanlu, Xizhimenwai
Beijing
Phone: +68792386

Ms FANG Xiaohua
Deputy Director
Bureau of Quality and Safety Supervision for Agro-Products
Ministry of Agriculture
11 Nongzhannanli
Beijing
Phone: +8610-59192313
Email: fangxiaohua@agri.gov.cn

Ms QIAN Bing
Director
Department of Health of Shandong
9# Yandong New Street
Jinan, Shandong
Phone: +8653167876186
Email: qbgh@tom.com

Mr ZHAO Qinghui
Vice Director
Department of Supervision on Food Safety, AQSIQ
No. 9 Madian East Road
Haidian District, Beijing
Phone: 86-10-822660396
Email: zhaoqh@aqsiq.gov.cn

Mr ZHAO Yifang
Officer
General Administration of Quality Supervision, Inspection and Quarantine
No.9 Madian East Road
Haidian District
Beijing 100088
Phone: +86-10-82262019
Email: zhaoyf@aqsiq.gov.cn

Mr TIAN Zhaoying
Director of Division
SAC
No 9, Madian Donglu
Haidian District
Beijing 100088
Phone: +86-10-82262906
Email: tianzy@sac.gov.cn

Mr CHENG Zhenghua
Division Chief
Certification and Accreditation Administration of the People's Republic of China
9# Madian East Road
Tower B, Haidian District
Beijing 100088
Phone: (86)-10-82262763
Email: chengzh@cnca.gov.cn

Mr GU Jingyu
Director
Health Standards Office
National Center for Health Inspection and Supervision
Ministry of Health
No.32 Beisantiao Jiaodaokou
Dongcheng District
Beijing
Phone: +8610-84088502
Email: jingyugu@sina.com

Prof. CHEN Yongxiang
Deputy Director-General
National Center for Health Inspection and Supervision
Ministry of Health
No32.Beisantiao Jiaodaokou
Dongcheng District, Beijing
Phone: +8610-84088502
Email: Chenyx_1953@sina.com

Ms QI Xiaoning
Bureau of Food Safety Coordination and Health Inspection
Ministry of Health
1, Nanlu, Xizhimenwai
Beijing
Phone: +68792838

Dr HOU Peisen
Professor
China National Center for Food Safety Risk Assessment
Ministry of Health
No.7, Panjiayuan Nanli
Chaoyang District
Beijing, China, 100021
Phone: +8610-67791542
Email: houpeisen05@126.com

Dr FAN Yongxiang
Associate Professor
China National Center for Food Safety Risk Assessment
Ministry of Health
No.7, Panjiayuan Nanli
Chaoyang District
Beijing, China, 100021
Phone: +8610-87720035
Email: yongxiang.fan@gmail.com

Dr CHEN Junshi
Professor
China National Center for Food Safety Risk Assessment
Ministry of Health
29 Nanwei Road
Xuanwu District
Phone: 8610-83132922
Email: junshichen@yahoo.com

Dr YUAN Zonghui
Professor
Huazhong Agricultural University
Shizishan Street
Hongshan District
Wuhan, Hubei 430070
Phone: +86-27-8728 7186
Email: yuan5802@mail.hzau.edu.cn

Dr QIAO Xiongwu
Vice President
Shanxi Academy of Agricultural Sciences
No.2 Changfeng Street
Taiyuan 030006
Phone: +86-351-7581865
Email: ccpr_qiao@agri.gov.cn

Mr LIU Xiao Gang
Officer
State Food And Drug Administration
26 Xuanwumem Xidajie
Beijing P.R.China 100053
Phone: +86-10-88330836
Email: liuxg@sda.gov.cn/vipsfda@yahoo.cn

Dr JIAN Qiu
Deputy Director
Residue Division
Institute for the Control of Agrochemicals
Ministry of Agriculture
Room 420
No. 22, Maizidian Street, Chaoyang District
Beijing 100125
Phone: +86 10 5919 4033
Email: jianqiu@agri.gov.cn

Mr CUI Yehan
Director
The Science and Technology Development Centre
Ministry of Agriculture
Room 610, Nongfeng Building
No.96,South 3rd Ring Road
Chaoyang District
Beijing, 100122
Phone: +8610-59199375
Email: cuiyehan@agri.gov.cn

Mr DONG Yichun
Division Director
China Institute of Division Drug Control
No.8 Zhongguancun South Street
Haidian,Beijing
Phone: +010--62103588
Email: dongyichun@ivdc.gov.cn

Dr WAN Yuen Kong
Principal Medical Officer
Centre for Food Safety, Food and Environmental Department, HKSAR
Risk Management Section
Centre for Food Safety, Food and Environmental Hygiene Department,
43/F, Queensway Government Offices, 66 Queensway
Hong Kong
Phone: +852-2867 5180
Email: ykwan@fehd.gov.hk

Ms MA Ka Ming
Scientific Officer
Centre for Food Safety
3/F, 4 Hospital Road
Sai Ying Pun
Hong Kong
Phone: +852-39622064
Email: jkmma@fehd.gov.hk

Ms WU Chunzhu
Senior Regulatory and Scientific Affairs Manager
Nestle China Ltd
Building B, Lixinghang Plaza
No. 9 Wangjing Avenue
Chaoyang District, Beijing
Phone: 8610-84347887
Fax: +86 10 64389326
Email: chunzhu.wu@cn.nestle.com

Ms LI Ying
Associate Director
Scientific Affairs, Regulatory Affairs and Nutrition
China/Hong Kong/TaiWai
Kraft Foods Corporate Management (Shanghai) Co., Ltd
8f, SK Tower Beijing Tower 1
No. 6 Jianguomenwai Avenue
Chaoyang District, Beijing
Phone: +8610-65690648
Email: chelsea.li@kraftfoods.com

Ms TAM Lai Fan
Controller
Centre for Food Safety
45/F,Queensway Government Office
66 Queensway
Hong Kong
Phone: +852-97220880
Email: gloriatan@fehd.gov.hk

Ms ZHANG Xiang
Director
Scientific Affairs, Regulatory Affairs and Nutrition
Kraft Foods Asia Pacific
8f, SK Tower Beijing Tower 1
No. 6 Jianguomenwai Avenue
Chaoyang District, Beijing
Phone: +8610-65690818
Email: xinsia.zhang@kraftfoods.com

COLOMBIA - COLOMBIE

Ing. Javier MUÑOZ IBARRA
Asesor
Ministerio de Comercio, Industria y Turismo
Calle 28 N° 13 A 15 Piso 3
Bogotà
Phone: 5-71-6067676 EXT. 1205
Email: jmunoz@mincomercio.gov.co

Sra. Blanca Cristina OLARTE PINILLA
Profesional Especializado
Subdirección de Salud Ambiental
Ministerio de Salud y Protección Social
Cra 13 No 32 - 76 piso 12
Bogotà
Phone: + 571 3 30 50 00 Ext: 1262
Fax: +57 1 330 5050 Ext. 1280
Email: bolarte@minsalud.gov.co

Sra. María Victoria SALCEDO
Consejero
Representante Permanente Alterno ante la FAO
Embajada de la República di Colombia
Via Giuseppe Pisanelli 4, Int 10
00196 Roma
Italia

Dr Harry Alberto SILVA LLINAS
Subdirector de Alimentos y Bebidas
Instituto Nacional de Vigilancia de Medicamentos y Alimentos, INVIMA
Carrera 68D#17-11
Bogotà
Phone: +571 2948700 ext 3920
Email: hsilvall@invim.gov.co

CONGO

M. Marc MANKOUSSOU
Conseiller
Représentant permanent suppléant auprès de la FAO
Ambassade de la République du Congo
Via Ombrone, 8/10
00198 Rome
Italie
Phone: 068417422
Fax: 06841422

COSTA RICA

Sra. Carmen Tatiana CRUZ RAMÍREZ
Jefe Departamento del Codex en Costa Rica
Ministerio de Economía, Industria y Comercio
San José, Sabana Sur de la Contraloría General de la República 400 metros oeste.
Phone: (506) 2291-2115 ext 263
Email: tcruz@meic.go.cr

Sr Orlando GUZMÁN VÁSQUEZ
Segundo Secretario
Representante Permanente Alterno ante la FAO
Embajada de la República de Costa Rica ante la Santa Sede
(Representación Permanente ante la FAO)
Largo Ecuador 6, Int. 18
00198 Roma
Phone: +39 06 80660390
Fax: +390680660390
Email: misfao@gmail.com

Sra. Giannina María LAVAGNI BOLAÑOS
Tecnóloga de Alimentos Departamento Codex
Costa Rica
Ministerio de Economía, Industria y Comercio
San José, Sabana sur de la Contraloría General de la República
400 metros Oeste
Phone: +506 2291 2115 ext 248
Email: glavagni@meic.go.cr

CÔTE D'IVOIRE

Dr Narcisse EHOUSSOU
Médecin
Directeur de société
Président du Comité National du Codex Alimentarius de Côte d'Ivoire
Chambre de Commerce et d'Industrie de Côte d'Ivoire
20 BP 211 ABIDJAN 20
Phone: +225 01 01 55 96
Email: narcehoussou@yahoo.fr

Dr Patricia N'GORAN-THECKLY
Directeur Cordonnateur
Programme National de Nutrition
Ministère de la Santé et de Lutte contre le Sida
227 Cedex 3
Cocody Riviera
Phone: +225 20 218483/225 01 226428
Email: patricianty@yahoo.fr

Mr Atche Emerson AKA
Directeur Qualité /Pêche et froid
Membre du Comité Codex sur les Poissons et les produits de la Pêche
Comité National du Codex Alimenarius
01 BP 1518 Abidjan 01
Phone: +00 225 07 07 64 76
00 225 01 29 28 07
Email: e.aka@pechefroid-ci.com

Dr Gabriel DJI
Coca-Cola Central, East and West Africa
P.0 Box 30134
00100 Nairobi - Kenya
Phone: +254 735 830 357
Email: gdji@coca-cola.com

Dr Sanga Mamadou OUATTARA
Médecin
Programme National de Nutrition
Ministère de la Santé et de Lutte contre le Sida
227 Cedex 3
Cocody Riviera
Phone: +225 20218483/225 01 226428
Email: ouattarasanga@hotmail.com

CROATIA - CROATIE - CROACIA

Ms Tea HAVRANEK
Head of Department
Codex Contact Point
Croatian Standards Institute
Ulica Grada Vukovara 78
10000 Zagreb
Phone: +385 1 610 6005
Fax: +385 1 610 9321
Email: tea.havranek@hzn.hr

CUBA

Sra. Milagros Carina SOTO AGUERO MILAGROS
Embajadora
Representante Permanente ante la FAO
Embajada de la República de Cuba
Via Licinia, 13a
00153 Roma
Italia
Phone: +39 06 571724222
Fax: +39 06 5745445
Email: embajada@ecuitalia.it

Sra. Silvia María ALVAREZ ROSSELL
Primer Secretario
Representante Permanente Adjunto ante la FAO
Embajada de la República de Cuba
Via Licinia, 13a
00153 Roma
Phone: +39 06 5781123
Fax: +39 06 5745445
Email: adjuntocuba@ecuitalia.it

Sr Luís Alberto MARÍN LLANES
Tercer Secretario
Representante Permanente Alterno ante la FAO
Embajada de la República de Cuba
Via Licinia, 13a
00153 Roma
Italia
Phone: +39 06 5781123
Fax: +39 06 5745445
Email: alternocuba@ecuitalia.it

Sra. Hortensia Nancy FERNÁNDEZ RODRÍGUEZ
Directora General
Oficina Nacional de Normalización y
Presidenta del Comité Nacional del CODEX
Calle E No. 261 entre 11 y 13
Vedado, Plaza
La Habana 10400
Phone: (537) 8300022
Email: nc@ncnorma.cu, c/c tinfante@ncnorma.cu

Sr Gabriel LAHENS ESPINOSA
Director de Regulaciones Técnicas y Control de la Calidad
Ministerio del Comercio Exterior y de la Inversión Extranjera
Infanta No.16 e/e 23y Humbolt
Vedado
La Habana
Phone: +537 8 380364
Email: gabriel.lahens@mincex.cu

Sra. Marisa CHALLOUIX LAFFITA
Jefa de Departamento de Calidad
Ministerio de Agricultura
Ave. Independencia y Conill
Plaza de la Revolucion
La Habana
Phone: +(537) 884 7454
Fax: 065745445
Email: lafita@minag.cu

CYPRUS - CHYPRE - CHIPRE

Ms Christina PITTA
Agricultural Attaché
Alternate Permanent Representative to FAO
Embassy of the Republic of Cyprus to the Holy See
Piazza Farnese, 44
00186 Rome
Italy
Phone: +39 06 6865758
Fax: +39 06 68803756
Email: faoprcyp@tin.it

Mr Andreas CHRISTODOULOU
Intern
Embassy of the Republic of Cyprus to the Holy See
Piazza Farnese, 44
00186 Rome
Italy

**CZECH REPUBLIC –
RÉPUBLIQUE TCHÈQUE –
REPÚBLICA CHECA**

Mr Jindrich FIALKA
Director
Food Production and Legislation Department
Ministry of Agriculture
Tesnov 17
11705 Prague 1
Czech republic
Phone: + 420 221 812 465
Email: Jindrich.fialka@mze.cz

Mr Jirí MUCHKA
Second Secretary
Permanent Representative to FAO
Embassy of the Czech Republic
Via dei Gracchi, 322
00192 Rome
Italy
Email: jiri_muchka@mzv.cz

**DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA –
RÉPUBLIQUE POPULAIRE DÉMOCRATIQUE DE CORÉE –
REPÚBLICA POPULAR DEMOCRÁTICA DE COREA**

Mr HAN Pyong Man
President
Academy of Health and Food Science
Ryongbuk-Dong
Taesong District
Pyongyang
Phone: +850 2 381 8835
Email: ahfs421@star-co.net.kp

Mr PANG Kwang Hyok
Counsellor
Deputy Permanent Representative to the FAO
Embassy of the Democratic People's Republic of Korea
Viale dell'Esperanto, 26
00144 Rome
Italy
Phone: +39 06 54220749
Fax: +39 06 54210090
Email: ekodpr@alice.it

Mr KIM Song Yong
Official in charge of External affairs
Academy of Health and Food Science
Ryongbuk-Dong
Taesong District
Pyongyang
Phone: +850 2 381 8835
Email: ahfs421@star-co.net.kp

Mr KIM Mun Gol
Senior Official in charge of Science
Academy of Health and Food Science
Ryongbuk-Dong
Taesong District
Pyongyang
Phone: +850 2 381 8835
Email: ahfs421@star-co.net.kp/psh36082003@yahoo.com.cn

Mr KIM Chol Min
Alternate Permanent Representative to FAO
Embassy of the Democratic People's Republic of Korea
Viale dell'Esperanto, 26
00144 Rome
Italy
Phone: +39 0654220749
Fax: +39 0654210090
Email: ekodpr@alice.it

Ms KIM Mi Hui
Advisor
National Codex Coordinating Committee
Ryongbuk-Dong
Taesong District
Pyongyang
Phone: +850 2 381 8835
Email: ahfs421@star-co.net.kp

DEMOCRATIC REPUBLIC OF THE CONGO
RÉPUBLIQUE DÉMOCRATIQUE DU CONGO –
REPÚBLICA DEMOCRÁTICA DEL CONGO

M. Jean Robert MBONGO ITUTA BOFONDE
Chef de Laboratoire Specialisé des produits agro-alimentaires
Office Congolais de Contrôle
Avenue du Port No 98
Kinshasa-Gombe
Phone: +243 815200633/+243 898981588
Email: mbongoituta2@yahoo.fr

Dr Floribert DIBWE KALAMBA
Chef de division
Industrie d'animale
Direction de la Production et santé animales
Ministère de l'agriculture
Croisement Blvd du 30 Juin et Batetela
B.P. 8722
Kinshasa-Gombe
Phone: +243815043580
Email: floribertdibwekalamba@yahoo.fr

DENMARK - DANEMARK - DINAMARCA

Ms Jytte KJÆRGAARD
Head of Section
Danish Veterinary and Food Administration
Stationsparken 31 - 33
DK-2600 Glostrup
Phone: +45 7227 6706
Email: jk@fvst.dk

Mr Søren SKAFTE
Minister
Deputy Permanent Representative to FAO
Royal Danish Embassy
Via dei Monti Parioli, 50
00197 Rome
Italy
Phone: +39-97748329
Fax: +39-97748399
Email: sorska@um.dk

Mr Jørgen Hald CHRISTENSEN
Managing Director
Danish Dairy Board
Agro Food Park 13, Skejby
DK-8200 Aarhus N
Phone: +45 40408428
Email: jhc@lf.dk

Mr Knud ØSTERGAARD
Head of Division
Danish Veterinary and Food Administration
Stationsparken 31 - 33
DK-2600 Glostrup
Phone: +45 72276705
Email: koe@fvst.dk

Ms Linda JENSEN
Chief Consultant, Food Scientist
Danish Agriculture and Food Council
Axeltorv 3
DK-1609 Copenhagen V
Phone: + 45 3339 4352
Email: lmj@lf.dk

Ms Charlotte TEODONIO
Agricultural Attaché
Alternate Permanent Representative to FAO
Royal Danish Embassy
Via dei Monti Parioli 50
00197 Rome
Italy
Phone: +39 0697748330
Fax: +39 0697748398
Email: chateo@um.dk

Mr Peter VENDELBOE
Attaché
Royal Danish Embassy
Via dei Monti Parioli, 50
00197 Rome
Italy
Phone: +39 06 97748321
Fax: +39 06 97748399
Email: petven@um.dk

Mr Guido SALA CHIRI
Administrator
Council of the EU
Rue de la Loi 175
1040 Brussels
Phone: +32 281 5734
Email: guido.salachiri@consilium.europa.eu

Mr Cesar CORTES
Head of Unit
Council of the EU
Rue de la Loi 175
1040 Brussels
Phone: +32 281 6114
Email: cesar.cortes@consilium.europa.eu

Ms Sandra RENCELJ
Assistant
Council of the EU
Rue de la Loi 175
1040 Brussels
Phone: +32 281 3129
Email: sandra.rencelj@consilium.europa.eu

DJIBOUTI

M. Mouharam Fouad ABDALLAH
Chef de service de controle de la qualité et des normes
Point Focal du Codex
Republique de Djibouti
Direction du Commerce et de la Normalisation
Ministère chargé du Commerce, des PME, de l'Artisanat, du Tourisme et de la Formalisation
BP 24
Cité Ministérielle
Djibouti ville
Phone: +00253 21 32 54 52
Fax: +00253 35 49 09
Email: marahuom@hotmail.com

M. Yacoub ABDI DJAMA
Conseiller Téchnique
Ministère chargé du Commerce, des PME, de l'Artisanat, du Tourisme et de la Formalisation
BP 24 Cité Ministerielle
Djibouti ville
Phone: +0025 3213 25442
Email: yacoubabdi@yahoo.fr

DOMINICA - DOMINIQUE

Ms Mara Pearl ABRAHAM
Dominica Bureau of Standards
National Centre of Testing Excellence Building
Stockfarm
P.O. Box 1015
Roseau
Phone: +1 767 448 1685
Fax: +1 767 449 9217
Email: info@dominicastandards.org

DOMINICAN REPUBLIC – RÉPUBLIQUE DOMINICAINE – REPÚBLICA DOMINICANA

Sr Manuel María GUERRERO VERAS
Director General
Dirección General de Normas y Sistemas de Calidad (DIGENOR)
Av. México esq. Leopoldo Navarro
Eidf. Juan Pablo Duarte, Piso 11
Santo Domingo
Phone: +809-686-2205
Email: digenor@digenor.gob.do
ml.guerrero@claro.net.do

Sr Mario ARVELO CAAMAÑO
Embajador
RepresentantePermanente ante la FAO
Representación Permanente de la República Dominicana ante la FAO
Via Marco Aurelio, 42 int. B-2
00184 Roma
Italia

Sr Raúl PERALTA GIRÓN
Director
Departamento de Inocuidad Agroalimentaria
Ministerio de Agricultura
Ave. John F. Kennedy KM. 6 1/2
Los Jardines del Norte
Santo Domingo
Phone: +809-547-3888, ext. 6023 y 6024
Fax: +809-472-2810
Email: inocuidaddia@gmail.com
mlecheraulperalta@yahoo.com
codexsespas@yahoo.com
inocuidadia@gmail.com

Ldo. Modesto PÉREZ
Coordinador Normas Alimenticias
Ministerio de Salud Pública y Asistencia Social
Ave. Héctor Homero Hernández esq. Ave. Tiradentes
Ensanche La Fe
Phone: 809-541-0382
Email: codexsespas@yahoo.com
nutrisespas@hotmail.com
mbperezb@yahoo.com

Sra. Julia VICIOSO
Ministra Consejera
Representante Permanente Alterna ante la FAO
Representación Permanente de la República Dominicana ante la FAO
Via Marco Aurelio, 42 int. B-2
00184 Roma
Italia

Sr Rawell TAVERAS ARBAJE
Consejero
Representante Permanente Alterno ante la FAO
Representación Permanente de la República Dominicana ante la FAO
Via Marco Aurelio, 42 int. B-2
00184 Roma
Italia

Sra. María Cristina LAUREANO
Primer Secretario
Representante Permanente Alterna ante la FAO
Representación Permanente de la República Dominicana ante la FAO
Via Marco Aurelio, 42 int. B-2
00184 Roma
Italia

ECUADOR - ÉQUATEUR

Ing. Rommel BETANCOURT
Director de Inocuidad de Alimentos-AGROCALIDAD
Agencia Ecuatoriana de Aseguramiento de la Calidad del Agro-Agrocalidad
Av. Eloy Alfaro Y Av. Amazona
(Ed.Magap/Piso 9)
Quito
Phone: (593 2) 254 88 23)
Email: rommel.betancourt@agrocalidad.gob.ec

Sr Carlos VALLEJO
Embajador
Representante Permanente ante la FAO
Embajada de la República del Ecuador
Via Antonio Bertoloni, 8
00197 Roma
Italia

Dra. Hipatia NOGALES
Coordinadora de Sistemas de Gestión de la Inocuidad de Alimentos
Agencia Ecuatoriana de Aseguramiento de la Calidad del Agro-Agrocalidad
Av. Eloy Alfaro Y Av. Amazona
(Ed.Magap/Piso 9)
Quito
Phone: 59322548823
Email: hipatia.nogales@agrocalidad.gob.ec

Sr José Antonio CARRANZA
Primer Secretario
Representante Permanente Alterno ante la FAO
Embajada de la República del Ecuador
Via Antonio Bertoloni, 8
00197 Roma
Italia

EGYPT - ÉGYPTE - EGIPTO

Prof. Salah El Din ABOU RAYA
Professor of Food Industries
Cairo University
Faculty of Agriculture
El Gamaa St.,Giza
Phone: mob:012 3199931
Email: aborayasalah1947@yahoo.com

Mr Ahmed SALEH MOHAMED
Chairman
Edfina Company for Preserved Foods
Alexandria
Phone: +20 10 6247 88 34
Email: ahmedholding@yahoo.com

Mr Kamel Darwish MOHAMED
Senior Food Standards Specialist
Technical Secretariat for Egyptian Codex Committee
Egyptian Organization for Standardization and Quality (EOS)
16, Tadreeb El- Modarrebeen St.,
Ameriya
Cairo
Phone: +202 22845531
Fax: +202 22845504
Email: moi@idsc.net.eg
kameldarwish@ymail.com

Mr El-Shahat SELIM
Deputy General Manager - Head of Technical Department
Chamber of Food Industries
Cairo
Phone: +202 25748627
Fax: +202 25748312
Email: selim_sh2002@egycfi.org.eg

Mr Ahmed Mohammed Mohammed EL-HELW
Food Standards Specialist
Egyptian Organization for Standardization and Quality (EOS)
16, Tadreeb El-Modarrebeen St.,
Ameriya
Cairo
Phone: + 2 0122 4083536
Email: helws_a@hotmail.com

Dr Ashraf EL MARSAFY
Lab Director
Central Laboratory of Residue Analysis of Heavy Metals and Pesticides in Food
7 Nadi El-Said St.,
Dokki, Giza
Phone: +20 122 35 33 216
Email: Ashraf.elmarsafy@gcap-egypt.com

EL SALVADOR

Sra. Maria Eulalia JIMENEZ ZEPEDA
Ministra Consejera
Representante Permanente Adjunta ante la FAO
Embajada de la República de El Salvador
Via Gualtiero Castellini, 13
00197 Roma
Italia

EQUATORIAL GUINEA – GUINÉE ÉQUATORIALE – GUINEA ECUATORIAL

Sr Crisantos OBAMA ONDO
Embajador
Representante Permanente ante la FAO
Representación Permanente de la República de Guinea Ecuatorial ante la FAO
Via Bruxelles, 59A
00198 Roma
Italia

ESTONIA - ESTONIE

Ms Kairi RINGO
Head of Bureau
Ministry of Agriculture
39//41 Lai str.,
15056 Tallinn
Phone: +372 6256 212
Email: kairi.ringo@agri.ee

Ms Katrin LÕHMUS
Senior Officer
Ministry of Agriculture
39//41 Lai str.,
15056 Tallinn
Phone: +372 6256509
Email: katrin.lohmus@agri.ee

ETHIOPIA - ÉTHIOPIE - ETIOPÍA

Prof. Yalem MEKONNEN TADESSE
Chairperson of National Codex Committee of Ethiopia
College of National Sciences
Addis Ababa University
PO Box 1176
Addis Ababa
Phone: +2511-1239471
Fax: +251 11 1235469
Email: yalem_mekonnen_00@yahoo.com

EUROPEAN UNION (MEMBER ORGANIZATION) – UNION EUROPÉENNE (ORGANISATION MEMBRE) - UNIÓN EUROPEA (ORGANIZACIÓN MIEMBRO)

Ms Ella STRICKLAND
Head of Unit
European Commission
Directorate General for Health and Consumers
Rue Froissart 101
B-1049 Brussels
Phone: +32 2 299 30 30
Fax: +32 2 299 85 66
Email: ella.strickland@ec.europa.eu

Dr Eva ZAMORA ESCRIBANO
Administrator Responsible for Codex Issues
European Commission
Directorate General for Health and Consumers
Rue Froissart 101
B-1049 Brussels
Phone: +32 2 299 8682
Fax: +32 2 299 8566
Email: eva-maria.zamora-escribano@ec.europa.eu

Dr Risto HOLMA
Administrator Responsible for Codex Issues
European Commission
Directorate General for Health and Consumers
Rue Froissart 101
B-1049 Brussels
Phone: +32 2 299 86 83
Email: Risto.Holma@ec.europa.eu

Dr Bernadette KLINK-KHACHAN
EU CODEX Contact Point
European Commission
Rue Froissart 101
1049 Brussels
Phone: +32 2 295 79 08
Email: Bernadette.Klink-Khachan@ec.europa.eu

Mr Alessandro VILLA
Counsellor
Deputy Permanent Representative to FAO
Delegation of the European Union to the Holy See, to the Order of Malta and to the UN Agencies in Rome
Via IV Novembre, 149
00187 Rome
Italy

FINLAND - FINLANDE - FINLANDIA

Mr Veli-Mikko NIEMI
Director of Food Safety
Department of Food and Health
Ministry of Agriculture and Forestry
PO Box 30
00023 Government, FINLAND
Phone: +358-29516 2479
Email: veli-mikko.niemi@mmm.fi

Ms Anne HAIKONEN
Legislative Counsellor
Department of Food and Health
Ministry of Agriculture and Forestry
PO Box 30
00023 Government, FINLAND
Phone: +358 50 3697618
Email: anne.hakonen@mmm.fi

Dr Sirpa SARLIO-LÄHTEENKORVA
Ministerial Adviser
Ministry of Social Affairs and Health
PO Box 33
00023 Government, FINLAND
Email: sirpa.sarlio-lahteenkorva@stm.fi

FRANCE - FRANCIA

Mme Claire SERVOZ
Adjoint au chef du bureau de la qualité et de la valorisation des denrées alimentaires
Direction générale de la concurrence, de la consommation et de la répression des fraudes
Ministère de l'économie des finances et de l'industrie
Télédoc 051 - 59 boulevard Vincent Auriol
75703 PARIS cedex 13
Phone: +33 1 44 87 28 76
Email: claire.servoz@dgccrf.finances.gouv.fr

M. Nicolas PONÇON
Adjoint au chef bu bureau des négociations européennes et multilatérales
Direction générale de l'alimentation
Ministère de l'Agriculture, de l'Alimentation, de la Pêche, de la ruralité et de l'Aménagement du territoire
251 rue de Vaugirard
75732 Paris cedex 15
Phone: + 33 1 49 55 47 78
Email: nicolas.poncon@agriculture.gouv.fr

Mme Roseline LECOURT
Point de contact Codex
Premier Ministre-Secrétariat Général des Affaires Européennes
68, rue de Bellechasse
75700 Paris
Phone: + 33 1 44 87 16 03
Email: sgae-codex-fr@sgae.gouv.fr
roseline.lecourt@sgae.gouv.fr

Mme Françoise COSTES
Chargée de mission réglementaire
ATLA (Association de la transformation laitière françqise)
42 rue de Châteaudun
Paris - 9ième
Phone: +33 1 49 70 72 69
Email: fcostes@atla.asso.fr

Ms Annie LOC'H
Corporate Public Affairs Director
DANONE
15 rue Helder
75009 Paris
Phone: 33 6 14 67 2825
Email: Annie.loch@danone.com

GABON - GABÓN

M. Patrick MBA BEKOUNG
Directeur Général adjoint de l'élevage
Ministère de l'agriculture de l'élevage, de la pêche et du développement rural
B.P. 136 - Libreville
Phone: 07 030396
Email: mbabekoungpatrick@yahoo.fr

M. Mesmin NDONG BIYOO
Président
National Committee of Codex Alimentarius
BP 2246
Libreville

M. Henri-Gregoire NGOUA ASSOUMOU
Directeur Général
Ministère de l'agriculture de l'élevage, de la pêche et du développement rural
B.P. 511 - Libreville

Mme Blanche OBAME
Secrétaire Permanent
Comité National Codex
BP 8704 Libreville

M. Louis Stanislas CHARICAUTH
Conseiller
Représentant permanent suppléant auprès de la FAO
Rome
Phone: 06 85358970
Fax: 06 8417278
Email: ambassadedugabon1@interfree.it

Mme Pauline MESSAN ZOUNA
Vice Président
Codex Alimentarius Gabon
B.P. 8793
Libreville

GAMBIA - GAMBIE

Mr Omar TOURAY
Chairperson
National Codex Committee and SPS Committee
Kanifing Layout
KMC
Banjul
Phone: +220 9920616
Email: omartouray@live.com

GEORGIA - GÉORGIE

Mr David KOBERIDZE
Head of the National Food Agency
LEPL National Food Agency
Ministry of Agriculture
#6 Marshal Gelovani Ave.
0159 Tbilisi
Phone: +995 32 291 91 67
Email: david.koberidze@nfa.gov.ge

Ms Tamta MIKANADZE
Head of the Risk Analysis Division
Codex Contact Point for Georgia
National Food Agency
Ministry of Agriculture
6 Marshal Gelovani ave.
0159 Tbilisi
Phone: +995 32 291 91 67
mob: +995 99 213 613
Email: tamtamikanadze@yahoo.com

Mr Tornike MGALOBLISHVILI
Deputy Head of the National Food Agency
LEPL National Food Agency
Ministry of Agriculture
#6 Marshal Gelovani Ave.,
0159 Tbilisi
Phone: + 995 32 291 91 67
Email: tornike.mgaloblishvili@nfa.gov.ge

GERMANY - ALLEMAGNE - ALEMANIA

Mr Georg Friedel CRAMER
First Counsellor
Deputy Permanent Representative to FAO
Permanent Representation of the Federal Republic of Germany to FAO
Via S. Martino della Battaglia, 4
00185 Rome
Italy

Dr Pia NOBLE
Head of Division / Chair of CCNFSDU
Federal Ministry of Food, Agriculture and Consumer Protection
D-53123 Bonn
Rochusstraße 1
Phone: +49-228-99 529 4665
Email: Pia.Noble@bmelv.bund.de

Mr Niklas SCHULZE ICKING
Deputy Head of Division
Federal Ministry of Food, Agriculture and Consumer Protection
Wilhelmstrasse 54
Phone: +49-30-18529-3515
Email: Codex.germany@bmelv.bund.de

Ms Angelika MROHS
Managing Director
BLL e.V.
Claire-Waldoff-Str. 7
10117 Berlin
Phone: +49 30 206143-133
Email: amrohs@bll.de

GHANA

Mrs Evelyn Anita STOKES-HAYFORD
Ambassador
Permanent Representative to FAO
Embassy of the Republic of Ghana
Via Ostriana, 4
00199 Rome
Italy
Phone: +39-0686-219-307
Fax: +39-0686-325-762
Email: ambassador@ghanaembassy.it

Dr Stephen Kwabena OPUNI
Chief Executive
Food and Drugs Board
P.O. BOX CT 2783
Cantoments
Phone: +233 302 233 200
Email: skopuni@fdbghana.gov.gh

Dr Musheibu MOHAMMED-ALFA
Head, Animal Products and Biosafety Department
Food and Drugs Board
P.O. BOX CT 2783
Cantoments
Phone: +233 244 337 247
Email: mushalfa107@yahoo.co.uk

Mr Simpson ANIM BOATENG
Director
Metro Public Health Department
Accra Metropolitan Assembly
Phone: + 233 244 963 600
Email: kboat57@yahoo.com

Mr Frank Kofi NAGETEY
Deputy Executive Director
Ghana Standards Authority
P.O. BOX MB 245
Accra
Phone: +233 207 104 113
Email: kfnagetey@gsa.gov.gh

Ing. Emmanuel KWA-KOFI
Director
Standards Division
Ghana Standards Authority
P.O. BOX MB 245
Accra
Phone: +233 242 205 238
Email: ekwa-kofi@gsa.gov.gh

Ms Joyce OKOREE
Manager
Codex Contact Point
Ghana Standards Authority
P.O. BOX MB 245
Accra
Phone: + 233 244 381 351
+233 02 519 758
Email: codex@gsa.gov.gh
jooko88@yahoo.com

Mr Eugene ADARKWA-ADDAE
Acting Director
Standards Division
Ministry of Trade and Industry
BOX MB 47
Accra
Phone: +233 244 690 703
Email: heyadarkwaaddae@gmail.com

Mr Nii QUAYE-KUMAH
Minister Counsellor
Alternate Permanent Representative to FAO
Embassy of the Republic of Ghana
Via Ostriana, 4
00199 Rome
Italy
Phone: +39-0686-08792
Fax: +39-0686-325-762
Email: fao@ghanaembassy.it

GREECE - GRÈCE - GRECIA

Ms Nike-Ekaterini KOUTRAKOU
Minister Counsellor
Deputy Permanent Representative to FAO
Embassy of Greece
Viale G. Rossini, 4
00198 Rome
Italy

Mr Sarantis ANDRICOPOULOS
Special Advisor
Permanent Representation to FAO
Embassy of Greece
Viale G. Rossini, 4
00198 Rome
Italy

GRENADA - GRENADE - GRANADA

Mr Lindley Simeon COLLINS
Head
Codex Contact Point
P.O. Box 2036
Queen's Park
St. George's
Phone: 1-473-440-5886 OR 1-473-456-1523
Email: simeon_collins@spiceisle.com
simeoncollins@hotmail.com

GUATEMALA

Mr Alfredo TRINIDAD VELASQUEZ
Embajador
Representante Permanente ante la FAO
Embajada de Guatemala
Via dei Colli della Farnesina, 128
00135 Roma
Italia
Phone: 0636381143
Fax: 063291639
Email: milan135@gmail.com

GUINEA - GUINÉE

Mme Minte CISSE
Directrice Générale
Point de Contact du Codex
Institut Guineen de normalisation et de metrologie (I.G.N.M)
Ministère de l'industrie et des PME
BP:1639
Conakry
Phone: +224 62 572308/224 60299539
Email: hmcisse@gmail.com

HAITI - HAÏTI - HAITÍ

Ms Marie Roberta JEAN-BAPTISTE
Assistant Directeur Direction
Contrôle de la Qualité et de la Protection du Consommateur
Ministère du Commerce et de l'Industrie
8, Rue Légitime
Port-au-Prince, Haïti HT 6112
Phone: +509 34546588
Email: dcqpc_mci@yahoo.fr

Mr Pierre Charlemagne CHARLES
Assistant Directeur
Direction de Protection des Végétaux
Ministère de l'Agriculture des Ressources Naturelles et du Développement Rural
Route Nationale No. 1
Damien - Port-au-Prince
Phone: +509 37801321
Email: piecharles1055@yahoo.com

HONDURAS

Dr Juan Ramón VELÁSQUEZ PAGUAGA
Coordinador de la División de Inocuidad de Alimentos
Secretaría de Agricultura y Ganadaría
Boulevard Miraflores, Ave la FAO
Tegucigalpa
Phone: (504) 2232-6213/2239-7270
Email: jvelasquez@senasa-sag.gob.hn

Sra. Mayra ARACELY REINA DE TITTA
Ministro Consejero
Encargado de Negocios a.i.
Representante Permanente Adjunto ante la FAO
Representación Permanente de la República de Honduras ante la FAO
Via Giambattista Vico 40, int.8
00196 Roma
Italia

HUNGARY - HONGRIE - HUNGRÍA

Mrs Ágnes SZEGEDYNÉ FRICZ
Head of Division
Department of Food Processing
Ministry of Rural Development
H-1055 Budapest
Kossuth Lajos tér 11
Phone: (+36) 1 7953759
Email: Agnes.fricz@vm.gov.hu

Mr Balázs HAMAR
Permanent Representative to FAO
Office of the Permanent Representative of Hungary to FAO
Embassy of Hungary
Via Luigi Lilio 59 C/10
00142 Rome
Italy
Phone: +39-06-5190116
Fax: +39-06-97256859
Email: BHamar@mfa.gov.hu

Dr. Prof. Árpád AMBRUS
Chair of CCMAS
Chief Technical Adviser
National Food Chain Safety Office
H-1143 Budapest, Tábornok u. 2
Phone: +36 1 439 03 56
Email: AmbrusArp@nebih.gov.hu

ICELAND - ISLANDE - ISLANDIA

Mr Antonio LA ROCCA
Permanent Representation of the Republic of Iceland to FAO
Via Flaminia 441
00196 Rome
Italy
Email: gadisl@tin.it

INDIA - INDE

Shri K. CHANDRAMOULI
Chairperson
Food Safety and Standards Authority of India (FSSAI)
Ministry of Health and Family Welfare
FDA Bhawan, Kotla Road
New Delhi-110002
Phone: +23220991/92
Email: chairperson@faai.gov.in

Mr Anil MEHTA
Deputy Director
Food Safety and Standards Authority of India (FSSAI)
Ministry of Health and Family Welfare
FDA Bhawan, Kotla Road
New Delhi-110002
Phone: +23220997
Email: anilmehta@fssai.gov.in/anil.mehta76@yahoo.in

Mr Sunil BAKSHI
Deputy General Manager (QA)
National Dairy Development Board
NDDB House
Safdarjung Enclave
New Delhi 110029
Phone: +91 11 49883000
Email: sbakshi@nddb.coop

Mr Philip KURUVILLA
Board Member
Spices Board of India
Kochi, Kerala
Phone: +91 (484) 222 8069/91 98952 33117
Email: philip@jayanti.com

Ms Padmaparna DASGUPTA
FICCI Codex Cell
Head-Policy
Regulatory and External Affairs
Glaxosmithkline Consumer Healthcare Ltd
Plot 67, Sector - 32
Gurgaon, Haryana
Email: padmaparna.p.dasgupta@gsk.com

Mr Shobhan K. PATTANAYAK
Minister (Agriculture)
Alternate Permanent Representative to FAO
Embassy of the Republic of India
Via XX Settembre, 5
00187 Rome
Italy
Phone: 0039-06-42013972
Fax: 0039-06-48904470
Email: agri.wing@indianembassy.it

INDONESIA - INDONÉSIE

Mr SUPRAPTO
Acting as Head of National Standardization Agency of Indonesia
Gd. Manggala Wanabakti, Block IV floors 4
Jl. Gatot Subroto, Senayan
Phone: +62 215747043
Fax: +62 215 747045
Email: suprapto@bsn.go.id

MS Nus NUZULIA ISHAK
Director General
Directorate General for Standardization and Consumer Protection
Ministry of Trade, The Republic of Indonesia
Jl.M.I. Ridwan Rais no.5
Jakarta
Phone: +62-21-3451692
Email: nus.ishak@kemendag.go.id

Dr Roy Alexander SPARRINGA
Deputy Chairman for Food Safety and Hazardous Substance Control
National Agency for Drug and Food Control (NADFC) Indonesia
Jalan Percetakan Negara No 23
Jakarta 10560
Phone: +62 21 4253857
Fax: +62 21 4253857
Email: sparringa@gmail.com
deputi3@pom.go.id

Ms Frida ADIATI
Director
Directorate for Standardization
Ministry of Trade, The Republic of Indonesia
Jl. M.I. Ridwan Rais no.5
Jakarta
Phone: +62-21-3863928
Email: Frida.adiati@kemendag.go.id

Dr SANTOSO
Director of Fisheries Product Processing
Ministry of Marine Affairs and Fisheries
Mina Bahari III Building, 13th Floor
Jl. Medan Merdeka Timur No.16
Jakarta 10110 Indonesia
Phone: +62213500187
Fax: +62213500187
Email: santosikan@yahoo.com

Ms Penny Dewi HERASATI
Deputy Director
Directorate of Trade, Industry and IPR
Directorate General of Multilateral Affairs
Ministry of Foreign Affairs
Jln. Taman Pejambon 6
Jakarta Pusat
Phone: +62 21 3812133
Email: pennydh@hotmail.com

Mr Agus Prihatin SAPTONO
Counsellor
Alternate Permanent Representative to FAO
Embassy of the Republic of Indonesia
Via Campania, 55
00187 Rome
Italy
Phone: +39 06 4200911
Email: haminhar@gmail.com

Mr UMAR
Staff of Directorate of Fisheries Product Processing
Ministry of Marine Affairs and Fisheries
Mina Bahari 3 Building
13th Floor, Jl. Medan Merdeka Timur No. 16
Jakarta
Phone: +62213500187
Email: yumha04@gmail.com

Mr Hamim HAMIM
Agriculture Attaché
Alternate Permanent Representative to FAO
Embassy of the Republic of Indonesia
Via Campania, 55
00187 Rome
Italy

Mr Ateng SUPRIATNA
Head of Programme Division
Directorate General of Fish Processing Products and Marketing
Ministry of Marine Affairs and Fisheries
Mina Bahari III Building, 14th Floor
Jl. Medan Merdeka Timur No.16
Jakarta 10110 Indonesia

IRAN (ISLAMIC REPUBLIC OF) –
IRAN (RÉPUBLIQUE ISLAMIQUE D') -
IRÁN (REPÚBLICA ISLÁMICA DEL)

Mr Taghavi Motlagh SEYED AMINOLLAH
Ambassador
Permanent Representative to FAO
Permanent Representation of the Islamic Republic of Iran to FAO
Via Aventina, 8
00153 Rome

Ms Leila ZINATBAKHSH
Secretary of National Codex Committee
Institute of Standards and Industrial Research of Iran
Ministry of Industries
P.O.Box 14155-6139
South of Vanak Square
Teheran
Phone: +98 21 88654059
Fax: +98 21 88654059
Email: codex_office@isiri.org.ir
l_zinatbakhsh@yahoo.com

Mr Seyed Morteza ZAREI
Attaché
Alternate Permanent Representative to FAO
Permanent Representation of the Islamic Republic of Iran to FAO
Via Aventina, 8
00153 Rome

Dr Vida KAZEMI
Director-General
Food and Drug Organization
MAH
Fakhr-e- Razee street
Tehran
Phone: +982166466930-2
Email: dv.kazemi@gmail.com

IRAQ

Mr Hassan JANABI
Ambassador
Permanent Representative to FAO
Permanent Representation of the Republic of Iraq to FAO
Via della Fonte di Fauno, 5
00153 Rome
Italy
Email: iraq.fao@gmail.com

Ms Ala AL MASHTA
Technical Engineer
Permanent Representation of the Republic of Iraq to FAO
Via della Fonte di Fauno, 5
00153 Rome
Italy
Email: iraq.fao@gmail.com

Mr Nihad Saadoon GHENI
Senior Chemist
Central Organization for Standardization and Quality Control
Baghdad
Phone: +9645 7902 876974
Email: nuhad72@yahoo.com

Ms Azhar Kareem Mohammed AL-BEHADLI
Chemist
Central Organization for Standardization and Quality Control
Baghdad
Email: Azharkream@yahoo.com

Ms Manar HARFOUSH
Office Manager
Permanent Representation of the Republic of Iraq to FAO
Via della Fonte di Fauno, 5
00153 Rome
Italy

Ms Chiara MAURILIO
Assistant
Permanent Representation of the Republic of Iraq to FAO
Via della Fonte di Fauno, 5
00153 Rome
Italy
Email: iraq.fao@gmail.com

IRELAND - IRLANDE - IRLANDA

Mr Richard HOWELL
Senior Inspector
Department of Agriculture, Fisheries and Food
Agriculture House
6E Kildare Street
Dublin 2
Phone: + 353 1 6072572
Fax: +353 1 6616263
Email: Richard.howell@agriculture.gov.ie

Mr Jarlath O'CONNOR
Deputy Permanent Representative to FAO
Embassy of Ireland
Piazza di Campitelli, 3
00186 Rome
Italy
Phone: +39 06 69791215
Fax: +39 06 69791231
Email: jarlath.oconnor@dfa.ie

M Alan REILLY
Chief Executive
Food Safety Authority of Ireland
Abbey Court
Lower Abbey Street
Dublin 1
Phone: +353 1 8171369
Fax: +353 1 8171269
Email: areilly@fsai.ie

ISRAEL - ISRAËL

Ms Giovanna LA ROCCA
Trade Officer
Economic Department
Permanent Representation of Israel to FAO
Embassy of the State of Israel
Rome
Italy
Phone: 06.36198551
Email: econo-assist@roma.mfa.gov.il

ITALY - ITALIE - ITALIA

Dr Ciro IMPAGNATIELLO
Segretariato Generale Comitato Nazionale per il 'Codex Alimentarius'
Ministero delle Politiche Agricole, Alimentari e Forestali
Via XX Settembre, 20
00187 Roma
Phone: +39 06 46656046
Fax: +39 06 4880273
Email: c.impagnatiello@mpaaf.gov.it

Dr Orazio SUMMO
Comitato Nazionale Italiano Codex Alimentarius
Ministero delle Politiche Agricole, Alimentari e Forestali
Via XX Settembre, 20
00187 Roma
Phone: +39 0646656147
Fax: +39 06 4880273
Email: o.summo@mpaaf.gov.it

Dr.ssa Paola MERCIARO
Ministero delle Politiche Agricole, Alimentari e Forestali
Via XX Settembre, 20
00187 Roma
Phone: +39-06-46656047
Email: p.merciaro@mpaaf.gov.it

Dr Silvio BORRELLO
Director-General of Hygiene, Food Safety and Nutrition
Ministry of Health
Via Giorgio Ribotta 5,
00144 Rome
Phone: +39 06 5994 6616
Email: s.borrello@sanita.it

Dr Pier Giuseppe FACELLI
Director of International Relations Office
Department of Veterinary Public Health, Food Security and Collegial Bodies for Health Protection
Ministry of Health
Via G. Ribotta, 5
00144 Rome
Phone: +39 06-5994
Email: Pg.facelli@sanita.it

Dr Romano MARABELLI
Chief of Department
Department of Veterinary Public Health, Food Security and Collegial Bodies for Health Protection
Ministry of Health
Via G. Ribotta, 5
Rome
Phone: +39 06-5994
Email: alimentivet@sanita.it

Dr Ghebremedhin GHEBREIGZABIHER
Medical Officer
International Relations Office
Department of Veterinary Public Health, Food Security and Collegial Bodies for Health Protection
Ministry of Health
Via G. Ribotta, 5
00144 Rome
Phone: +39 06 59943310
Email: g.ghebreigzabiher@sanita.it

Dr Stefano MORICONI
Medical Officer
Chemical, Physical and Biological Risk Assessment Office
Directorate General of Collegial Bodies for Health Protection
Department of Veterinary Public Health, Food Security and Collegial Bodies for Health Protection
Ministry of Health
Via G. Ribotta, 5
00144 Rome
Phone: +39 06-59946513
Email: s.moriconi@sanita.it

Dr Antonino DE ANGELIS
International Relations Office
Department of Veterinary Public Health, Food Security and Collegial Bodies for Health Protection
Ministry of Health
Via G. Ribotta, 5
Rome
Phone: +39 06-59946139
Email: a.deangelis@sanita.it

Dr Catherine LECLERCQ
Researcher
Istituto Nazionale di Ricerca per gli Alimenti e la Nutrizione
Via Ardeatina 546 - I
00178 Rome
Phone: +39 06 51494402
Email: leclercq@inran.it

JAMAICA - JAMAÏQUE

Dr Linnette PETERS
Policy and Programme Director
Veterinary Public Health Division
Ministry of Health
2-4 King Street
Kingston
Phone: (876)450-8099
Email: petersl@moh.gov.jm

Mrs Orine HENRY BLAIR
Director
Regulatory Division
Bureau of Standards Jamaica
6 Winchester Road
Kingston 10
Phone: +1(876)619-1131
Email: oblair@bsj.org.jm

JAPAN - JAPON - JAPÓN

Dr Kazushi YAMAUCHI
Director
Office of International Food Safety
Department of Food Safety
Pharmaceutical and Food Safety Bureau
Ministry of Health, Labour and Welfare
1-2-2, Kasumigaseki
Chiyoda-ku, Tokyo 100-8916
Phone: +81 3 3595 2326
Email: codexj@mhlw.go.jp

Dr Hiroshi YOSHIKURA
Advisor
Department of Food Safety
Pharmaceutical and Food Safety Bureau
Ministry of Health, Labour and Welfare
1-2-2 Kasumigaseki,Chiyoda-ku
Tokyo 100-8916
Phone: +81 3 3595 2326
Fax: +81 3 3503 7965
Email: codexj@mhlw.go.jp

Mr Eiichi YOKOTA
Assistant Director
Office of International Food Safety
Department of Food Safety
Pharmaceutical and Food Safety Bureau
Ministry of Health, Labour and Welfare
1-2-2, Kasumigaseki Chiyoda-ku
Tokyo 100-8916
Phone: +81-3-3595-2326
Fax: +81-3-3503-7965
Email: codexj@mhlw.go.jp

Dr Yayoi TSUJIYAMA
Director for International Affairs
Food Safety and Consumer Policy Division
Food Safety and Consumer Affairs Bureau
Ministry of Agriculture, Forestry and Fisheries
1-2-1, Kasumigaseki, Chiyoda-ku
Tokyo 100-8950
Phone: +81-3-3502-8732
Fax: +81-3-3507-4232
Email: yayoi_tsujiyama@nm.maff.go.jp

Mr Yoshikiyo KONDO
Associate Director (International Affairs)
Food Safety and Consumer Policy Division
Food Safety and Consumer Affairs Bureau
Ministry of Agriculture, Forestry and Fisheries
1-2-1 Kasumigaseki
Chiyoda-ku, Tokyo 100-8950
Phone: +81-3-3502-8732
Fax: +81-3-3507-4232
Email: yoshikiyo_kondo@nm.maff.go.jp

JORDAN - JORDANIE - JORDANIA

Mr Basel AL-KAYED
Counsellor
Alternate Permanant Representative to FAO
Embassy of the Hashemite Kingdom of Jordan
Via Giuseppe Marchi, 1B
00161 Rome
Italy
Phone: 06 86205303
Fax: 06 8606122
Email: embroma@jordanembassy.it

KAZAKHSTAN - KAZAJSTÁN

Mr Zhandarbek BEKSHIN
Chairperson, Committee for Sanitary and
Epidemiological Surveillance
Ministry of Health
8 Orynbor Str,
House of Ministries, 5 Entrance
Astana 010000
Phone: +7 (7172) 74 30 66
Email: kgsen@mz.gov.kz

KENYA

Mrs Eva ODUOR ADEGA
Director
Standards Development and International Trade
Kenya Bureau of Standards
P.O. Box 54974
Nairobi 00200
Phone: +254 20 605490/254722202137/8
Fax: +254 20 609660
Email: oduore@kebs.org

Ms Josephine Wangari GAITA
Ambassador
Permanent Representative to FAO
Embassy of the Republic of Kenya
Viale Luca Gaurico, 205
00143 Rome
Italy

Mr Moses Gathura GICHIA
Deputy Director of Veterinary Services
Department of Veterinary Services
PO Private Bag 00625, Kangemi
Nairobi
Phone: +254733557134
Fax: +254208331273
Email: medwrin@yahoo.com

Dr Wycliffe WANGWE
Deputy Director Veterinary Services
Chief of Veterinary Public Health Division
Department of Verterinary Services
Ministry of Livestock Development
P.O.Box 00625
Kangemi, Nairobi
Phone: +254 716606105
Fax: +254 20 631273
Email: akothe@kebs.org
dereda.nyango1@gmail.com

Dr Gladys MAINA
Chief Executive Officer
Pest Control Products Board
P.O. Box 13794-00800
Nairobi
Phone: +254 020 8021846/7/8
Email: pcpboard@todays.co.ke

Mrs Alice Akoth Okelo ONYANGO
Manager-Kenya National Codex Contact Point-Secretariat
Kenya Bureau of Standards
Popo Road
Box 54974 00200
Off Mombasa Road
Behind Belleview Popo Road
Nairobi
Phone: +254-02 6048303
Fax: +254 20 609660
Email: akothe@kebs.org
dereda.nyango1@gmail.com

Dr James ONSANDO
Managing Director
Kenya Plant Health Inspectorate ServicesP.O. Box 49592
00100 Nairobi
Phone: +254 020 3536171/2
Email: director@kephis.org
dereda.nyango2@gmail.com

Ms Jacinta NGWIRI
Agricultural Attaché
Alternate Permanent Representative to FAO
Embassy of the Republic of Kenya
Viale Luca Gaurico, 205
00143 Rome
Italy

KUWAIT - KOWEÏT

Eng. Fahad AL-MUTAIRI
Assistant Under-Secretary
Deputy General Manager for Standards and Industrial Services Affairs
Public Authority for Industry
P.O.Box 4690
Safat 13047
Phone: +965 25302999
Fax: + 965 25302992
Email: aziz1994@yahoo.com

Eng. Aziza MALALLAH
Director of standards and Metrology
Public Authority for Industry
P.O. box 4690
Safat 13047
Phone: +965 25302621
Email: a.mail@pai.gov.kw

LAO PEOPLE'S DEMOCRATIC REPUBLIC - RÉPUBLIQUE DÉMOCRATIQUE POPULAIRE LAO – REPÚBLICA DEMOCRÁTICA POPULAR LAO

Mr Somthavy CHANGVISOMMID
Director-General
CCP of Lao PDR
Food and Drug Department
Ministry of Health
Simouang Road
MOH Building
Vientiane Capital 01000
Phone: +856 2121 4013-4
Fax: +856 2121 4015
Email: Csomthavy_fdd@yahoo.com

LATVIA - LETTONIE - LETONIA

Mr Girts JAUNZEMS
First Secretary
Alternate Permanent Representative to FAO
Embassy of the Republic of Latvia
Viale Liegi, 42
00198 Rome
Italy

LEBANON - LIBAN - LÍBANO

Eng. Léna DARGHAM
Acting Director-General
The Lebanese Standards Institution- LIBNOR
Codex Contact Point
Sin El Fil, City Rama Street
LIBNOR Blg.
Beirut
Phone: +9611485927
Fax: +9611485929
Email: libnor@libnor.org

Ms Mariam EID
Head of Agro-Industries Department
Coordinator for CCNEA
Coordinator of the National Codex Committee
Ministry of Agriculture
Bir Hasan
Beirut
Phone: +009611824100
Fax: 009611824100
Email: meid@agriculture.gov.lb

LESOTHO

Ms Mathoriso MONAHENG
Principal Secretary
Prime Minister's Office
P.O. Box 527
Maseru

Ms Malikopo RAKOOTJE
First Secretary
Alternate Permanent Representative to FAO
Embassy of the Kingdom of Lesotho
Via Serchio, 8
00198 Rome
Italy

Ms Masekonyela SEBOTSA
Director
Food and Nutrition Coordinating Office
Maseru

LIBERIA - LIBÉRIA

Mr Mohammed SHERIFF
Minister Plenipotentiary
Permanent Representative to FAO
Embassy of the Republic of Liberia
Piazzale delle Medaglie d'Oro, 7
00136 Rome
Phone: +39 06 35453399
Fax: +39 06 35344729
Email: liberiaembassy@hotmail.com

Mr Haruna Rashid KROMAH
Secretary
Embassy of the Republic of Liberia
Piazzale delle Medaglie d'Oro, 7
00136 Rome
Phone: +39 06 35453399
Fax: +39 06 35344729
Email: liberiaembassy@hotmail.com

LIBYA - LIBYE - LIBIA

Dr Mohamed NAHAISI
Head of Milk and Milk Products Standards Committee
Libyan National Center for Standardization and Metrology
Libya - WHO Office
Alfornag - Tripoli
Phone: + 218 4630884
Email: nahaisimh@yahoo.com

LITHUANIA - LITUANIE - LITUANIA

Dr Jeronimas MASKELIUNAS
Chief Expert
Public Health Department
Ministry of Health
Vilniaus str. 33
LT-01506, Vilnius
Phone: +370 52 219 3339
Email: Jeronimas.Maskeliunas@sam.lt

Dr Almantas KRANAUSKAS
Head of Health Promotion and Resortology Division
Public Health Department
Ministry of Health
Vilniaus g.33, LT-01506 Vilnius
Phone: +370 61681002
Fax: +(370 5) 2661402
Email: Almantas.Kranauskas@sam.lt

LUXEMBOURG - LUXEMBURGO

M. Richard PHILIPPART
Attaché
Représentant permanent suppléant auprès de la FAO
Ambassade du Grand-Duché de Luxembourg
Via di S. Croce in Gerusalemme, 90
00185 Rome
Italie

MADAGASCAR

Mme Marcelle Claudia LANANA
Directeur de la Concurrence et de la Protection des Consommateurs
Ministère du Commerce
BP 454 Ambohidahy Antananarivo
Phone: +261 34 05 513 43
Email: dcpc@commerce.gov.mg

Mme Josiane RATSIMBAZAFY
Chargé d'affaires, a.i.
Ambassade de la République de Madagascar
Via Riccardo Zandonai, 84/A
00194 Rome

M. Monsieur MONJA
Conseiller
Représentant permanent adjoint auprès de la FAO
Ambassade de la République de Madagascar
Via Riccardo Zandonai, 84/A
00194 Rome
Italie

MALAWI

Mr Davlin CHOKAZINGA
Director-General
Malawi Bureau of Standards
Moirs Road
P.O. Box 946
Blantyre
Phone: +265 1 870 488
Fax: +265 1 870 756
Email: mbs@mbsmw.org

MALAYSIA - MALAISIE - MALASIA

Ms Fauziah ARSHAD
Deputy Director, Standard and Codex Branch
Food Safety and Quality Division
Ministry of Health Malaysia
Level 4, Bangunan Plot 3C4
N0.26, Jalan Persiaran Perdana, presint 3
62675 Putrajaya
Phone: +603 88850781
Fax: +603 88850790
Email: fauziaharshad@moh.gov.my

Ms Noraini AB WAHAB
Principal Assistant Director
Food Safety and Quality Division
Ministry of Health Malaysia
Level 3, Block E7, Parcel E
Federal Government Administrative Centre
62590 Putrajaya
Phone: +603 88850789
Fax: +603 88850790
Email: norawahab@moh.gov.my

Dr Kalanithi NESARETNAM
Director
Product Development and Advisory Services
Malaysian Palm Oil Board
No 6 Persiaran Institusi
Bandar Baru Bangi
43000 Kajang, Selangor
Phone: +603 8925 9952/8769 4589
Fax: +603 8922 1742
Email: sarnesar@mpob.gov.my

Dr Nagendran BALA SUNDRAM
Minister Counsellor
Embassy of Malaysia/Mission of Malaysia to the European Union
Avenue de Tervueren, 414 A
1150, Brussels
Belgium
Phone: +322 776 8997
Fax: +322 762 8998
Email: nagen@mpob.gov.my

MALI - MALÍ

M. Gaoussou DRABO
Ambassadeur
Représentant permanent auprès de la FAO
Ambassade de la République du Mali
Via Antonio Bosio, 2
00161 Rome
Italie
Phone: 0644254068
Fax: 0644254029

M. Bah KONIPO
Deuxième Conseiller
Représentant permanent adjoint auprès de la FAO
Ambassade de la République du Mali
Via Antonio Bosio, 2
00161 Rome
Italie
Phone: 0644254068
Fax: 0644254029

MALTA - MALTE

Mr John ATTARD KINGSWELL
National Contact Point
Food Safety Commission
Environmental Health Directrorate
37-39, Rue D'Argens
Msida MSD 1368
Phone: +356 21332225
Email: john.attard-kingswell@gov.mt

MEXICO - MEXIQUE - MÉXICO

Sr Miguel RUIZ-CABAÑAS IZQUIERDO
Embajador
Representante Permanente ante la FAO
Embajada de los Estados Unidos Mexicanos
Via Lazzaro Spallanzani, 16
00161 Roma
Italia

Sra. Andrea BARRIOS VILLARREAL
Directora de Normalización Internacional
Dirección General de Normas
Secretaría de Economía
Av. Puente de Tecamachalco No. 6
Lomas de Tecamachalco
Naucalpan Edo. De Mex., 53950
Phone: +52 55 5729 9100 Ext.43216
Email: andrea.barrios@economia.gob.mx

Sr Alan ROMERO ZAVALA
Segundo Secretario
Representante Permanente Alterno ante la FAO
Embajada de los Estados Unidos Mexicanos
Via Lazzaro Spallanzani, 16
00161 Roma
Italia

Sra. Emma María José RODRÍGUEZ SIFUENTES
Ministro
Representante Permanente Alterno ante la FAO
Embajada de los Estados Unidos Mexicanos
Via Lazzaro Spallanzani, 16
00161 Roma
Italia

MONGOLIA - MONGOLIE

Mr Davaadorj KHISHIGDELGER
Minister Counsellor
Chargé d'Affaires a.i.
Alternate Permanent Representative to FAO
Embassy of Mongolia
Via Francesco Denza, 27
00197 Rome
Italy

MONTENEGRO - MONTÉNÉGRO

Ms Marija LAKIC
First Secretary
Alternate Permanent Representative to FAO
Embassy of Montenegro
Via Antonio Gramsci, 9
00197 Rome
Italy

MOROCCO - MAROC - MARRUECOS

Ms Ihssane BEQQALI HIMDI
Chef Service Normalisation
Office National de Securité Sanitaire des Produits Alimentaires
Avenue Hadj Ahmed Cherkaoui
Agdal, Rabat
Phone: +00 212 5 37676513
Email: beqqaliihssane@yahoo.fr

Mme Sabah LAZRAQ
Directrice, Industrie de la Pêche
Departement de la pêche maritime
Ministère de l'agriculture et de la pêche maritime
B.P 476 Quartier Administratif -Haut Agdal Rabat
Phone: +05 37 68 82 95/97
Email: lazrak@mpm.gov.ma

M. Abdelkrim BERRADA
Chef de Division
Ministère de l'agriculture et de la pêche maritime
B.P 476 Quartier Administratif-Haut Agdal Rabat
Phone: +05 37 68 82 71/72
Email: berrada@mpm.gov.ma

Mme Nadia MAATA
Chef du Service Alimentaire
Laboratoire Officiel d'Analyses et de Recherches Chimiques de Casablanca
25, rue Nichakra Rahal
Casablanca
Phone: +212 522 302196/98
Fax: +212 522301972
Email: maata.loarc@yahoo.fr

MOZAMBIQUE

Ms Carla Elisa MUCAVI
Ambassador
Permanent Representative to FAO
Embassy of the Republic of Mozambique
Via Filippo Corridoni, 14
00195 Rome
Italy
Phone: +39 06 37514675

NETHERLANDS - PAYS-BAS – PAÍSES BAJOS

Mr Hieronymus FRIEDERICY
Policy Officer
Department of Food, Livestock and Consumer Policy
Ministry of Economic Affairs, Agriculture and Innovation
The Netherlands
Phone: +31 (0)70-3784924
Fax: +31 (0)70-3786153
Email: h.friedericy@minlnv.nl

Mr Martijn WEIJTENS
Member of the Management Team
Ministry of Economic Affairs, Agriculture and Innovation
P.O. Box 20401
2500 EK'S-Gravenhage
Phone: +31(0) 70 378 4385
Email: m.j.b.m.weijtens@minlnv.nl

Ms Ika VAN DE PAS
Member Management Team
Ministry of Economic Affairs, Agriculture and Innovation
Prins Clauslaan 8
2595 Ay
The Hague
Phone: +3170 3706972
Email: i.r.j.vandepas@mineleni.nl

Ms Tanja ÅKESSON
Codex Contact Point
Ministry of Economic Affairs, Agriculture and Innovation
PO Box 20401
2500 EK The Hague
Phone: +31 70 378 4045
Email: t.z.j.akesson@minlnv.nl

Mr Matthijs THEELEN
CMM Team
Phone: +31 6 26 55 03 58
Email: matttheelen@gmail.com

Mr Rob THEELEN
Dutch Food Safety Authority
PO Box 43006
3540 AA Utrecht
Phone: +31611882558
Email: r.m.c.theelen@vwa.nl

NEW ZEALAND - NOUVELLE-ZÉLANDE - NUEVA ZELANDIA

Mr Raj RAJASEKAR
Senior Programme Manager (Codex)
International Policy
International Standards Organizations Group
Ministry for Primary Industries
Pastoral House
25 The Terrace
Wellington
Phone: +64 4 8942576
Email: raj.rajasekar@mpi.govt.nz

Ms Carol BARNAO
Deputy Director General - Standards
Ministry for Primary Industries
Pastoral House
25 The Terrace
Wellington
Phone: +64 4 894 2652
Email: carol.barnao@mpi.govt.nz

Dr Steve HATHAWAY
Director Science and Risk Assessment
Ministry for Primary Industries
Pastoral House
25 The Terrace
Wellington
Phone: +64 4 8942519
Email: steve.hathaway@mpi.govt.nz

NICARAGUA

Sra. Mónica ROBELO RAFFONE
Embajadora
Representante Permanente ante la FAO
Representación Permanente de la
República de Nicaragua ante la FAO
Via Ruffini, 2/A
00195 Roma
Italia
Phone: 0632110020
Email: embanicfao@cancilleria.gob.ni

NIGER - NÍGER

Mme Aissatou Cisse HASSAN
Chef de Division alimentation et nutrition
Direction générale de l'agriculture
Ministère de l'agriculture
B.P. 323
Niamey
Phone: +227 96969423
Fax: +227 2 733570
Email: aissacisse_hassan@yahoo.fr

NIGERIA - NIGÉRIA

Dr Paul Botwev ORHII
Director-General
National Agency for Food and Drug Administration and Control
2032 Olusegun Obasanjo Way
Wuse
Zone 7
Abuja
Phone: +234 09 6718008
Email: paulorhii@yahoo.com

Mrs Jane O. OMOJOKUN
Deputy Director
Regulatory Affairs
National Agency for Food and Drug Administration and Control
445 Herbert Macaulay Way
Yaba, Lagos
Phone: +234 8033338184
Fax: +234 1 4772453
Email: janeomojokun@yahoo.com
omojokun.j@nafdac.gov.ng

Mr Musa GEORGE
Assistant Director (Codex Unit)
Standards Organization of Nigeria
52, Lome Crescent
Wuse Zone 7
Abuja
Phone: +234-8057346499
Email: bob_king_george@yahoo.com
mgeorge@sononline.org

Dr Majasan ADEMOLA ADETOKUNBO
Deputy Director
Federal Ministry of Agriculture and Natural Resources
FCDA Secretariat, Area 11
Garki, Abuja
Phone: +234-8055178412
Email: demmyjash@yahoo.com

Dr Mike Kanayochukwu NWANERI
Director
National Agricultural Quarantine Service
Federal Ministry of Agriculture and Natural Resources
FCDA Secretariat, Area 11
Garki, Abuja
Phone: +08034609217
Email: michaelnwaneri@yahoo.com

Dr Joseph Jemgbar NYAGER
Director
Federal Ministry of Agriculture and Rural Development
F.C.D.A Secretariat
Area 11, Garki - P.M.B. 135
Abuja
Phone: +234 8037868707
Email: nyagerj@yahoo.com

NORWAY - NORVÈGE - NORUEGA

Ms Bodil BLAKER
Specialist Director
Ministry of Health and Care Services
P.O. Box 8011 Dep., N-0030
Oslo
Phone: +47 22 24 86 02
Fax: +47 22 24 86 56
Email: bob@hod.dep.no

Mrs Vigdis Synnøve VEUM MØLLERSEN
Senior Advisor
Norwegian Food Safety Authority- Head Office
P.O.Box 383
N-2381 Brumunddal
Phone: +47 23 21 66 69
Fax: +47 23 21 68 01
Email: visvm@mattilsynet.no

Mr Halvard KVAMSDAL
Senior Advisor DVM
Ministry of Health and Care Services
P.O. BOX 8011 DEP
NO-0030 Oslo
Phone: +47 22 24 86 50
Email: hk@hod.dep.no

Ms Tone Elisabeth MATHESON
Senior Advisor
Ministry of Agriculture and Food
Postboks 8007 Dep
0030 Oslo
Phone: +47 22 24 94 13
Email: Tone-elisabeth.matheson@lmd.dep.no

OMAN - OMÁN

Mr Saleh AL-ZADJALI
Director of Specification
Directorate General for Standards and Metrology (DGSM)
Ministry of Commerce and Industry (MOCI)
P.O. Box: 550, Postal Code:100
Muscat
Phone: +968-24813418
Email: SMS-9000S@HOTMAIL.COM

PAKISTAN - PAKISTÁN

Ms Tehmina JANJUA
Ambassador
Permanent Representative to FAO
Embassy of the Islamic Republic of Pakistan
Via della Camilluccia, 682
00135 Rome
Italy
Phone: +39 06 36301775
Fax: +39 06 36301936
Email: agriwing@gmail.com

Mr Khalid MEHBOOB
Adviser
Alternate Permanent Representative to FAO
Embassy of the Islamic Republic of Pakistan
Via della Camilluccia, 682
00135 Rome
Italy
Phone: +39 06 36303736
Fax: +39 06 36301936
Email: agriwing@gmail.com

PANAMA - PANAMÁ

Dra. Vielka Xiomara CEDEÑO DE BALABARCA
Presidente Comite Nacional Codex/Medico Veterinario
Ministerio de Salud
Departamento de Proteccion de Alimentos
Ancon Edificio 253 Ciudad Panama
Phone: (507) 512 9180 / 66805249
Email: dravielkax30@hotmail.com

Sr Guido MARTINELLI ENDARA
Embajador
Representante Permanente ante la FAO
Embajada de la República de Panamá
Largo di Torre Argentina, 11
00184 Roma
Italia

Sr Gerardo VEGA BERRÍO
Ministro Consejero
Representante Permanente Alterno ante la FAO
Embajada de la República de Panamá
Largo di Torre Argentina, 11
00184 Roma
Italia

PAPUA NEW GUINEA – PAPOUASIE-NOUVELLE-GUINÉE – PAPUA NUEVA GUINEA

Mr Elias TAIA
Codex Manager and Contact Point
Department of Agriculture and Livestock
PO Box 2141
Boroko, NCD
Phone: +675 3418839
Email: eliastaia@yahoo.com
codexcontactpoint.png@gmail.com

PARAGUAY

Sra. Trini JIMÉNEZ
Directora del Organismo de Investigación y Asistencia Tecnologica-OIAT
Instituto Nacional de Tecnología, Normalización y Metrología
Asunción

Sra. Lorena PATINO
Segunda Secretaria
Representante Permanente Alterna ante la FAO
Embajada de la República del Paraguay
Via Firenze, 43 Scala A, int 17
00184 Roma
Italia

PERU - PÉROU - PERÚ

Dr Mónica Patricia SAAVEDRA CHUMBE
Presidenta del Comité Nacional del Codex Alimentarius
Directora General
Dirección General de Salud Ambiental
Ministerio de Salud
Calle Las Amapolas N° 350
Urb. San Eugenio
Lima 14
Phone: (511) 442-8353 anexo 108
Fax: (511) 422-6404
Email: msaavedra@minsa.gob.pe
codex@digesa.minsa.gob.pe

Sra. Carla Stella Maris CHIRINOS LLERENA
Consejero
Representante Permanente Alterno ante la FAO
Embajada de la República del Perú
Via Francesco Siacci, 2/B, int. 5
00197 Roma
Italia
Phone: +39 06 80691510
Fax: +39 06 80691777
Email: schirinos@rree.gob.pe

PHILIPPINES - FILIPINAS

Dr Maria Victoria PINION
Nutritionist-Dietitian III
Chairman, National Codex Organization
Food and Drug Administration
Department of Health
Civic Drive Filinvest
Corporate City, Alabang,
Muntinlupa City
Phone: +06 2 8425606
Email: mavspinion@yahoo.com

Dr Marvin VICENTE
Supervising Meat Control Officer
Chairperson, SubCommittee on Residues of Veterinary Drugs in Foods
National Codex Organization-Technical Committee
National Meat Inspection Service
Department of Agriculture
Visayas Avenue
Diliman, Quezon City 1101
Phone: 632-9247971/632-9247973
Email: vicentemarvin@yahoo.com

Ms Maribel MARGES
Permanent Representative of the Codex Contact Point
National Codex Organization
Department of Agriculture
Policy Research Service
3F DA Building
Elliptical Road
Diliman, Quezon City 1101
Phone: +(632) 9267439
Email: mgmarges@yahoo.com

Ms Melannie GUERRA
Supervising Aquaculturist
Chairperson, Sub-Committee on Fish Products
National Codex Organization
Department of Agriculture
Bureau of Fisheries and Aquatic Resources
PCA Bldg., Elliptical Rd
Diliman, Quezon City
Phone: +63(2) 454-5863
Email: Murguerra2002@yahoo.com

Ms Maria Lorena D. ROMAN
Research Analyst II and Technical Staff
National Codex Organization - Management Support Office (NCO-MSO)
Food Development Center
National Food Authority Department of Agriculture
FTI Complex
Taguig City 1631
Phone: (632) 838-4014/(632) 838-4561
Email: maria_lorena_roman@yahoo.com

Mr Esteban PAGARAN
Assistant Agricultural Attaché
Alternate Permanent Representative to FAO
Embassy of the Republic of the Philippines
Viale delle Medaglie d'Oro, 112-114
00136 Rome

POLAND - POLOGNE - POLONIA

Prof. Krzysztof KWIATEK
Head of Department of Hygiene of Animal Feedingstuffs
National Veterinary Research Institute
57 Partyzantów Avenue
24-100 Pulawy
Phone: +48 81 889 30 82
Mobile: +48 605 669 732
Email: kwiatekk@piwet.pulawy.pl

Ms Marzena CHACINSKA
Head of International Co-operation Department
Agricultural and Food Quality Inspection
Codex Contact Point for Poland
30, Wspolna St.,
00-930 Warsaw
Phone: +48 22 623 29 02
Email: mchacinska@ijhars.gov.pl
kodeks@ijhars.gov.pl

Mr Wojciech OSTROWSKI
Minister Counsellor
Permanent Representative to FAO
Embassy of the Republic of Poland
(Office of the Permanent Representative to FAO)
Via Pietro Paolo Rubens, 20
00197 Rome
Italy
Phone: +39 3384855278
Email: wojciech.ostrowski@msz.gov.pl

PORTUGAL

Mr Luis DURÃO
Deputy Permanent Representative to FAO
Embassy of the Portuguese Republic
Viale Liegi, 21
00198 Rome
Italy
Email: ld@embportroma.it

QATAR

Dr Muna S. AL OLAN
Specialist
Central Food Laboratories
PO Box 42
Doha
Phone: +974 55548410
Email: malolan@sch.gov.qa

Mr Shadi Salah ZEYADEH
Food Expert
Ministry of Municipality and Urban Planning
P.O.Box 163
Doha
Phone: +974 55564890
Email: szeyadah@yahoo.com

Faisal AL-BADER
Senior Standardizer
Department of Standards and Metrology
Ministry of Environment
P.O. Box 23277
Doha
Phone: +00974 44139441/44139432
Email: frbader@moe.gov.qa
standard@qatar.net.qa

**REPUBLIC OF KOREA –
RÉPUBLIQUE DE CORÉE –
REPÚBLICA DE COREA**

Dr SOHN Mun-Gi
Director-General
Food Safety Bureau
Korea Food and Drug Administration
Osong Health Technology Administration Complex
187 Osongsaengmyeong2(i)-ro
Osong-eup, Cheongwon-gun
Chungcheongbuk-do
Phone: +82 43 719 2001
Email: mgsohn@korea.kr

Dr YOON Hae Jung
Director
Risk Analysis and Research Division
National Institute of food and Drug Safety Evaluation
Osong Health Technology Administration Complex
187 Osongsaengmyeong2(i)-ro
Osong-eup, Cheongwon-gun
Chungcheongbuk-do
Phone: +82 43 719 4501
Fax: +82 43 719 4500
Email: hjyoon@korea.kr

Ms KIM Na-Rae
Assistant Director
Korea Food and Drug Administration
Osong Health Technology Administration Complex
187 Osongsaengmyeong2(i)-ro
Osong-eup, Cheongwon-gun
Chungcheongbuk-do
Phone: +82 43 719 2011
Email: knr619@korea.kr

Mr KIM Kangkook
Assistant Director
Ministry for Food, Agriculture, Forestry and Fisheries
47, Gwanmun-ro, Gwacheon-si, Gyeonggi-do
Republic of Korea, 427-719
Phone: +82 2 500 1855
Email: cvmkkk@korea.kr

Ms LEE Gyeong Jin
Assistant Manager
National Agricultural Products Quality Management Service(NAQS)
MIFAFF
Anyang-ro 172, Dongan-gu Anyang-si
Gyeonggi-do
Phone: +82 31 463 1568
Email: gryken@korea.kr

Ms CHOI Sug-Ja
Assistant Director
Ministry of Health and Welfare
75 Yulgong-ro
Jongno-gu, Seoul
Korea 110-793
Phone: +82-2-2023-7782
Email: Csj2533@korea.kr

Dr KIM Jiho
Assistant Director
Animal, Plant and Fisheries Quarantine and Inspection Agency(QIA)
Ministry of Food, Agriculture, Forestry and Fisheries
Government complex Gwacheon
Jungang-dong 1, Gwacheon, Gyeonggi-do
Seoul
Phone: +82-31-467-1894
Email: vetlove@korea.kr

**REPUBLIC OF MOLDOVA –
REPUBLIQUE DE MOLDOVA –
REPÚBLICA DE MOLDOVA**

Dr Iurie PINZARU
President of National Codex Committee,
Deputy Director of National Center of Public Health
National Center of Public Health
Ministry of Health
67a Gheorghe Asachi Street
MD-2028
Kishinev
Phone: +(373 22) 57 45 02
Fax: +(373 22) 57 46 76
Email: iurie_pinzaru@cnsp.md

ROMANIA - ROUMANIE - RUMANIA

Ms Alina POPESCU
First Secretary
Deputy Permanent Representative to FAO
Embassy of Romania
Via Nicolò Tartaglia, 36
00197 Rome
Italy

RUSSIAN FEDERATION – FÉDÉRATION DE RUSSIE – FEDERACIÓN DE RUSIA

Dr Irina BRAGINA
The Deputy Head of Rospotrebnadzor
Federal Service for Surveillance on Consumer Rights Protection and Human Well-being (Rospotrebnadzor)
18/5 and 7, Vadkovskiy per.,
Moscow, 127994
Phone: +7 499 973 26 44
Email: Bragina_iv@gsen.ru

Mr Sergey N. SAPOZHNIKOV
Second Secretary
Alternate Permanent Representative to FAO
Embassy of the Russian Federation
Via Gaeta, 5
00185 Rome
Italy

Ms Nikolay BALAN
Chief Expert on the International Cooperation Issues
Federal Service for Surveillance on Consumer Rights Protection and Human Well-being (Rospotrebnadzor)
18/5 and 7, Vadkovskiy per.,
Moscow, 127994
Phone: +7 499 973 30 12
Email: Balan_ng@gsen.ru

Ms Olga BARANNIKOVA
General Director
Nonprofit Partnership Consumer Market Participants Union
15 Donskaya Str
Office 204, 119049
Moscow
Phone: +7 (499) 272-77-70
Email: olga.barannikova@np-supr.ru

SAINT KITTS AND NEVIS – SAINT-KITTS-ET-NEVIS – SAINT KITTS Y NEVIS

Dr Tracey CHALLENGER
Chief Veterinary Officer
Department of Agriculture
La-Guerite
Basseterre
Phone: +1-869-465-2110
Email: tchallengerw@gmail

SAINT VINCENT AND THE GRENADINES - SAINT-VINCENT-ET-LES GRENADINES - SAN VICENTE Y LAS GRANADINAS

Mr Ezra LEDGER
Executive Director
Saint Vincent and the Grenadines Bureau of Standards (SVGBS)
Campden Park Industrial Site
P.O Box 1506
Kingstown, St. Vincent. W.I
Phone: 7844578092
Fax: 784 457 8175
Email: svgbs@vincysurf.com
deledger@gov.vc

SAUDI ARABIA - ARABIE SAOUDITE - ARABIA SAUDITA

Dr Salah AL-MAIMAN
Executive Director
Technical Regulations and Standards
Saudi Food and Drug Authority
3292 Northern Ring Road
Alnafel Area
Riyadh 13312-6288
Phone: +96612759222
Email: CODEX.CP@sfda.gov.sa

Mr Saleh bin Ali AL QAHTANI
Director-General
Agricultural Research Centre
Jizan

Mr Mohammed AL-HADLAQ
Standards Specialist
Saudi Food and Drug Authority
3292 Northern Ring Road
Alnafel Area
Riyadh 13312-6288
Phone: +96612759222
Email: CODEX.CP@sfda.gov.sa

Mr Mohammad AL-GHAMDI
Food Standards Specialist
Saudi Food and Drug Authority
3292 Northern Ring Road
Al Nafel Area Unit 1
Riyadh 13312-6288
Phone: +96612759222
Email: mjghamdi@sfda.gov.sa

SENEGAL - SÉNÉGAL

Prof. Amadou DIOUF
Toxicologue,Directeur du Centre Anti Poison
Président du Comité national Codex Alimentarius
1er Assesseur Doyen Faculté de Médecine
Centre Anti Poison
Minsitère de la santé et de l'Action sociale
Hôpital de Fann
Dakar
Phone: +221 77 440 6976/
Fax: (221) 33 824 65 39
Email: amdiouf@refer.sn

SERBIA - SERBIE

Ms Ivana PAJTIC
Third Secretary
Alternate Permanent Representative to FAO
Embassy of the Republic of Serbia
Via dei Monti Parioli, 20
00197 Rome
Italy

SINGAPORE - SINGAPOUR - SINGAPUR

Dr Siang Thai CHEW
Deputy Chief Executive Officer and Director-General
Agri-Food and Veterinary Services
Agri-Food and Veterinary Authority
5 Maxwell Road
Tower Block
MND Complex, #04-00
Singapore 069110
Phone: +65 6325 7600
Fax: +65 6220 6068
Email: chew_siang_thai@ava.gov.sg

Dr Paul CHIEW KING TIONG
Director of Laboratories Department
Agri-Food and Veterinary Authority
5 Maxwell Road #18-00
Tower Block
MND Complex
Singapore 069110
Phone: +65 67952828/ 63257866
Fax: +65 6861 9491
Email: paul_chiew@ava.gov.sg

Mr Sean WONG
Senior Executive Manager
Regulatory Administration Department
Agri-Food and Veterinary Authority
5 Maxwell Road #18-00
Tower Block MND Complex
Singapore 069110
Phone: +65 63257829
Email: Sean_wong@ava.gov.sg

SLOVAKIA - SLOVAQUIE - ESLOVAQUIA

Dr Zuzana BIROSOVA
Director of Food Safety and Nutrition Department
National Codex Contact Point
Ministry of Agriculture and Rural Development
Dobrovicova 12
812 66 Bratislava
Phone: +4212 59266 572
Fax: +4212 59266 704
Email: codex@land.gov.sk
zuzana.birosova@land.gov.sk

Ms Denisa MEDVEDOVA
Counsellor
Permanent Representative to FAO
Embassy of the Slovak Republic
Via dei Colli della Farnesina, 144
00194 Rome
Italy
Email: denisa.medvedova@mzv.sk

SLOVENIA - SLOVÉNIE - ESLOVENIA

Dr Blaza NAHTIGAL
Codex Alimentarius Contact Point
Food Safety Directorate
Ministry of Agriculture and Environment
Dunajska cesta 22
SI-1000 Ljubljana
Phone: +386 1 4789398
Fax: +38614789055
Email: codex.mkgp@gov.si
blaza.nahtigal@gov.si

SOMALIA - SOMALIE

Mr Haji Abdulkadir IBRAHIM
Ambassador
Permanent Representative to FAO
Embassy of the Republic of Somalia
Via dei Gracchi, 305
00192 Rome
Italy

Mrs Lul OSMAN
Embassy of the Republic of Somalia
Via dei Gracchi, 305
00192 Rome
Italy

SOUTH AFRICA - AFRIQUE DU SUD - SUDÁFRICA

Dr Boitshoko NTSHABELE
Director
Food Safety and Quality Assurance
Department of Agriculture, Forestry and Fisheries
Private Bag X343
Pretoria 0001
Phone: +2712 319 7306
Fax: +27 12 319 6764
Email: BoitshokoN@daff.gov.za

Mr Malose Daniel MATLALA
Deputy Director
Inter-Agency Liaison and Regulatory Nutrition
National Codex Contact Point: South Africa
Department of Health
Directorate: Food Control
Private Bag X828
Pretoria 0001
Phone: +27-12 395 8789
Fax: +27-12 395 8854
Email: CACPSA@health.gov.za

Mr Andries PRETORIUS
Director Food Control
Directorate Food Control
Department of Health
Private Bag X828
Pretoria 0001
Phone: +27 123958799
Fax: +0866326440
Email: PretoA@health.gov.za

Mr Michel J. YOUNG
Acting Executive - Perishable Products
National Regulator for Compulsary Specifications
P.O. Box 36558
Chempet, 7442
Cape Town
Phone: +27 21 526 3400
Fax: +27 21 526 3451
Email: youngmj@nrcs.org.za

SPAIN - ESPAGNE - ESPAÑA

Sr Elías GUÍA
Agregado Agrícolo
Representante Permanente Alterno ante la FAO
Embajada de España
(Oficina de los Representantes Permanentes Adjunto y Alterno)
Largo dei Lombardi, 21
00186 Roma
Italia
Phone: 06 6878762
Fax: 06 6873076
Email: eliasguia@tiscali.it

Sr Miguel MÉGARD OLMEDO
Asistente Técnico
Representación Permanente de España ante la FAO y el PMA
Largo dei Lombardi 21
00186 Roma
Italia
Phone: 06 6878762
Fax: 06 6873076
Email: miguel.megard@gmail.com

SRI LANKA

Ms Gothami INDIKADAHENA
Minister (Commercial)
Deputy Permanent Representative to FAO
Embassy of the Democratic Socialist Republic of Sri Lanka
(Permanent Representation to FAO)
Via Salaria, 322
00198 Rome
Italy
Phone: +39 06 8554560 Ex: 105
Fax: +39 06 84241670
Email: minister.comslemrome@gmail.com

SUDAN - SOUDAN - SUDÁN

Ms Amira GORNASS
Ambassador
Permanent Representative to FAO
Embassy of the Republic of the Sudan
Via Panama,48
00198 Rome
Italy
Email: ambassador.office@sudanembassy.it

Mr Abdalla HASSAN EISA
Director General
Sudanese Standards and Metrology Organization
Al-Gamaa StreetP.O. Box 13573
Khartoum
Phone: +249 183 777480
Email: info@ssmo.gov.sd

Mr Hassan MOHAMMED
Secretary of Codex National Committee - SSMO
Sudanese Standards and Metrology Organization
Al-Gamaa Street
P.O. Box 13573
Khartoum
Phone: +249 183 777 480
Email: hasanadam915@hotmail.com

Ms Ula Abdelaziz ABDELRAHMAN
Secretary of Codex Contact Point
Federal Ministry of Agriculture and Irrigation
Al Gamaá Street
P.O. Box 285
Khartoum
Phone: +2499180 75475
Email: ula_123@live.com

Mr Muawia EL BUKHARI
Minister Plenipotentiary
Embassy of the Republic of the Sudan
Via Panama,48
00198 Rome
Italy

Mr Mohamed Eltayeb ELFAKI ELNOR
Counsellor
Alternate Permanent Representative to FAO
Via Panama, 48
00198 Rome
Italy
Phone: +39.06.320.96.120

SURINAME

Ms Lorraine AKRUN
Veterinary Officer
Ministry of Agriculture, Animal Husbandry and Fisheries
Letitia Vriesdelaan 8-10
Paramaribo

SWEDEN - SUÈDE - SUECIA

Ms Carmina IONESCU
Codex Coordinator
National Food Agency
Box 622
SE-751 26 Uppsala
Phone: +46 18 17 55 00
Email: Codex.Sweden@slv.se

Ms Catharina ROSQVIST
Senior Administrative Officer
Ministry for Rural Affairs
Fredsgatan 8
103 33 Stockholm
Phone: +46 8 405 37 82
Email: catharina.rosqvist@rural.ministry.se

SWITZERLAND - SUISSE - SUIZA

Dr Roland CHARRIÈRE
Deputy Director General
Head Consumer Protection Directorate
Federal Office of Public Health
Schwarzenburgstr. 165
CH-3003 Bern
Phone: +41 31 322 95 03
Fax: +41 31 322 9574
Email: roland.charriere@bag.admin.ch

Mr Martin MÜLLER
Swiss Codex Contact Point, Scientific Advisor
Division of International Affairs
Federal Office of Public Health
CH-3003 Bern
Phone: +41 31 3249316
Fax: +41 31 3221131
Email: martin.mueller@bag.admin.ch

Dr Eva REINHARD
Vice-Director
Means of Agricultural Production Directorate
Federal Office for Agriculture FOAG
Mattenhofstrasse 5
CH-3003 Bern
Phone: +41 31 322 25 03
Fax: + 41 31 323 5455
Email: Eva.reinhard@blw.admin.ch

Dr Hervé NORDMANN
Director
Scientific and Regulatory Affairs
Ajinomoto Switzerland AG
CH-1143 Apples
Phone: +41 21 8003763
Fax: +41 21 8004087
Email: herve.nordmann@asg.ajinomoto.com

Ms Ursula TRUEEB
Representative Swiss Consumer Organizations
Delegation of Switzerland
Bölzli 1
CH-4312 Magden
Phone: +41 61 843 12 56
Email: ursula.trueb@vtxmail.ch

Dr Jean VIGNAL
Regulatory and Scientific Affairs
Nestec SA
Avenue Nestlé 55
CH-1800 Vevey
Phone: +41 21 924-3501
Email: jean.vignal@nestle.com

TAJIKISTAN - TADJIKISTAN - TAYIKISTÁN

Mr Bakhtier SHUKUROV
Director
Agency on Standardization, Certification, Accreditation, Metrology and Trade Inspection
Dushanbe
Phone: +99237 233-68-69
Email: info@standard.tj

Mr Kosim KURBONOV
Codex Contact Point
Ministry of Health
8 Chapaeva Street
Dushanbe
Phone: (+992) 918503274
Email: kosim.kurbonov@gmail.com

THAILAND - THAÏLANDE - TAILANDIA

Mr Sakchai SRIBOONSUE
Secretary General
National Bureau of Agricultural Commodity and Food Standards
50 Paholyothin Rd., Ladyao, Chatuchak
10900 Bangkok
Phone: +662561-2277 ext 1101
Email: sakchais@acfs.go.th

Prof. Kraisid TONTISIRIN
Senior Advisor
National Bureau of Agricultural Commodity and Food Standards
50 Paholyothin Rd., Ladyao, Chatuchak
10900 Bangkok
Phone: 662441-9740
Email: kraisid.tontisirin@gmail.com

Ms Srinuan KORRAKOCHAKORN
Deputy Secretary General
Food and Drug Administration
Ministry of Public Health
88/24 Tiwanom Road
11000 Nonthaburi
Phone: +662 5907013
Email: srinuan@fda.moph.go.th

Ms Wimolporn THITISAK
Deputy Director-General
Department of Livestock Development
Ministry of Agriculture and Cooperatives
61/9 Phayathai Rd.,
10400 Bangkok
Phone: +662 653 4403
Email: Wimolporn2000@yahoo.com

Mr Pisan PONGSAPITCH
Director
Office of Standard Development
National Bureau of Agricultural Commodity and Food Standards
50 Paholyothin Rd., Ladyao, Chatuchak
10900 Bangkok
Email: pisan@acfs.go.th

Ms Warunee SENSUPA
Food and Drug Technical Officer
Senior Professional Level
Food and Drug Administration
Ministry of Public Health
88/24 Tiwanon Rd.,
11000 Nonthaburi
Phone: +662 5907173
Email: warunee@fda.moph.go.th

Mr Panisuan JAMNARNWEJ
President, Thai Frozen Foods Association
Thai Chamber of Commerce
92/6 6th Floor
Sathorn Thani II, Thai Frozen Foods Association
North Sathorn Rd.,
10500 Bangkok
Phone: +662 235 5622-4/662 636 9001-4
Email: panisuan@yahoo.com

Ms Namaporn ATTAVIROJ
Standards Officer, Professional Level
National Bureau of Agricultural Commodity and Food Standards
50 Paholyothin Rd. Ladyao, Chatuchak
10900 Bangkok
Phone: +662 561 2277 ext 1426
Email: namaporn@acfs.go.th

Mr Rapibhat CHANDARASRIVONGS
Minister (Agriculture)
Permanent Representative to FAO
Office of Agricultural Affairs
Royal Thai Embassy
Via Cassia, 929 Villino M
00189 Rome
Italy

Ms Sairak CHAILANGGAR
Counsellor
Deputy Permanent Representative to FAO
Office of Agricultural Affairs
Royal Thai Embassy
Via Cassia, 929 Villino M
00189 Rome
Italy
Email: sairakc@gmail.com

Mr Piyawat NAIGOWIT
Second Secretary (Agriculture)
Alternate Permanent Representative to FAO
Office of Agricultural Affairs
Royal Thai Embassy
Via Cassia, 929 Villino M
00189 Rome
Italy

TONGA

Dr Viliami Toalei MANU
Deputy Director
Codex Contact Point
Research and Extension Division
Ministry of Agriculture, Food, Forestry and Fisheries
Queen Salote Wharf
Vuna Rd
Nuku'Alofa
Phone: +676 23038
Fax: +676 24271
Email: mafsoils@kalianet.to
Codexoffice.tonga@mafff.gov.to

TRINIDAD AND TOBAGO – TRINITÉ-ET-TOBAGO – TRINIDAD Y TABAGO

Ms Cheryl SCOTT-ALVAREZ
Chief Chemist and Director of Food and Drugs
Chemistry Food and Drugs Division
Ministry of Health
92 Frederick Street
Port Of Spain
Phone: +1-868-623-5242
Email: cfdd@health.gov.tt

Mr Farz KHAN
Food and Drugs Inspector
Chemistry Food and Drugs Division
Ministry of Health
92 Frederick Street
Port Of Spain
Phone: +1-868-623-5242
Email: cfdd@health.gov.tt

TURKEY - TURQUIE - TURQUÍA

Dr Betul VAZGECER
Food Enngineer
Ministry of Food, Agriculture and Livestock
Eskisehir Yolu 9 km. Lodumlu
Ankara
Phone: +90312 258 77 54
Email: Betul.vazgecer@tarim.gov.tr

Ms Makbule KOCAK
Counsellor
Alternate Permanent Representative to FAO
Embassy of the Republic of Turkey
Via Palestro 28
00185 Rome
Italy

Mr Sezmen ALPER
Secretary General
Aegean Exporters Associations
Ataturk Str. N. 382 35220
Alsancak Izmir
Phone: +90 232 488 60 30-31
Email: s.alper@eib.org.tr

Mr Menase GABAY
Vice Chairman of the Administrative Board
Aegean Exporters Associations
Ataturk Str. N. 382 35220
Alsancak Izmir
Phone: +90 232 488 60 30-31
Email: menas@gabayfig.com
driedfruits@eib.org.tr

UGANDA - OUGANDA

Dr Jane Ruth ACENG
Director-General Health Services
Ministry of Health
Plot 6 Lourdel Road, Wandegeya
P.O. Box 7272
Kampala
Phone: +256 41 340884
Fax: +256 41 340887
Email: janeaceng@yahoo.co.uk

Dr Edson Friday AGABA
Food Safety Coordinator
National Drug Auithority
Ministry of Health
Plot 46-48 Lumumba Avenue
P.O. Box 23096
Kampala
Phone: +256 414 255665
Fax: +256 414 255758
Email: agabafriday@hotmail.com
agaba.friday@yahoo.co.uk

Dr Ben MANYINDO
Ag. Executive Director
Uganda National Bureau of Standards
P.O. Box 6329
Kampala
Phone: +256 414 222 367/256 772 516848
Email: ben.manyindo@unbs.go.ug

Mr Gordon K. SEMATIKO
Executive Secretary/ Registrar
National Drug Authority
Plot 46-48 Lumumba Avenue
P.O. Box 23096
Kampala
Phone: +256 414 255665
Fax: +256 414 255758
Email: gsematiko@gmail.com
gsematiko@nda.or.ug

UKRAINE - UCRANIA

Ms Yana SKIBINETSKA
First Secretary
Alternate Permanent Representative to FAO
Embassy of Ukraine
Via Guido d'Arezzo, 9
00198 Rome
Italy

UNITED ARAB EMIRATES – ÉMIRATS ARABES UNIS – EMIRATOS ÁRABES UNIDOS

Ms Farah AL ZAROONI
Director of Standards Department
Emirates Standardization and Metrology Authority
P.O.Box 48666 Dubai
Phone: +971 (4) 2944434
Fax: +971 (4) 2944428

Mr Mirghani Obeid ALI HASSAN
Embassy of the United Arab Emirates
Via della Camilluccia 492
00135 Rome
Italy

UNITED KINGDOM - ROYAUME-UNI - REINO UNIDO

Mr Anil KANANI
Head of Food Composition, Standards and Alcohol
Food Policy Unit
Department for Environment, Food and Rural Affairs
Area 7E
9 Millbank
c/o Nobel House
17 Smith Square
London SW1P 3JR
Phone: + 44 (0)20 7238 6569
Fax: + 44 (0)20 7238 3177
Email: anil.kanani@defra.gsi.gov.uk

UNITED REPUBLIC OF TANZANIA - RÉPUBLIQUE-UNIE DE TANZANIE - REPÚBLICA UNIDA DE TANZANÍA

Mr Ridhiwani Ramadhani MATANGE
Head. Agriculture and Food Standards Section
Codex Contact Person Officer
Tanzania Bureau of Standards
P O Box 9524 Dar-es-Salaam
Phone: +255 22 2450206/+255 713 440123
Email: codex@tbs.go.tz
ridhiwanir@yahoo.com
ridhiwani.ramadhani@tbs.go.tz

Mr Hiiti SILLO
Director-General
Tanzania Food and Drugs Authority
Epi-Mabibo External off Mandela Road
P.O. Box 77150
Dar-es-Salaam
Phone: +255 22 2450512/255 754 307179
Email: hiiti@yahoo.com

Mr Raymond WIGENGE
Director for Food Safety
Tanzania Food and Drugs Authority (TFDA)
Epi-Mabibo External off Mandela Road
P.O. Box 77150
Dar-es-Salaam
Phone: +255 222 450512/255 754 286094
Fax: +255 22 2450793
Email: raywigenge@yahoo.com

**UNITED STATES OF AMERICA –
ÉTATS-UNIS D'AMÉRIQUE –
ESTADOS UNIDOS DE AMÉRICA**

Ms Darci VETTER
Deputy Under Secretary
Farm and Foreign Agricultural Services
United States Department of Agriculture
1400 Independence Ave.,
SW Room 205-E
Washington, D.C.
Phone: +202 720 7107
Email: Darci.vetter@osec.usda.gov

Mr Brian RONHOLM
Deputy Under Secretary for Food Safety
United States Department of Agriculture
1400 Independence Ave.,
SW, Room 227-E
Phone: +202 720 0351
Email: brian.ronholm@osec.usda.gov

Ms Karen STUCK
U.S. Codex Manager
U.S. Department of Agriculture
Room 4861 South Bldg.
1400 Independence Ave., S.W.
Washington, DC 20250
Phone: +202-720-2057
Fax: +202-720-3157
Email: Karen.stuck@osec.usda.gov

Ms Camille BREWER
Director
International Affairs Staff
Center for Food Safety and Applied Nutrition
U.S. Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740
Phone: +1 301 436 1723
Fax: +1 301 436 2618
Email: Camille.Brewer@fda.hhs.gov

Dr H. Michael WEHR
Codex Program Coordinator
International Affairs Staff
Center for Food Safety and Applied Nutrition
U.S. Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740
United States of America
Phone: +1 301 4361724
Fax: +1 301 436 2618
Email: michael.wehr@fda.hhs.gov

Ms Barbara MCNIFF
Senior International Issues Analyst
U.S. Codex Office
Food Safety and Inspection Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC. 20250
Phone: +202-690-4719
Fax: +202-720-3157
Email: Barbara.mcniff@fsis.usda.gov

Ms Cathy MCKINNELL
Director
International Regulations and Standards
U.S. Department of Agriculture
Box 1040
1400 Independence Ave.,
Washinton, D.C. 20250-1040
Email: Cathy.McKinnell@fas.usda.gov

Mr José Emilio ESTEBAN
Executive Associate for Laboratory Services
U.S. Department of Agriculture
950 College Station Rd
Athens, GA 30605
Phone: +1 706 546 3420
Email: Emilio.esteban@fsis.usda.gov

Ms Eileen HILL
Lead Economist/Team Leader
U.S. Department of Commerce
14 th Street and Constitution Ave.,
N.W. Washington, D.C. 20230
Phone: +202 482 5276
Email: Eileen.Hill@trade.gov

Dr Steven VAUGHN
Director
Center for Veterinary Medicine
7520 Standish Place
Rockville, Maryland
Phone: +240-276-8300
Email: Steven.Vaughn@fda.hhs.gov

Mr Richard BOYD
Chief, Defense Contract Inspection Section
Fruit and Vegetable Programs
Agricultural Marketing Service
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250
Phone: +1 202 720 5021
Fax: +1 202 690 1527
Email: richard.boyd@ams.usda.gov

Mr Kenneth LOWERY
International Issues Analyst
U.S. Codex Office
Room 4861 South Bldg.
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC. 20250
Phone: +202-690-4042
Fax: +202-720-3157
Email: Kenneth.lowery@fsis.usda.gov

Ms Marie MARATOS
International Issues Analyst
U.S. Codex Office
Food Safety and Inspection Service
Room 4861 South Bldg.
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, D.C. 20250
Phone: +1 202 690 4795
Email: marie.maratos@fsis.usda.gov

Ms Cecilia CHOI
Economic/Commercial Officer
Department of State
2201 C Street
NW Washington, D.C.20520
Phone: +202 647 3059
Email: choics@state.gov

Ms Anne KIRCHNER
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740
Phone: (240} 402-1586
Email: anne.kirchner@fda.hhs.gov

Mr Michael MICHENER
Minister Counsellor
Alternate Permanent Representative to FAO
United States Mission to the
United Nations Agencies
Via Boncompagni 2
00187 Rome
Italy
Phone: + 39 06 4674 3507
Email: michael.michener@usda.gov

Mr Kyd BRENNER
Partner
DTB Associates, LLP
901 New York Avenue, N.W - Box 12.
Washington, D.C. 20001
United States of America
Phone: + 1 202 684 2508
Fax: + 1 202 684 2234
Email: Kbrenner@dtbassociates.com

Mr Carlos CELESTINO
Senior Counsel
Food Ingredients, Excipients and Dietary Supplements
United States Pharmacopeial Convention
12601 Twinbrook Parkway
Rockville, MD 20852
United States of America
Phone: +301 230 6329
Fax: +301 998 6798
Email: cmc@usp.org

Ms Laurie HUENEKE
Director
International Trade Policy, Sanitary and Technical Issues
National Pork Producers Council
122 C Street N.W. Suite 875
Washington, D.C. 20001
United States of America
Phone: +202 347 3600
Fax: +202 347 5265
Email: huenekel@nppc.org

Mr David P. LAMBERT
Principal, Lambert Associates
5105 Yuma Street, N.W.
Washington, DC 20016
Phone: +202-966-5056
Fax: +202-966-5094
Email: lambertdp@yahoo.com

Mr Joel G. NEWMAN
President and CEO
American Feed Industry Association, Inc
2101 Wilson Blvd., Suite 916
Arlington, VA 22201
United States of America
Phone: +1 703 558 3562
Fax: +1 703 524 1921
Email: jnewman@afia.org

Ms Lisa CRAIG
Director, Regulatory Affairs
Abbott Nutrition
625 Cleveland Avenue
Columbus, OH 43215
Phone: +614 624 3696
Fax: +614 727 3696
Email: lisa.craig@abbott.com

Dr Kathyrn SIMMONS
Chief Veterinarian
National cattlemen's Beef Association
1310 Pennysylvania Ave., NW
Suite 300
Washington, D.C. 20004
Phone: +202 347 0228

Prof. Marsha ECHOLS
Washington Counsel
National Association for the Specialty Food Trade, Inc
3286 M Street, N.W.
Washington, D.C. 20007
Phone: +202 625 1451
Email: echols@marshaechols.com

Mr Clayton HOUGH
Senior Group Vice President and General Counsel
International Dairy Foods Association
1250 H Street, NW
Washington, D.C. 200005
Phone: +202 360 6362
Email: chough@idfa.org

Ms Karen JOHNSON
Acting Chief of Mission
Minister Counsellor
Deputy Permanent Representative to FAO
United States Mission to the
United Nations Agencies
Via Boncompagni 2
00187 Rome
Italy
Email: JohnsonKE@state.gov

Mr Gregory GROTH
International Relations Officer
First Secretary
Alternate Permanent Representative to FAO
United States Mission to the
United Nations Agencies
Via Boncompagni 2
00187 Rome
Italy
Phone: +39 06 4674-3506
Email: GrothGS@state.gov

Ms Elisabeth KVITASHVILI
USAID Humanitarian Affairs Counsellor
Alternate Permanent Representative to FAO
United States Mission to the
United Nations Agencies
Via Boncompagni 2
00187 Rome
Italy
Phone: +39 06 4674-3512
Email: Kvitashviliea@state.gov

Ms Laura SCHWEITZER MEINS
Agricultural Specialist
US Department of Agriculture
U.S. Misssion to the U.N. Agencies for Food and Agriculture
Via Boncompagni, 2
00186 Rome
Italy
Email: laura.schweitzer@fas.usda.gov

URUGUAY

Sr Leonardo VEIGA SANCHEZ
Director División Defensa Comercial y Salvaguardias
Dirección Nacional de Industrias
Ministerio de Industria, Energía y Minería
Sarandí 690 D 2º Entrepiso
Montevideo
Phone: (00598) 29162411
Email: Defensa.comercial@dni.miem.gub.uy
lveiga@um.edu.uy

Sr Carlos BENTANCOUR
Ministro Consejero
Representante Permanente Alterno ante la FAO
Embajada de la República Oriental del Uruguay
Via Vittorio Veneto, 183
00187 Roma
Italia
Phone: 064821776
Fax: 064823695
Email: uruit@ambasciatauruguay.it

Ing. Quim. Pedro FRIEDRICH
Punto Contacto Codex Uruguay
Jefe Depto Evaluacion de la Conformidad
Laboratorio Tecnologico del Uruguay
Avda. Italia 6201
Montevideo
Phone: +598 26013724 int 1117
Email: pfriedri@latu.org.uy
codex@latu.org.uy

UZBEKISTAN - OUZBÉKISTAN - UZBEKISTÁN

Mr Bakhodir RAKHIMOV
Leading Specialist
Head, Administrative Board Sanitary - Epidemiological Supervision
Ministry of Health
12, Navoi str.
Tashkent City
Phone: +99871 239-41-98
Email: Bakhodir.Rakhimov@minzdrav.uz

VENEZUELA (BOLIVARIAN REPUBLIC OF) VENEZUELA (RÉPUBLIQUE BOLIVARIENNE DU) – VENEZUELA (REPÚBLICA BOLIVARIANA DE)

Sr Manuel CLAROS OVIEDO
Segundo Secretario
Representante Permanente Alterno ante la FAO
Representación Permanente de la República Bolivariana de Venezuela ante la FAO
Via G. Antonelli, 47
00197 Roma
Phone: 06 8081407
Fax: 06 8069 0022
Email: embavenefao@iol.it

VIET NAM

Dr Le VAN BAM
Acting Director
Department Science Technology and Environment
Ministry of Agricultural and Rural Development
No. 2 Ngoc Ha
Ba Dinh, Ha Noi
Phone: +84.4.37332087
Email: levanbam@gmail.com

Dr VU NGOC QUYNH
Director of Vietnam Codex Office
General Secretary of Vietnam National Codex Committee
Vietnam Food Administration
135 Nui truc street
Hanoi, Vietnam
Phone: +844 38464489
Email: vungocquynh@vfa.gov.vn

Mr Thi Khanh Tram NGUYEN
Deputy Director
Vietnam Food Administration
Hanoi

YEMEN - YÉMEN

Mr Omer Ali Abdullah AL-KUHALI
General Secretary
Yemeni National Codex Committee
Yemen Standardization Metrology and Quality Control Organization
Al-Zubairy St
Sana'a
Phone: +00967 1 408608-9

Mr Khalid A. AL-AKWA
Ambassador
Permanent Representative to FAO
Embassy of the Republic of Yemen
Via Antonio Bosio, 10
00161 Rome
Phone: 06.4423.1679
Fax: 06.4423.4763

Mr Omer H. SABA'A
Alternate Permanent Representative to FAO
Embassy of the Republic of Yemen
Via Antonio Bosio, 10
00161 Rome
Phone: 06.4423.1679
Fax: 06.4423.4763
Email: segreteria@yemenembassy.it

Mr Abdullah N. AL-NA'AMI
Alternate Permanent Representative to FAO
Embassy of the Republic of Yemen
Via Antonio Bosio, 10
00161 Rome
Phone: 06.4423.1679
Fax: 06.4423.4763
Email: segreteria@yemenembassy.it

ZAMBIA - ZAMBIE

Mr Kayoya MASUHWA
First Secretary (Agriculture)
Alternate Permanent Representative to FAO
Embassy of the Republic of Zambia
Via Ennio Quirino Visconti, 8
00193 Rome
Phone: 0636006903
Fax: 0697613035
Email: info@zambianembassy.it

ZIMBABWE

Ms Mary Sibusisiwe MUBI
Ambassador
Permanent Representative to FAO
Embassy of the Republic of Zimbabwe
Via Virgilio, 8
00193 Rome
Phone: +39 06 68308282
Fax: +39 06 68308324
Email: zimrome-wolit@tiscali.it

Ms Placida Shuvai CHIVANDIRE
Counsellor
Alternate Permanent Representative to FAO
Embassy of the Republic of Zimbabwe
Via Virgilio, 8
00193 Rome
Phone: +39 06 68308282
Fax: +39 06 68308324
Email: zimrome-wolit@tiscali.it

Mr Fredy CHINYAVANHU
Deputy Director
Food Control
Ministry of Health
P.O. Box cy 231
Causeway

UNITED NATIONS AND OTHER RELATED ORGANIZATIONS
NATIONS UNIES ET AUTRES ORGANISATIONS APPARENTES
NACIONES UNIDAS Y OTRAS ORGANIZACIONES AFINES

INTERNATIONAL ATOMIC ENERGY AGENCY
AGENCE INTERNATIONALE DE L'ÉNERGIE ATOMIQUE
ORGANISMO INTERNACIONAL DE ENERGÍA ATÓMICA

Mr David H. BYRON
Head
Food and Environmental Protection Section
Joint FAO/IAEA Division on Nuclear Techniques in Food and Agriculture
International Atomic Energy Agency
PO Box 100
1400 Vienna
Austria
Phone: +43 (1) 2600-21638 or 21639
Fax: +43 (1) 26007
Email: d.h.byron@iaea.org

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

Sr José OCAMPO
Economic Affairs Officer
Agriculture and Commodities Division
World Trade Organization
Rue de Lausanne 154
CH-1211 Genève 21
Phone: +41 22 739 5573
Email: javier.ocampo@wto.org

INTERNATIONAL GOVERNMENTAL ORGANIZATIONS
ORGANISATIONS GOUVERNEMENTALES INTERNATIONALES
ORGANIZACIONES GUBERNAMENTALES INTERNACIONALES

AFRICAN UNION
UNION AFRICAINE
UNIÓN AFRICANA

M Raphael COLY
PAN-SPSO Project Coordinator
African Union
Inter African Bureau for Animal Resources (AU-IBAR)
Westlands Road, Kenindia Business Park
P.O.Box 30786-00100
Nairobi
Kenya
Phone: +254 20 3674000
Fax: +254 203 674341
Email: Raphael.Coly@au-ibar.org

ECONOMIC AND MONETARY UNION OF WEST AFRICA
UNION ÉCONOMIQUE ET MONÉTAIRE OUEST- AFRICAINE
UNIÓN ECONÓMICA Y MONETARIA DEL ÁFRICA OCCIDENTAL

Dr Moussa DOUMBIA
Chargé de la Sécurité Sanitaire des Aliments
Département du DéveloppementRural, des
Ressources Naturelles et de l'Environnement
380, Av du Professeur J. KI-ZERBO-01
BP 543 Ouagadougou 01
Burkina Faso
Phone: +226 50 31 88 73 à 76
Fax: +226 5031 8872
Email: mdoumbia@uemoa.int

INTER-AMERICAN INSTITUTE FOR COOPERATION IN AGRICULTURE
INSTITUT INTERAMÉRICAIN DE COOPÉRATION POUR L'AGRICULTURE
INSTITUTO INTERAMERICANO DE COOPERACIÓN PARA LA AGRICULTURA

Dr. Ricardo MOLINS
Director, Sanidad Agropecuaria e Inocuidad de Alimentos
Instituto Interamericano de Cooperación para l'Agricultuta
P. O. Box 55-2200, San Jose
Vazquez de Coronado
San Isidro, 11101, Costa Rica
Phone: (506) 2216-0413 / (506) 2216-0184
Fax: (506) 2216 0221
Email: ricardo.molins@iica.int
ninive.zuniga@iica.int

Sra. Carol THOMAS
Especialista Internacional en Sanidad Agropecuaria e Inocuidad de Alimentos
San Isidro, 11101
Costa Rica

INTERNATIONAL ORGANIZATION OF VINE AND WINE
ORGANISATION INTERNATIONAL DE LA VIGNE ET DU VIN
ORGANIZACIÓN INTERNACIONAL DE LA VIÑA Y DEL VINO

Dr Jean-Claude RUF
Coordinator for the Scientific and Technical Department
OIV - International Organisation of Vine and Wine
18 rue d'Aguesseau
F-75008 Paris
France
Phone: +33144948094
Email: JRUF@oiv.int

REGIONAL INTERNATIONAL ORGANIZATION FOR PLANT PROTECTION AND ANIMAL HEALTH
ORGANISME INTERNATIONAL RÉGIONAL CONTRE LES AMALADIES DES PLANTES ET DES ANIMAUX
ORGANISMO INTERNACIONAL REGIONAL DE SANIDAD AGROPECUARIA

Sr Oscar de Jesús GARCÍA SUÁREZ
Director Regional de Inocuidad de Alimentos
Organismo Internacional Regional de Sanidad Agropecuaria
Calle Ramón Belloso y Fnal.Pje Isolde
Col. Escalón, San Salvador
Phone: +502 2209 9224/2209 9225
Email: ogarcia@oirsa.org
nocuidad@oirsa.org

STANDARDIZATION AND METROLOGY ORGANIZATION FOR GULF COOPERATION COUNCIL COUNTRIES

Mr Nabil MOLLA
Secretary-General
GCC Standardization Organizations (GSO)
855 Olaya Main Str
Riyadh
Phone: +966 1275 1905
Email: molla@gso.org.sa

WORLD ORGANISATION FOR ANIMAL HEALTH
ORGANISATION MONDIALE DE LA SANTÉ ANIMALE
ORGANIZACIÓN MUNDIAL DE SANIDAD ANIMAL

Dr Bernard VALLAT
Director-General
World Organisation for Animal Health
12, rue de Prony
75017 Paris
Phone: +33 (1) 44 15 18 88
Email: oie@oie.int

Dr Gillian MYLREA
Deputy Head
International Trade Department
World Organisation for Animal Health
12 rue de prony
75017 Paris

INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS
ORGANISATIONS NON-GOUVERNEMENTALES INTERNATIONALES
ORGANIZACIONES INTERNACIONALES NO GUBERNAMENTALES

ASOCIACIÓN LATINOAMERICANA DE AVICULTURA

Dr J. Isidro MOLFESE
Observador por ALA ante el Codex Alimentarius
ALA - Asociación Latinoamericana de Avicultura
Alberti 453
12BL (7600) Mar del Plata
Argentina
Phone: 54223 457-1332 y móvil 54911 4539-2595
Email: Avicolatina@gmail.com

ASSOCIATION OF AMERICAN FEED CONTROL OFFICIALS

Dr Tim HERRMAN
State Chemist and Director
Association of American Feed Control Officials
PO Box 3160
College Station
TX 77841
Phone: +979 845 1121
Email: TJH@OTSC.TAMU.EDU

ASSOCIATION OF EUROPEAN COELIAC SOCIETIES
ASSOCIATION DES SOCIÉTES COELIAQUES EUROPÉENNES
ASOCIACIÓN DE SOCIEDADES CELÍACAS EUROPEAS

Ms Hertha DEUTSCH
Codex and Regulatory Affairs
AOECS Association Of European Coeliac Societies
1230 Vienna
Anton Baumgartner Strasse 44/C5/2302
Austria
Phone: +43-1-66 71 887
Email: hertha.deutsch@gmx.at

BIOTECHNOLOGY INDUSTRY ORGANIZATION
ORGANISATION DE L'INDUSTRIE BIOTECHNOLOGIQUE
ORGANIZACIÓN DE LA INDUSTRIA BIOTECNOLÓGICA

Dr Adrianne MASSEY
Managing Director
Biotechnology Industry Organization (BIO)
1201 Maryland Avenue, SW
United States of America
Phone: +1 - 202 - 962-9200
Email: Amassey@bio.org

CONSUMERS INTERNATIONAL
ORGANISATION INTERNATIONALE DES UNIONS DE CONSOMMATEURS

Dr Michael HANSEN
Senior Scientist
Consumer Union
101 Truman Avenue, Yonkers
New York NY 10703
Phone: +1 914 3782452
Email: mhansen@consumer.org

COUNCIL FOR RESPONSIBLE NUTRITION
CONSEJO PARA UNA NUTRICIÓN RESPONSABLE

Mr Steven MISTER
President and CEO
Council for Responsible Nutrition
1828 L Street N.W. STE510
Washington, D.C. 20036
United States of America
Phone: +1 202 204 7700
Email: smister@crnusa.org

Mr John P. VENARDOS
Senior Vice-President
Herbalife International of America, Inc.
990 West 19oth Street
Torrance, California 90502
United States of America
Phone: +1 310 8512346
Email: JohnV@Herbalife.com

CROP LIFE INTERNATIONAL

Ms Sandra KELLER
Regulatory Manager
CropLife International
326 avenue Louise
1050 Brussels
Belgium
Phone: +32 2 542 04 10
Email: Sandra.keller@croplife.org

Ms Lucyna KURTYKA
Food Policy and International Organizations Lead
Monsanto Company
1300 I Street, NW, #450E
Washington, DC 20005
United States of America
Phone: (202) 962-9200
Email: amassey@bio.org

EUROPEAN COMMITTEE FOR UMAMI

Mr Christian BAZ
Director
Regulatory Affairs and Quality Assurance
European Committee for Umami (ECU)
153 rue de Courcelles
75817 Paris Cedex 17
Phone: +33 (0)6 07 51 75 38
Email: christian_baz@ehq.ajinomoto.com

EUROPEAN FOOD AND FEED CULTURES ASSOCIATION
ASSOCIATION EUROPÉENNE DES FABRICANTS DE FERMENTS À USAGE AGRO-ALIMENTAIRE

Ms Carine LAMBERT
Expert
European Food and Feed Cultures Association
Bd Saint Michel 77-79
1040 Brussels
Belgium
Phone: +32 2 743 87 39
Fax: +32 2 732 51 02
Email: effca@agep.eu

EUROPEAN FOOD LAW ASSOCIATION
ASSOCIATION EUROPÉENNE POUR LE DROIT DE L'ALIMENTATION

Ms Rola ARAB
Member
rue de l' Association 50
1000 Brussels
Belgium

FOODDRINK EUROPE

Mr Lorcan O' FLAHERTY
Manager, Food Policy, Science and R&D
FoodDrinkEurope
Avenue des Arts, 43
1040 Brussels
Belgium
Phone: +32 2 500 87 56
Email: l.oflaherty@fooddrinkeurope.eu

INSTITUTE OF FOOD TECHNOLOGISTS

Mr William FISHER
Vice President, Science and Policy Initiatives
Institute of Food Technologists
1025 Connecticut Ave., N.W.
Suite 500
Washington, DC 20036-5422
United States of America
Phone: +202-466-5980
Fax: +202-466-5988
Email: wfisher@ift.org

Mr Robert V. CONOVER
Member
Board of Directors and Assistant General Counsel
Kikkoman Foods, Inc
PO Box 69
Walworth, W1 53184
United States of America
Phone: +262- 275-1651
Fax: +262- 275-1651
Email: rconover@kikkoman.com

Dr Karen HULEBAK
Principal
Regulatory Strategy, LLC
6822 Poindexter Road
Louisa, VA 23093
United States of America
Phone: +540.967.5663

INTERNATIONAL BABY FOOD ACTION NETWORK
RÉSEAU INTERNATIONAL DES GROUPES D'ACTION POUR L'ALIMENTATION INFANTILE
RED INTERNACIONAL DE ACCIÓN SOBRE ALIMENTOS DE LACTANTES

Ms Elisabeth STERKEN
Director INFACT Canada
[illegible] Street
Ontario
Email: esterken@infactcanada.ca

INTERNATIONAL COUNCIL OF BEVERAGES ASSOCIATIONS

Ms Päivi JULKUNEN
Chair
ICBA Committee for Codex
c/o American Beverage Association
1106 16th St NW
Washington DC 20036
United States of America
Phone: +1 202 263 6790
Email: icba@ameribev.org

INTERNATIONAL COUNCIL OF GROCERY MANUFACTURERS ASSOCIATION
CONSEJO INTERNACIONAL DE ASOCIACIONES DE FABRICANTES DE COMESTIBLES

Mrs Peggy ROCHETTE
Senior Director International Affairs
Grocery Manufacturers Association
1350 I Street NW
Washington, DC 20005
United States of America
Phone: +202 639- 5921
Fax: +202 639-5932
Email: prochette@gmaonline.org

Dr Janet COLLINS
Senior Director
International Council of Grocery Manufacturers Associations
601 Pennsylvania Avenue, NW
Suite 325 North
United States of America
Phone: +1-202-728-3622
Email: Janet.e.collins@usa.dupont.com

INTERNATIONAL DAIRY FEDERATION
FÉDÉRATION INTERNATIONALE DE LAITERIE
FEDERATIÓN INTERNACIONAL DE LECHERÍA

Mr Roger HALL
Regulatory and Food Assurance Manager
International Dairy Federation
Private Bag
Palmerston North 4442
Dairy Farm Road
Palmerston North
New Zealand
Phone: +64 6 350 4688
Email: roger.hall@fonterra.com

Mr Michael HICKEY
Irish National Committee
Derryreigh
Creggane, Charleville
Co.Cork
Ireland

Mr Jörg SEIFERT
Technical Director
Diamant Building Blvd.A Reyers 70
B-1030 Brussels
Belgium

Dr Nico VAN BELZEN
Director-General
Diamant Building Blvd.A Reyers 70
B-1030 Brussels
Belgium

INTERNATIONAL EGG COMMISSION
COMMISSION INTERNATIONALE DES OEUFS
COMISIÓN HUEVERA INTERNACIONAL

Dr Vincent GUYONNET
Scientific Advisor
The International Egg Commission
89 Charterhouse Street
London EC1M 6HR
United Kingdom
Phone: +1-613-349-2659 or +44-(0)20-7490-3493
Email: vincent@internationalegg.com

INTERNATIONAL FEDERATION FOR ANIMAL HEALTH
FÉDÉRATION INTERNATIONALE POUR LA SANTÉ ANIMALE
FEDERACIÓN INTERNACIONAL DE SANIDAD ANIMAL

Dr Barbara FREISCHEM
Executive Director
International Federation for Animal Health
Rue Defacqz 1
1000 Brussels
Belgium
Phone: +32-2-5410111
Email: ifah@ifahsec.org

Mr Dennis ERPELDING
Director, Government Affairs - International
International Federation for Animal Health
Elanco
2500 Innovation Way
Greenfield, Indiana 46140
United States of America
Phone: +1-317-276-2721
Email: erpelding_dennis_l@elanco.com

Mr Olivier ESPEISSE
Vétérinaire Responsable
IFAH
Lilly France
13 rue Pagès 92158 Suresnes Cedex
92150 France
Phone: + 33 1 55 49 35 35
Email: Espeisse_olivier@ELanco.com

Dr Bertha Iliana GINER CHAVEZ
Regional Regulatory Director, Latin America and Caribbean
Elanco Animal Health
Primera Cerrada de Frisos No. 30
Fraccionamiento Los Azulejos
Torreon, Coahuila. 27422
México
Phone: +52-1-871-727-6409
Email: giner_bertha@elanco.com

Ms Savonne CAUGHEY
Director, Government Affairs
International Federation for Animal Health
Elanco
555 12th Street, NW
Suite 650
Washington D.C. 20004
United States of America
Phone: +1-202-434-7160
Email: savonne@elanco.com

Dr Jeetendra VERMA
General Manager, Regulatory and Corporate Affairs
International Federation for Animal Health
Eli Lilly Asia Inc. (Elanco)
#7, RAVSHAN
First Floor, Brunton Road
Bangalore 560025 INDIA
Phone: +91 9686190997
Email: verma_jeetendra@elanco.com

Mr Jesse SEVCIK
Director
International Federation for Animal Health
ELANCO, Inc.
555 12 Street, Northwest
Washington, DC 20004
United States of America
Phone: +202-393-7950
Email: jsevcik@lilly.com

Dr Claudia GARCIA
Senior Director
Global Corporate Affairs
IFAH
Elanco Animal Health
Elanco, 2500 Innovation Way, EL05,
Greenfield, IN 46140
United States of America
Phone: 317-276-3901 office / 317-840-5216 mobile
Email: cmgarcia@elanco.com

Dr Alexander BÖTTNER
Head of RA Operations Europe
Intervet Innovation GmbH
Zur Propstei
55270 Schwabenheim
Germany
Phone: +49 (6130) 948 190
Fax: +49 (6130) 948 504
Email: alexander.boettner@msd.de

Ms Maria ZAMPAGLIONE
Communication Manager
Paris

INTERNATIONAL FEDERATION OF FRUIT JUICE PRODUCERS
FÉDÉRATION INTERNATIONALE DES PRODUCTEURS DE JUS DE FRUITS
FEDERACIÓN INTERNACIONAL DE LOS PRODUCTORES DE JUGOS DE FRUTAS

Mr Paul ZWIKER
Honorary President
International Federation of Fruit Juice Producers
West L. Lettenstr, 4
CH-9220 Bischofszell
Phone: +41 4200644
Fax: +41 420 0643
Email: zwiker@bluewin.ch
ifu@ifu-fruitjuice.com

Mrs Elisabetta ROMEO-VAREILLE
Secretary-General
International Federation of Fruit Juice Producers
14, rue de Turbigo
75001 - Paris
Phone: +33147422928
Email: ifu@ifu-fruitjuice.com

INTERNATIONAL FEED INDUSTRY FEDERATION
ASSOCIATION INTERNATIONALE D'ALIMENTATION ANIMALE

Ms Alexandra DE ATHAYDE
Executive Director
International Feed Industry Federation
Rue Saint-Georges, 2A
B- 1050 Brussels
Belgium
Phone: +32 475 555 317
Email: alexandra.athayde@ifif.org

INTERNATIONAL FOOD ADDITIVES COUNCIL

Dr Pierre KIRSCH
Scientific and Regulatory Advisor
Avenue de Pesage 18/9
1050 Brussels
Phone: +32 473979002
Email: Kirsch@skynet.be

INTERNATIONAL FOOD POLICY RESEARCH INSTITUTE
INSTITUT INTERNATIONAL DE RECHERCHE SUR LES POLITIQUES ALIMENTAIRES
INSTITUTO INTERNACIONAL DE INVESTIGACIONES SOBRE POLÍTICAS ALIMENTARIAS

Dr Howarth BOUIS
Program Director, HarvestPlus
International Food Policy Research Institute (IFPRI)
2033 K Street
NW, Washington, DC 20006
United States of America
Phone: +1 202 862 5641
Email: h.bouis@cgiar.org

Dr Anne MACKENZIE
Standards Advisor
International Food Policy Research Institute (IFPRI)
2033 K Street
NW, Washington, DC 20006
United States of America
Phone: +1 613 692 0211
Email: amackenzie@rogers.com

Dr Marilia NUTTI
Science Advisor
International Food Policy Research Institute (IFPRI)
2033 K Street
NW, Washington, DC 20006
United States of America
Phone: +55 21 91416777
Email: mnutti@uninet.com.br

INTERNATIONAL ORGANIZATION FOR STANDARDIZATION
ORGANISATION INTERNATIONALE DE NORMALISATION
ORGANIZACIÓN INTERNACIONAL DE NORMALIZACIÓN

Ms Marie-Noëlle BOURQUIN
Technical Group Manager
International Organization for Standardization
1, ch. de la Voie-Creuse
CH-1211 Geneva 20
Switzerland
Phone: +41 22 749 02 93
Email: bourquin@iso.org

Mr François FALCONNET
Chairman of ISO/TC 34
International Organization for Standardization
1, ch. de la Voie-Creuse
CH-1211 Geneva 20
Switzerland
Phone: +33 6 07 33 97 60
Email: f.falconnet@2fconseil.fr

INTERNATIONAL ORGANIZATION OF THE FLAVOR INDUSTRY
ORGANISATION INTERNATIONALE DE L'INDUSTRIE DES PRODUITS AROMATIQUES
ORGANIZACIÓN INTERNACIONAL DE LA INDUSTRIA AROMÁTIC

Mr Thierry CACHET
Scientific Director
Avenue des Arts, 6
1210 Brussels
Belgium
Phone: +32 2 214 2055
Fax: +32 2214 2069
Email: tcachet@iofiorg.org

INTERNATIONAL POULTRY COUNCIL

Mr Richard FRITZ
Consultant
International Poultry Council
Rue du Luxembourg 47-51, bte 2
B - 1050 Brussels
Phone: +1 303 408 3933 (USA)
Email: rfritz@globalagritrends.com

INTERNATIONAL SPECIAL DIETARY FOODS INDUSTRIES
FÉDÉRATION INTERNATIONALE DES INDUSTRIES DES ALIMENTS DIÉTÉTIQUES

Mr Xavier LAVIGNE
Secretary General
International Special Dietary Foods Industries
rue de l' Association 50
1000 Brussels, Belgium
Phone: +00 32 2 209 11 43
Email: secretariat@isdi.org

Mrs Marie-Odile GAILING
International Special Dietary Foods Industries
rue de l'Association 50
1000 Brussels, Belgium
Phone: +32 2 209 11 43
Fax: +32 2 219 73 42
Email: secretariat@isdi.org

Dr Heather FERGUSON
Member
International Special Dietary Foods Industries
Rue de l'Association 50
1000 Brussels
Belgium
Phone: +32 2 209 11 43
Email: secretariat@isdi.org

NATIONAL HEALTH FEDERATION

Mr Scott C. TIPS
President and General Legal Counsel
P.O. Box 688
Monrovia
California 91017
United States of America
Phone: +1 626 357-2181
Fax: +1 626 303-0642
Email: scott@rivieramail.com

SAFE SUPPLY OF AFFORDABLE FOOD FOR EVERYONE EVERYWHERE
DES ALIMENTS SAINS PARTOUT ET POUR TOUS
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Dr Himanshu GUPTA
Regulatory and Scientific Affairs Manager
Avenue Nestlé 55
CH-1800 Vevey
Switzerland
Phone: +41 21 924 4277
Email: Himanshu.gupta@nestle.com

SECRETARIAT
SECRÉTARIAT
SECRETARÍA

Ms Selma H. DOYRAN
Secretary, Codex Alimentarius Commission
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 55826
Fax: +39 06 570 54593
Email: selma.doyran@fao.org

Ms Annamaria BRUNO
Senior Food Standards Officer
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 56254
Fax: +39 06 570 54593
Email: annamaria.bruno@fao.org

Mr Tom HEILANDT
Senior Food Standards Officer
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 54384
Fax: +39 06 570 54593
Email: tom.heilandt@fao.org

Ms Gracia BRISCO
Food Standards Officer
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 52700
Fax: +39 06 570 54593
Email: gracia.brisco@fao.org

Ms Verna CAROLISSEN-MACKAY
Food Standards Officer
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 55629
Fax: +39 06 570 54593
Email: verna.carolissen@fao.org

Ms Heesun KIM
Food Standards Officer
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 54796
Fax: +39 06 570 54593
Email: heesun.kim @fao.org

Mr Hidetaka KOBAYASHI
Food Standards Officer
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 53218
Fax: +39 06 570 54593
Email: hidetaka.kobayashi@fao.org

LEGAL COUNSEL
CONSEILLER JURIDIQUE
ÀSESOR JURÍDICO

Mr Ilja BETLEM
Legal Officer
Legal Office
Food and Agricutlural Organization (FAO)
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 570 52778
Fax: +39 06 57054408
Email: ilja.betlem@fao.org

FAO PERSONNEL
PERSONNEL DE LA FAO
PERSONAL DE LA FAO

Dr Modibo T. TRAORÉ
Assistant-Director General
Agriculture and Consumer Protection Department
Food and Agriculture Organization of the United Nations (FAO)
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 5705 4523
Email: modibo.traore@fao.org

Dr Renata CLARKE
Senior Officer
Food Control and Consumers Protection
Nutrition and Consumer Protection Division
Food and Agriculture Organization of the United Nations (FAO)
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 5705 2010
Fax: +39 06 5705 4593
Email: renata.clarke@fao.org

Mrs Shashi SAREEN
Senior Food Safety and Nutrition Officer
FAO Regional Office for Asia and the Pacific
39 Phra Atit Road
Bangkok 10200
Thailand
Phone: +66 2 6974143
Fax: +66 2 6974445
Email: Shashi.Sareen@fao.org

Mr Mohamed AG BENDECH
Senior Nutrition Officer
FAO Regional Office for Africa
Gamel Abdul Nasser Road
P.O. Box GP 1628
Accra, Ghana
Phone: +233 302 675000 ext.2506
Fax: +233 302 668427/7010943
Email: Mohamed.AgBendech@fao.org

Ms Mary KENNY
Food Safety and Quality Officer
Nutrition and Consumer Protection Division
Food and Agriculture Organization of the United Nations (FAO)
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 57053653
Fax: +39 06 57054593
Email: mary.kenny@fao.org

Dr Sarah CAHILL
Food Safety Officer
FAO/JEMRA Secretariat
Nutrition and Consumer Protection Division
Food and Agriculture Organization of
the United Nations (FAO)
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone: +39 06 5705 3614
Fax: +39 06 5705 4593
Email: sarah.cahill@fao.org

Ms Eleonora DUPOUY
Food Safety and Consumer Protection Officer
Regional Office for Europe
Budapest
Phone: +36 1 8141251
Email: Eleonora.Dupouy@fao.org

Ms Fatima HACHEM
Food and Nutrition Office
Regional Office for the Near East
Cairo
Phone: +2 02 33316144
Email: Fatima.Hachem@fao.org

Dr Janice ALBERT
Nutrition Officer
Nutrient Requirements and Assessment Group
Nutrition and Consumer Protection Division
Food and Agriculture Organization of
the United Nations (FAO)
Viale delle Terme di Caracalla
00153 Rome
Italy
Phone.: +39 06 570 53552
E-Mail: janice.albert@fao.org

Mr Dirk SCHULZ
Food and Nutrition Officer
Subregional Office for the Pacific Islands
Private Mail Bag
Apia, SAMOA
Tel: +685-22127,
Fax: +685-22126,
E-mail: dirk.schulz@fao.org

WHO PERSONNEL
PERSONNEL DE L'OMS
PERSONAL DE LA OMS

Dr Angelika TRITSCHER
Acting Director
Department of Food Safety and Zoonoses (FOS)
World Health Organization (WHO)
20 Avenue Appia
CH-1211 Geneva 27
Switzerland
Phone: +41 22 791 3569
Fax: +41 22 791 4807
Email: tritschera@who.int

Dr Hilde KRUSE
Programme Manager, Food Safety
WHO Regional Office for Europe
Environment and Health Programme
Scherfigsvej 8
2100 Copenhagen O
Denmark
Phone: +45 3917 1495
Fax: +45 3918 1818
Email: hik@euro.who.int

Dr Mohamed ELMI
Coordinator, Environmental Health
Regional Adviser, Food and Chemical Safety
Abdul Razzak Al-Sanhouri St
P.O. Box 7608 Nasr City
Cairo 11371, Egypt
Phone: +20 2 2276 5384
Fax: +20 2 2276 5415
Email: elmi@emro.who.int

Dr Patience MENSAH
Regional Adviser for Food Safety
WHO Regional Office for Africa
BP 06, Brazzaville, Congo
Email: mensahp@afro.who.int

Ms Catherine MULHOLLAND
Technical Officer
FAO/WHO Project and Fund for Enhanced
Participation in Codex
(Codex Trust Fund)
Department of Food Safety,and Zoonoses (FOS)
World Health Organization (WHO)
20 Avenue Appia
CH-1211 Geneva 27
Switzerland
Phone: +41 22 791 3080
Fax: +41 22 791 4807
Email: mulhollandc@who.int

Dr Mina KOJIMA
Technical Officer
Department of Food Safety and Zoonoses
World Health Organization
20, avenue Appia
CH-1211 Geneva 27
Phone: +41 22 791 2920
Fax: +41 22 791 4807
Email: kojimam@who.int

Mrs Françoise FONTANNAZ
Technical Officer
Department of Food Safety, Zoonoses and
Foodborne Diseases (FOS)
World Health Organization (WHO)
20 Avenue Appia
CH-1211 Geneva 27
Switzerland
Phone: +41 22 791 3697
Fax: +41 22 7914807
Email: fontannazf@who .int

M Luc Frédéric INGENBLEEK
Conseiller FAN
Sécurité Sanitaire des Aliments et Nutrition
Bureau de la Representation au Benin
01 B.P. 918 Cotonou
Phone: +229 21 30 1907/21 301753
Fax: +229 21 304208
Email: ingembleek@bj.afro.who.int

Mr Glenn THOMAS
World Health Organization (WHO)
20 Avenue Appia
CH-1211 Geneva 27
Switzerland

ASSISTANT TO THE CHAIRPERSON
(FUNDED BY INDIA)

Mr Shyam Kishor TIWARI
Inspecting Officer
Ministry of Food Processing Industries
Panchsheel Bhawan
August Kranti Marg
New Delhi
Phone: +91 11 26492851
Fax: +91 11 26493298
Email: tiwari_fssa@yahoo.com

APPENDIX II

AMENDMENTS TO THE PROCEDURAL MANUAL

The following amendments were adopted by the 35th Session of the Codex Alimentarius Commission.

Codex Committee	**Subject**	**Reference**
CCMAS	Provisions on the Use of Proprietary Methods in Codex Standards (to be added after the Section of the *General Criteria for the Selection of Methods of Analysis* in the *Principles for the Establishment of Codex Methods of Analysis* of the Procedural Manual)	REP12/MAS, paras 61 – 78, Appendix V
CCFH	Revision of Risk Analysis Principles and Procedures Applied by the Codex Committee on Food Hygiene	REP12/FH para. 129, Appendix V
CCFA	Risk Analysis Principles applied by the Codex Committee on Food Additives	REP12/FA paras 14 – 21, Appendix II
CCCF	Risk Analysis Principles Applied by the Codex Committee on Contaminants in Foods	REP12/CF para. 22, Appendix II
CCCF	Revision of definition of "contaminant"	REP12/CF para. 38, Appendix IV
CCRVDF	Revision of the *Risk Analysis Principles Applied by the CCRVDF* and of the *Risk Assessment Policy for Residues of Veterinary Drugs in Foods*	REP12/RVDF para. 83, Appendix VII

APPENDIX III

LISTS OF STANDARDS AND RELATED TEXTS ADOPTED BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Part 1 – Standards and Related Texts Adopted at Step 8

Standards and Related Texts	Reference	Status
Food additive provisions of the *General Standard for Food Additives* (GSFA),	REP12/FA Appendix VI	adopted with amendments (See Agenda Item 4)
Revision of the *Standard for Food Grade Salt* (CODEX STAN 150-1985)	REP12/FA Appendix XI	adopted
Maximum Level for Melamine in Liquid Infant Formula (ready to consume)	REP12/CF Appendix V	adopted
Maximum Residue Limits for Pesticides	REP12/PR Appendix II	adopted
Revision to the Codex Classification of Food and Animal Feed (fruit commodity groups)	REP12/PR Appendix VIII	adopted
Principles and Guidance for the Selection of Representative Commodities for the Extrapolation of Maximum Residue Limits for Pesticides to Commodity Groups (including Table 1: Examples of the selection of representative commodities - fruit commodity groups)	REP12/PR Appendix XI	adopted
MRLs for narasin (cattle tissues)	REP12/RVDF Appendix III	adopted
MRLs for ractopamine (cattle and pig tissues: muscle, liver, kidney and fat)	ALINORM 08/31/31 Appendix II	adopted
Revision of the *Guidelines on Nutrition Labelling* (CAC/GL 2-1985) concerning a new definition of "nutrient reference values"	REP12/FL Appendix IV	adopted
Amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods* (CAC/GL 32-1999): use of ethylene for ripening of fruit	REP12/FL Appendix VI	adopted

Part 2 – Standards and Related Texts Adopted at Step 5/8 (with omission of Step 6 and 7)

Standards and Related Texts	Reference	Status
Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food	REP12/FH Appendix III	adopted with amendments (See Agenda Item 4)
Annex on Melons to the *Code of Hygienic Practice for Fresh Fruits and Vegetables* (CAC/RCP 53-2003)	REP12/FH Appendix IV	adopted
Food additive provisions of the *General Standard for Food Additives* (GSFA)	REP12/FA Appendix VI	adopted with amendments (See Agenda Item 4)
Amendments to the *International numbering system* (INS) for food additives	REP12/FA Appendix XII	adopted with amendments (See Agenda Item 4)
Specifications for the identity and purity of food additives arising from the 74th JECFA meeting	REP12/FA Appendix XIII (Part 1)	adopted
Maximum Level for Total Aflatoxins in Dried Figs, including Sampling Plan	REP12/CF Appendix VI	adopted
Maximum Residue Limits for Pesticides	REP12/PR Appendix III	adopted
MRLs for amoxicillin (cattle, sheep and pig tissues and cattle and sheep milk) and monensin (cattle liver)	REP12/RVDF Appendix IV	adopted
Sampling Plans for Residue Control for Aquatic Animal Products and Derived Edible Products of Aquatic Origin (C, Annex B of CAC/GL 71-2009)	REP12/RVDF Appendix VIII	adopted
Revision of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997) concerning a new definition for "non-addition claim", conditions for free of salt claims, amendments to the section on comparative claims and conditions for non-addition of sugars claims	REP12/FL Appendix II	adopted
Revision of the *Guidelines on Nutrition Labelling* (CAC/GL 2-1985) concerning provisions for mandatory nutrition labelling	REP12/FL Appendix V	adopted

Part 3 – Standards and Related Texts Adopted at Step 5 of the Accelerated Procedure

Standards and Related Texts	Reference	Status
Amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods* (CAC/GL 32-1999) concerning inclusion of new substances	REP12/FL Appendix VII	adopted

Part 4 – Other Standards and Related Texts Submitted for Adoption

Standards and Related Texts	Reference	Status
Amendment to the *Principles and Guidelines for the Conduct of Microbiological Risk Assessment*	REP12/FH Appendix II	adopted with amendments (See Agenda Item 4)
Methods of Analysis in Codex Standards at different steps, including methods of analysis for food grade salt	REP12/MAS Appendix II	adopted with amendments (See Agenda Item 4)
Revision of the names and descriptors of food categories 16.0 and 12.6.1 of the GSFA	REP12/FA Appendix X	adopted
Revision of the Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals	REP12/CF Appendix III	adopted with amendments (See Agenda Item 4)
Regional standard for Fermented Soybean Paste (CODEX STAN 298R-2009) - provision for monopotassium tartrate (INS 336(i))	REP11/ASIA para. 10	adopted

APPENDIX IV

LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5 BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Standards and Related Texts	Reference
Draft Principles and Guidelines for National Food Control Systems (Introduction, Sections 1-3)	REP12/FICS Appendix II
Draft Nutrient Reference Values (NRVs)	REP12/NFSDU Appendix III (See Agenda Item 4)
Draft Revision of the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (CAC/GL 8-1991)	REP12/NFSDU Appendix IV
Guidelines on Application of Risk Assessment for Feed	REP12/AF Appendix II
Draft Principles for the Use of Sampling and Testing in International Food Trade (section on Principles).	REP12/MAS Appendix IV
Draft Maximum Residue Limits for Pesticides	REP12/PR Appendix IV
Draft Revision to the *Codex Classification of Food and Animal Feed* - selected vegetable commodity groups	REP12/PR Appendix IX
Draft MRLs for monepantel (sheep tissues)	REP12/RVDF Appendix V
Draft revision of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997) concerning Non-Addition of Sodium Salts	REP12/FL Appendix III

APPENDIX V

LIST OF STANDARDS AND RELATED TEXTS REVOKED BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Standard and Related Texts	Reference
Food additive provisions of the GSFA	REP 12/FA Appendix VII
Information on the Use of Food Additives in Foods (CAC/MISC 1-1989)	REP 12/FA para. 13
Specifications for potassium bromate (INS 924a)	REP 12/FA Appendix XIII (Part 2)
Guideline Levels for Vinyl Chloride Monomer and Acrylonitrile in Food and Packaging Material (CAC/GL 6-1991)	REP 12/CF para. 106
MRLs for pesticide/commodity combinations	REP 12/PR Appendix V
Analysis of Pesticide Residues: Recommended Methods (CODEX STAN 229-1993)	REP 12/PR para. 183
Fruit Commodity Groups in the Codex Classification of Food and Animal Feed (CAC/MISC 4-1993) (to be replaced by corresponding provisions of the revised fruit commodity groups in Appendix VIII of REP12/PR as part of the ongoing revision of the Classification)	REP 12/PR para. 107

APPENDIX VI

LIST OF DRAFT STANDARDS AND RELATED TEXTS APPROVED AS NEW WORK BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Responsible Body	Standard and Related Texts	Reference	Job Code
CCFH	Revision of the *Code of Hygienic Practice for Spices and Dried Aromatic Plants*	REP12/FH Appendix VII	N01-2012
CCFH	Annex on berries to the *Code of Hygienic Practice for Fresh Fruits and Vegetables* (CAC/RCP 53-2003)	REP12/FH Appendix VIII	N02-2012
CCCF	Code of Practice for Weed Control to Prevent and Reduce Pyrrolizidine Alkaloid Contamination in Food and Feed	REP12/CF Appendix VII	N03-2012
CCCF	Revision of the Maximum Levels for Lead in Fruit Juices, Milks and Secondary Milk Products, Infant Formula, Canned Fruits and Vegetables, Fruits and Cereal Grains (except buckwheat, cañihua and quinoa) in the *General Standard for Contaminants and Toxins in Food and Feed*	REP12/CF Appendix VIII	N04-2012
CCCF	Annex for Prevention and Reduction of Aflatoxins and Ochratoxin A in Sorghum to the *Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals* (CAC/RCP 51-2003)	REP12/CF Appendix IX	N05-2012
CCCF	Code of Practice for the Prevention and Reduction of Ochratoxin A contamination in Cocoa	REP12/CF Appendix X	N06-2012
CCCF	Code of Practice to Reduce the Presence of Hydrocyanic Acid in Cassava and Cassava Products	REP12/CF, para. 165 CX/CAC 12/35/9 Annex 1	N07-2012
CCCF	Maximum Levels for hydrocyanic acid in cassava and cassava products	REP12/CF, para. 165 CX/CAC 12/35/9, Annex 1	N08-2012
CCCF	Levels for Radionuclides in Food	REP12/CF, para. 169 CX/CAC 12/35/9 Annex 2	N09-2012
CCPR	Priority List for the Establishment of MRLs for Pesticides	REP12/PR Appendix XIII	ongoing

Responsible Body	Standard and Related Texts	Reference	Job Code
CCRVDF	Priority List of Veterinary Drugs Requiring Evaluation or Re-evaluation by JECFA	REP12/RDVF Appendix IX Part A and B	ongoing
CCRVDF	Risk Management Recommendations for Residues of Veterinary Drugs for which no ADI and/or MRLs has been recommended by JECFA due to Specific Human Health Concerns	REP12/RDVF Appendix X	N10-2012
CCNEA	Regional Standard for Date Paste	REP11/NEA para. 92 CX/CAC 12/35/9-Add.1 Rev. 1	N11-2012

APPENDIX VII

LIST OF WORK DISCONTINUED BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Responsible Body	Standard and Related Texts	Reference
CCFA	Draft and proposed draft food additive provisions of the GSFA	REP12/FA Appendix VIII
CCMMP	Proposed Draft Standard for Processed Cheese	REP12/CAC para. 163

APPENDIX VIII

CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES

Subsidiary Bodies Established under Rule XI.1(b)(i)

Code		Subsidiary Body	Member Responsible	Status
CX	703	Codex Committee on Milk and Milk Products	New Zealand	*Sine die*
CX	708	Codex Committee on Cocoa Products and Chocolate	Switzerland	*Sine die*
CX	709	Codex Committee on Fats and Oils	Malaysia	Active
CX	710	Codex Committee on Sugars	Colombia	Active
CX	711	Codex Committee on Food Additives	China	Active
CX	712	Codex Committee on Food Hygiene	United States of America	Active
CX	713	Codex Committee on Processed Fruits and Vegetables	United States of America	Active
CX	714	Codex Committee on Food Labelling	Canada	Active
CX	715	Codex Committee on Methods of Analysis and Sampling	Hungary	Active
CX	716	Codex Committee on General Principles	France	Active
CX	718	Codex Committee on Pesticide Residues	China	Active
CX	719	Codex Committee on Natural Mineral Waters	Switzerland	*Sine die*
CX	720	Codex Committee on Nutrition and Foods for Special Dietary Uses	Germany	Active
CX	722	Codex Committee on Fish and Fishery Products	Norway	Active
CX	723	Codex Committee on Meat Hygiene	New Zealand	*Sine die*
CX	728	Codex Committee on Vegetable Proteins	Canada	*Sine die*
CX	729	Codex Committee on Cereals, Pulses and Legumes	United States of America	*Sine die*
CX	730	Codex Committee on Residues of Veterinary Drugs in Foods	United States of America	Active
CX	731	Codex Committee on Fresh Fruits and Vegetables	Mexico	Active
CX	733	Codex Committee on Food Import and Export Certification and Inspection Systems	Australia	Active
CX	735	Codex Committee on Contaminants in Foods	The Netherlands	Active
***Ad hoc* Intergovernmental Task Force**				
CX	803	*Ad hoc* Codex Intergovernmental Task Force on Animal Feeding	Switzerland	Active

Subsidiary Bodies Established under Rule XI.1(b)(ii)

Code	Subsidiary Body	Member Responsible
CX 706	FAO/WHO Coordinating Committee for Europe	Coordinator for Europe
CX 707	FAO/WHO Coordinating Committee for Africa	Coordinator for Africa
CX 725	FAO/WHO Coordinating Committee for Latin America and the Caribbean	Coordinator for Latin America and the Caribbean
CX 727	FAO/WHO Coordinating Committee for Asia	Coordinator for Asia
CX 732	FAO/WHO Coordinating Committee for North America and the South West Pacific	Coordinator for North America and the South West Pacific
CX 734	FAO/WHO Coordinating Committee for the Near East	Coordinator for the Near East