


Enhancing participation in Codex activities

**An FAO/WHO
training package**





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Food and Agriculture
Organization of the United Nations

World Health Organization

2005

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{ Foreword

FAO, WHO and the Joint Food Standards Programme

The Codex Alimentarius Commission was established by FAO and WHO to develop international food standards, guidelines and recommendations to protect the health of consumers and to ensure fair practices in the food trade. This collection of food standards, entitled the “Codex Alimentarius”, or the food code, has become the global reference point for consumers, food producers and processors, national food control agencies and the international food trade. This code has had an enormous impact on the thinking of food producers and processors, and has enhanced awareness among end users – the consumers. Its influence extends to every continent, and its contribution to the protection of public health and fair practices in the food trade is immeasurable.

The responsibility for developing the standards that are adopted into the Codex Alimentarius rests with the Codex Alimentarius Commission and its subsidiary bodies. These standards are science-based and are elaborated taking into consideration the expert advice provided by joint expert committees established by FAO and WHO, such as the Joint FAO/WHO Expert Committee on Food Additives (JECFA), the Joint FAO/WHO Meeting on Pesticide Residues (JMPR) and the Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment (JEMRA), or by ad hoc expert consultations such as the Joint FAO/WHO Expert Consultation on Evaluation of Allergenicity of Genetically Modified Foods (2001).

FAO and WHO also complement the Commission’s activities through their capacity-building programmes. In order to be in a position to enact Codex standards, countries need adequate food legislation, as well as a technical and administrative infrastructure with the capacity to implement it and ensure compliance. For many years, FAO and WHO have been providing assistance to developing countries to enable them to take full advantage of the work of the Codex Alimentarius Commission.

In order to participate fully, and take advantage of such participation, countries that are Members of the Commission should have solid knowledge of how it is organized and functions and, further, should understand the support provided to it by FAO and WHO through the provision of scientific advice and capacity-building projects and activities. It is also recognized that a strong national Codex framework facilitates not only the national Codex process, but also contributes to a strengthening of national food safety control systems. In this context, FAO and WHO have developed this training package.

The reference material drawn on to prepare this training package was available at the time of publication. As the Codex Alimentarius Commission and its subsidiary bodies meet regularly, more up-to-date material may become available before the training package can be updated. Such information may be found on the Codex Web site: www.codexalimentarius.net.

Structure of the training package

This package serves two purposes. First, it provides a step-by-step guide for use by countries that are becoming involved in Codex work and are developing a national framework to support this involvement. Second, it provides information that can be used by countries to develop training programmes to suit their specific needs and thus enhance their capability to participate in the work of the Codex Alimentarius Commission. The package identifies and provides information in the form of modules with relevant visual aids, grouped around distinct themes. This structure provides the flexibility to develop a training programme to meet the needs of a specific country, by allowing the organizer of the training to select those modules that contribute to the achievement of the training objective.

How to use this package

This package is intended primarily for use by individuals who need to provide information, in a condensed form, to limited audiences composed of ministers and/or senior government officials, and for those who provide training on Codex and the international food standard-setting process. This includes, but is not limited to, consultants, national Codex Contact Points and individuals in observer organizations, including those representing food industry and consumer groups, who have responsibility for coordinating input into Codex work. The material in this package will also be of use to others such as policy-makers and academia involved in developing or strengthening national food safety systems based on Codex standards.

The package is composed of four sections, each section having a common theme and containing a number of modules related to that theme. Each module generally consists of: printed material on the subject of the module, including sample documents or case studies; a list of reference material; practical exercises; and suggested text for visual aids. The package includes a CD-ROM containing the visual aids and other relevant reference materials.

The package has been designed to permit flexibility in customizing a training programme to meet the needs of a specific country. In developing a customized training programme, trainers should have a clear idea of the desired outcomes. This will enable them to identify which sections and/or modules provide the material relevant to the achievement of the training objective. For example, a Codex Contact Point in a country may need to develop a brief presentation for the purpose of increasing Codex awareness among senior officials or ministers. By selecting information from the appropriate modules, the Codex Contact Point can prepare a presentation outlining the general nature of the Codex Alimentarius, how the country's

Codex process functions, and linkages with the World Trade Organization (WTO) to help highlight the importance of participation in Codex.

The package has been compiled as a training tool that can be adapted for use in field training. Each module has been developed so that any or all parts of the module can be reproduced (e.g. photocopied) by the trainer to provide handouts to participants. Furthermore, each module contains proposed text for visual aids that can be used as they are or can be modified by the trainer to suit a specific situation. The related practical exercises may be used to reinforce the training objective.

Getting started

The introductory first section, Establishing and maintaining national Codex activities, is designed to outline the initial steps to be taken to establish a national framework in order to participate in Codex. It outlines the considerations that should be taken into account in establishing a programme, including the importance of identifying which government ministries have a constitutional role in food safety, and how these ministries will communicate. This component of the package is designed primarily for working directly with the national Codex Contact Point and support staff to facilitate the setting up and functionality of the country's Codex involvement. While the focus is on the initial setting up of the Codex programme, this section also contains general advocacy information that is useful to ensure continued government support, seek additional resources, etc.

The remaining sections are intended for the conduct of training in those countries that have identified a Codex Contact Point and wish to enhance the functioning of the Codex Contact Point and national Codex framework.

Sections 2 and 3, although designed for a broad audience, should be studied by those involved in the management of the country's Codex programme, including the Codex Contact Point and any support staff.

Section 2 (Understanding the organization of Codex) provides general background information on the Codex Alimentarius and how the Codex Alimentarius Commission is organized to undertake its standard-setting work. The section covers the structure of the Commission and its subsidiary bodies, terms of reference of the subsidiary bodies, the process of standards elaboration, and an outline of procedures at sessions of the subsidiary bodies.

Section 3 (Basics of national Codex activities) provides information relating to Codex activities at the national level. It covers the need for the government ministries, departments or agencies with a constitutional mandate to be involved in the national Codex programme. The functions of Codex Contact Points and national Codex structures are elaborated, criteria for building national delegations are suggested, and the responsibilities of delegations are identified. Guidance on developing a national consultative process is also

¹ Joint FAO/WHO publication, provisional edition. 2005.

provided, as is guidance on developing national positions. This section emphasizes that participation in Codex is not attendance at a meeting, but involves a number of activities prior to leaving for a meeting such as the review of working documents, appropriate consultation and the preparation of written comments.

Section 4 (Scientific basis for Codex work) provides information on the use of scientific and other expert advice in the elaboration of Codex standards. It covers the purpose and functions of the permanent expert bodies (e.g. JECFA and JMPR), the role and functions of JEMRA and ad hoc expert consultations, and the availability of different types of expert advice. The focus of this section is to provide information on the risk analysis terminology used in Codex, and on how the various scientific advisory functions work, but it is not intended to provide guidance on how to conduct a risk analysis. Guidance for member countries on the conduct of a risk analysis at the national level is provided in the FAO/WHO Food safety risk analysis – An overview and framework manual.¹

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{ Summary

Section 1: Establishing and maintaining national Codex activities

Module 1.1 / Why should my country be involved in Codex?

Outlines the importance for countries of becoming involved in Codex, and the significant role of the FAO/WHO coordinating committees.

Module 1.2 / My country wants to be involved in Codex, what should be done?

Outlines the steps to be taken when deciding whether a country should become involved in Codex, suggests who should be involved in the decision-making process, and provides guidance on how a country becomes a Member.

Module 1.3 / What resources do we need?

Helps countries to determine their minimum resource requirements.

Module 1.4 / What are the first steps my country should take to participate in Codex work?

Designed to help countries identify which ministries should be involved in the implementation of a national Codex programme, addressing issues related to national Codex committees/structures, coordination and networking with other Codex Contact Points, particularly other Codex Contact Points in the same region.

Section 2: Understanding the organization of Codex

Module 2.1 / Codex: a historical perspective

Provides a brief history of food standard setting and of the establishment of the Codex Alimentarius Commission.

Module 2.2 / What is Codex?

Reviews the mandate of the Codex Alimentarius Commission and examines key statutes, particularly those related to membership and Rules of Procedure.

Module 2.3 / How is Codex organized?

Looks at the organizational structure of the Codex Alimentarius Commission, the Executive Committee, the role of the Secretariat and the different types of

committees within the structure.

Module 2.4 / Which committees should my country be involved in?

Reviews the terms of reference of the various subsidiary bodies, with a practical exercise designed to facilitate the identification and prioritization of those Codex committees/task forces of most significance to the country in which the training is being conducted.

Module 2.5 / How do Codex committees function?

Outlines the Rules of Procedure, clarifies the responsibilities of host countries regarding the organization of sessions of subsidiary bodies of the Codex Alimentarius Commission, and provides information on the conduct of meetings including how countries should participate in debates.

Module 2.6 / How does Codex elaborate standards?

Outlines the five- and eight-step elaboration process.

Module 2.7 / Understanding Codex documentation

The purpose is to demystify Codex documentation. ALINORMS, circular letters and the numbering system of Codex documents are explained.

Module 2.8 / Is there a format for Codex standards?

Outlines the format used for Codex standards and the advantages of using this standard format, with a practical exercise for participants to draft a commodity standard for a product relevant to their economy.

Module 2.9 / What is the difference between the Codex Alimentarius Commission and the Codex Alimentarius?

Outlines the scope and nature of the Codex Alimentarius.

Module 2.10 / What is the relationship between Codex standards and WTO?

Outlines the linkages between Codex and the Agreements on the Application of Sanitary and Phytosanitary Measures (SPS) and on Technical Barriers to Trade (TBT) of the World Trade Organization.

Section 3: Basics of national Codex activities

Module 3.1 / Functions of a national Codex Contact Point

Outlines the core functions of a national Codex Contact Point.

Module 3.2 / How to develop national positions on Codex issues

Provides guidance on developing national positions on Codex issues, with emphasis on preparation and submission of written comments, also covering issues related to national Codex coordinating structures (e.g. National Codex Committee) and the need for effective consultation. A practical exercise on developing a national position is included.

Module 3.3 / Considerations for selecting national delegations

Provides guidance and criteria to assist in selecting an individual to head a delegation and, if appropriate, and subject to available resources, any other person whose role would be to advise the head of the delegation.

Module 3.4 / Organizing Codex documentation

Addresses the receipt and storage of Codex documents, also demonstrating the link between Codex standards and the development of national legislation.

Module 3.5 / What do FAO and/or WHO offer to help implement or make use of Codex standards?

Examines the use of Codex standards as the basis for national food safety legislation or for establishing national food control systems. Appropriate capacity-building activities are identified.

Section 4: Scientific basis for Codex work

Module 4.1 / Risk analysis in the framework of Codex

Outlines the scientific principles adopted by the Commission that underpin its science-based standard-setting process, and provides the key risk analysis terms found in Codex documents.

Module 4.2 / Requesting, accessing and contributing to expert scientific advice

Provides information on how countries can access the results of risk assessments, and/or how countries can provide input into risk assessments. In addition, guidance will be offered on how countries can request risk assessments on issues relevant to them.

Module 4.3 / Joint FAO/WHO Expert Committee on Food Additives (JECFA)

Outlines the role and functions of JECFA.

Module 4.4 / Joint FAO/WHO Meeting on Pesticide Residues (JMPR)

Outlines the role and functions of JMPR.

Module 4.5 / Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment (JEMRA)

Outlines the role and functions of JEMRA.

Note:

The Codex Alimentarius Commission, through its various subsidiary bodies, elaborates standards, recommended codes of practice and guidelines. Unless stated otherwise, in this training package the term “standards” is used in its generic sense to include all the types of texts developed by the Codex Alimentarius Commission.

Abbreviations

ADI	Acceptable daily intake
CAC	Codex Alimentarius Commission
CCEXEC	Executive Committee of the Codex Alimentarius Commission
CCAFRICA	FAO/WHO Coordinating Committee for Africa
CCASIA	FAO/WHO Coordinating Committee for Asia
CCCPC	Codex Committee on Cocoa Products and Chocolate
CCCPL	Codex Committee on Cereals, Pulses and Legumes
CCEURO	FAO/WHO Coordinating Committee for Europe
CCFAC	Codex Committee on Food Additives and Contaminants
CCFFP	Codex Committee on Fish and Fishery Products
CCFFV	Codex Committee on Fresh Fruits and Vegetables
CCFH	Codex Committee on Food Hygiene
CCFICS	Codex Committee on Food Import and Export Inspection and Certification Systems
CCFL	Codex Committee on Food Labelling
CCFO	Codex Committee on Fats and Oils
CCGP	Codex Committee on General Principles
CCLAC	FAO/WHO Coordinating Committee for Latin America and the Caribbean
CCMAS	Codex Committee on Methods of Analysis and Sampling
CCMH	Codex Committee on Meat Hygiene
CCMMP	Codex Committee on Milk and Milk Products
CCNASWP	FAO/WHO Coordinating Committee for North America and the Southwest Pacific
CCNEA	FAO/WHO Coordinating Committee for the Near East
CCNFSDU	Codex Committee on Nutrition and Foods for Special Dietary Uses
CCNMW	Codex Committee on Natural Mineral Waters
CCPFV	Codex Committee on Processed Fruits and Vegetables
CCPR	Codex Committee on Pesticide Residues
CCRVDF	Codex Committee on Residues of Veterinary Drugs in Foods
CCS	Codex Committee on Sugars
CCVP	Codex Committee on Vegetable Proteins
CL	Circular letter
CRD	Conference room document
ECE	Economic Commission for Europe (of the United Nations)
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade

IPCS	International Programme on Chemical Safety
IPPC	International Plant Protection Convention
JECFA	Joint FAO/WHO Expert Committee on Food Additives
JEMRA	Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment
JMPR	Joint FAO/WHO Meeting on Pesticide Residues
MRL	maximum residue limit
NCC	National Codex Committee
OECD	Organisation for Economic Co-operation and Development
OIE	World Organisation for Animal Health
SPS Agreement	Agreement on the Application of Sanitary and Phytosanitary Measures
TBT Agreement	Agreement on Technical Barriers to Trade
UN	United Nations
WHO	World Health Organization
WTO	World Trade Organization

Section 1

Establishing and maintaining national Codex activities

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Introduction

This section is designed to provide guidance to countries that are contemplating or are in the initial processes of becoming involved in the work of the Codex Alimentarius Commission, and addresses the establishment of a Codex Contact Point. It can, however, also be used by countries already involved in Codex as guidance on continuing advocacy for Codex activities in their country. Therefore, general advocacy material is included which may be used from time to time by those responsible for ensuring ongoing support to, and identification of, resources for national Codex activities.

Issues that should be taken into account when becoming involved in Codex work are reviewed, including the importance of identifying which government ministries have a constitutional role in food safety and food standard setting, and how these ministries should collaborate to facilitate a country's effective participation in Codex activities. The need to identify and include all stakeholders in the process is also stressed.

This component of the package is designed to assist a country in the process of establishing domestic Codex activities, and to help identify the level of commitment appropriate for its circumstances.

Module 1.1

Why should my country become involved in Codex?

Often, the first step in obtaining political or senior management support for involvement in the work of the Codex Alimentarius Commission is providing an answer to the basic question “Why become involved?” In any country, whether it is a developing country, a country with a small economy or a developed country, senior decision-makers will need to be convinced of the benefits that will accrue as a result of utilizing resources, which are often limited, to become involved in the activities of the Codex Alimentarius Commission.

Why should countries become involved in Codex?

It is important for countries to become involved in the Codex process for the following reasons:

1. Growth in world food trade has created potential opportunities for consumers to have greater access to a wider variety of foods. This has subsequently created potential opportunities for countries to expand their economic productivity. The increase in food trade has heightened the need for international food standards to protect the health of consumers and to ensure fair practices in the food trade.
2. As a result of the increase in food trade among nations, there is a greater probability of diseases indigenous in one country to be transmitted to another country in which such diseases had not previously been prevalent. In addition, with the international movement of food products that may carry risks to human health, it is important to develop appropriate standards to protect the health of the consumer. Codex provides a ready-to-use compendium of such standards that can be readily adapted, where appropriate, to the country situation.
3. Codex is an international risk management body and, by using Codex standards and related texts, countries can make substantial savings in time and money incurred in risk assessment and risk management processes. Participation in Codex and use of Codex standards assists policy-makers in building a sound national food control system to provide food of adequate quality and safety, and to protect the consumer.
4. It should be noted that Codex is not just a forum for developing standards, but that the elaboration process also provides opportunities to exchange information and share views on food safety and quality issues. Therefore, member countries can be kept apprised of international developments in food safety and quality including new or pending technological developments, new products entering the marketplace and up-to-date

- measures in the management of food safety and quality issues.
5. The status of Codex standards under World Trade Organization (WTO) agreements has increased the significance of Codex standards. Codex standards are explicitly referenced in the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) as the international benchmark for food safety. According to this agreement, Members shall ensure that any sanitary or phytosanitary measure is applied only to the extent necessary to protect human, animal or plant life or health, and shall not be applied in a manner that would constitute a disguised restriction on international trade. The Agreement on Technical Barriers to Trade (TBT Agreement) makes reference to international standard-setting bodies. Codex has been designated as the main player in the area of food. In a broad sense, the TBT Agreement establishes that Members shall ensure that technical regulations and conformity assessment procedures are not prepared with a view to, or with the effect of, creating unnecessary obstacles to international trade.
 6. These WTO agreements provide member countries that adopt Codex standards as their national standards with a defence in situations where they are challenged by trading partners. National measures based on Codex standards are deemed necessary and thus in compliance with the SPS Agreement.
 7. Countries that are Members of WTO and therefore are signatories to the SPS and TBT Agreements are also expected to participate to the extent possible in the standard-setting work of the Codex Alimentarius Commission.

What level of commitment should a country give to Codex?

Consideration should be given at an early stage in the decision-making process to ascertaining the level of commitment to Codex that would provide the greatest benefits for a country. A good starting point in preparing advice for senior decision-makers is to assess the commitment level of other countries within the region and the type of Codex activities they have instigated. As countries in a region often share common problems and have common goals in terms of achieving safe food of adequate quality, countries may find that the work of an FAO/WHO coordinating committee is a good starting point from which to build a long-term Codex programme.

Furthermore, the scope of activities addressed by FAO/WHO coordinating committees is much broader than that of other Codex committees. The other committees are primarily standard setters – producers of standards, guidelines, codes of practice and other recommendations. However, FAO/WHO coordinating committees are mandated to identify the needs and problems of the region concerning food standards, to define the needs of the region concerning food control and to stimulate the strengthening of food control infrastructures. Hence, many of the outcomes of these committees fall into the realm of technical assistance, which is provided by the parent bodies of Codex (FAO and WHO). The Commission itself is not mandated to provide such assistance. However, through the committees, technical needs can be identified and recommendations brought to the attention of the parent bodies.

There are other benefits that may accrue as a result of active participation in FAO/WHO committees. In addition to being able to influence strategic priorities, the committee affords the opportunity to network and develop working relationships with other professionals in the member countries of the region. This facilitates the exchange of information and the promotion of a country's position on key issues. It opens the door to technical expertise that can be tapped to help develop national food control systems. Furthermore, it is often more realistic with respect to cost to participate in an FAO/WHO committee meeting than a session of the Commission.

Most countries have limited budgets for attendance at international Codex meetings, and therefore prioritization and strategic planning are required to ensure a country's representation at those committee meetings of most relevance. As stated above, there is strong justification to attend the FAO/WHO coordinating committee, especially when a country has only recently become involved in Codex.

Briefing the decision-makers

In establishing a case to become a Codex member country, or initiating a domestic Codex programme that will require policy commitment and resources, it may be appropriate to present a formal briefing to senior decision-makers.

The accompanying set of visual aids is a suggested approach to a briefing session for this purpose. The briefing covers the topics listed below, but can be enhanced or expanded depending on the particular situation and/or needs of the country. For example, it could contain data on national food-borne incidence or internationally available data on food import rejections, analysis of imported/exported food products and projected economic benefits.

- What is Codex?
- Why a country should be involved in Codex
- Value of the FAO/WHO coordinating committees
- Resources required

The accompanying briefing should take no more than 10–15 minutes. If possible, several ministers/senior officials should be briefed simultaneously, although this is not a necessity. The remaining modules in this section provide information that will assist in preparing this briefing.

In particular, it will assist countries in determining their level of involvement in the Codex process, the resources required to maintain this commitment, and initial steps to be undertaken in establishing the national programme.

Module 1.2

My country wants to be involved in Codex, what should be done?

The decision to establish a national Codex programme should not be made in isolation by a single individual or government ministry. All the work of Codex is based on the premise of transparency and communication. Accordingly, such a decision should be taken collectively, with the consent of all stakeholders who will be involved in the implementation of the programme. All ministries that have a constitutional responsibility for food safety or food standards should be involved in the decision-making process as each ministry will, at some stage, have a core interest in the issues coming before Codex.

Step 1 – Determine if it is appropriate

It is necessary to determine if it is appropriate for a country to become involved in the work of Codex. In this respect, several considerations should be taken into account:

- a) Is the country a Member of FAO and/or WHO?
 - b) Would the adoption or use of Codex standards in national legislation facilitate protection of the country's consumers?
 - c) Is it important for the country to introduce a national food control system, improve the existing system, or improve its national capacity to deal with food safety incidence?
 - d) Does the country export agricultural crops, animal products or species of fish in their raw or processed state, and do any of these commodities and products contribute significantly to the country's economy?
 - e) Are there specific food imports upon which the country relies to ensure an adequate and nutritious food supply?
 - f) Is the country a Member of WTO?
- If any of these questions can be answered in the affirmative, then it would be appropriate for the country to become a Member of the Codex Alimentarius Commission.

Step 2 – Advocacy

Once it has been determined that membership in the Codex Alimentarius Commission is appropriate, the next step is to identify which government departments/ministries have a legislated responsibility for food standards, and to engage them in the preliminary decision-making process and any briefing

sessions. This entails an examination of existing food legislation applicable anywhere along the food chain, from farm to consumer, taking care to identify any government departments/ministries with responsibility for administering and/or enforcing legislation pertaining to food quality and safety.

This may entail more than mere identification. It may be necessary to liaise with the various ministries in order to explain what Codex is about, and why it is important for the country to become involved. In this regard, the briefing material provided in Section 1 may be of some value in familiarizing the appropriate senior officials with Codex. Regardless, the need for communication among the relevant government departments/ministries cannot be overemphasized. Transparent decision-making processes and good communication at this early stage will avoid many misunderstandings and duplication of activities in the future.

Even at these early stages of Codex involvement, it is important to include or to involve other stakeholders – industry, academia and consumer groups. Although they may not be involved in the ultimate decision, they do have an important role to play.

Step 3 – Identify the Codex Contact Point

Once there is agreement that the country should become involved in Codex activities, the next step is to identify a Codex Contact Point and the department/ministry that will have responsibility for coordination of the programme. Section 3 provides greater detail regarding the functions of a Codex Contact Point, but it is important to understand that a country's participation in Codex is a collaborative effort. In order for such participation to be effective, there must be open and constant communication among not only the government ministries, but also industry and consumer groups.

It is important to understand that there is a clear difference between the function of a Codex Contact Point and that of the individuals who have the primary responsibility for preparing national positions on issues under consideration by the various Codex committees. Section 3 outlines in greater detail the process for developing national positions and the relationship between the Codex Contact Point and the individuals who are actually developing positions.

At this point, it is important to understand that the Codex Contact Point is primarily a coordinator and focal point for Codex activities within the country, and is the link between the country and the Codex Alimentarius Commission (and its Secretariat).

The individual identified as the Codex Contact Point must be given the responsibility and authority to coordinate national Codex activities. It is critical that the designated individual has sufficient time and resources (human and financial) to devote to this function. In some countries, a senior official is the designated Codex Contact Point, but the actual coordination and related work is carried out by a professional officer. This is acceptable provided the necessary resources (including time) are devoted to the country's Codex activities to achieve the desired results.

A common question is "Where should the Codex Contact Point be?" As the Codex Alimentarius Commission is an intergovernmental programme, the

Box 1.2.1 | Notification of membership form

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



Joint office: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net E-mail: codex@fao.org Facsimile: 39 06 5705 4593

CX 2/4-MF-2005

JOINT FAO/WHO FOOD STANDARDS PROGRAMME NOTIFICATION OF MEMBERSHIP OF THE CODEX ALIMENTARIUS COMMISSION

The Government of _____ has the honour to inform the Director-General of the Food and Agriculture Organization of the United Nations and the Director-General of the World Health Organization that, in accordance with Article 2 of the Statutes of the Codex Alimentarius Commission, it wishes to be considered as a Member.

1. A list of the subsidiary bodies of the Codex Alimentarius Commission is given overleaf. All invitations to sessions of these subsidiary bodies are sent to Member Governments of FAO and WHO. Documentation relating to these sessions is sent to all designated Codex Contact Points.

2. Please advise if a National Codex Committee has/has not been established and give the address:

3. Please give the name, address, telephone and fax numbers as well as the E-mail address (the use of an institutional rather than personal account is encouraged) of the Contact Point in your country for Codex Alimentarius matters to whom all technical documentation and correspondence should be sent:

4. Please advise how many copies and in which language Codex documents should be sent to the Contact Point for Codex Alimentarius matters (maximum: a total of five copies).

_____ English _____ French _____ Spanish

Notification of membership made by:

Name: _____
Official title: _____
Address: _____

Box 1.2.1 (cont.) | Notification of membership form

SUBSIDIARY BODIES OF THE CODEX ALIMENTARIUS COMMISSION¹

Codex General Subject Committees:

Codex Committee on Food Additives and Contaminants
Codex Committee on Food Import and Export Inspection and Certification Systems
Codex Committee on Food Hygiene
Codex Committee on Food Labelling
Codex Committee on General Principles
Codex Committee on Methods of Analysis and Sampling
Codex Committee on Pesticide Residues
Codex Committee on Residues of Veterinary Drugs in Food
Codex Committee on Nutrition and Foods for Special Dietary Uses

Codex Commodity Committees:

Codex Committee on Cocoa Products and Chocolate *
Codex Committee on Fats and Oils
Codex Committee on Fish and Fishery Products
Codex Committee on Fresh Fruits and Vegetables
Codex Committee on Milk and Milk Products
Codex Committee on Processed Fruits and Vegetables
Codex Committee on Natural Mineral Waters *
Codex Committee on Meat Hygiene *
Codex Committee on Cereals, Pulses and Legumes *
Codex Committee on Sugars *
Codex Committee on Vegetable Proteins *

Ad Hoc Intergovernmental Task Forces:

Fruit and Vegetable Juices
Foods Derived from Biotechnology

Codex FAO/WHO Coordinating Committees:

Coordinating Committee for Africa
Coordinating Committee for Asia
Coordinating Committee for Europe
Coordinating Committee for Latin America and the Caribbean
Coordinating Committee for North America and the South-West Pacific
Coordinating Committee for the Near East

* Adjourned *sine die*

¹ All references in this manual to Codex subsidiary bodies are based on the status as of March 2005. The Codex Web site should be consulted for more up-to-date information.

designated Codex Contact Point should be a government official. It is important that the individual designated as the Codex Contact Point communicates with all interested stakeholders and has sufficient support and resources to do the work. A key role will be to interact with entities in relevant ministries such as health, agriculture, fisheries and trade.

Upon understanding the role and functions of the Codex Contact Point, the decision on where best to locate the Codex Contact Point rests with the respective member country. It is, however, common practice that the government takes up the responsibility to be the Codex Contact Point because:

- Codex is an intergovernmental body and it is the Member Governments that take decisions at the Codex Alimentarius Commission, with the expectation that they should interpret and implement them accordingly at the national level. Hence, it is more appropriate that the government should coordinate Codex activities.
- Looking at the functions and requirements, in most cases it is the government that is better placed to be effective as the Codex Contact Point.
- There is a need for perceived neutrality in terms of meeting the basic Codex objectives of protecting the health of consumers and ensuring fair practices in the food trade, and the government is generally considered to be in a position to provide this.

Irrespective of the location of the Codex Contact Point, it is desirable that the following criteria are met:

- neutrality as far as possible with regard to all stakeholders involved in Codex work;
- capability to perform the functions of the Codex Contact Point;
- accessibility to all parties interested and/or those involved in the activities of Codex.

In general, the Codex Contact Point is located in a ministry. There is no right or wrong location, it is a matter of national choice. The important thing is to have a transparent decision-making process.

Step 4 – Request membership

The Codex Alimentarius Commission maintains an open invitation to become a Member by virtue of Article 2 of its Statutes that states:

Membership of the Commission is open to all Member Nations and Associate Members of FAO and WHO which are interested in international food standards.

Membership shall comprise such of these nations as have notified the Director-General of FAO or of WHO of their desire to be considered as Members.

Therefore, once a decision has been taken by a country that it wishes to become a Member of the Codex Alimentarius Commission, it should communicate this desire by means of a letter addressed to the Director-General of either FAO or WHO. The letter should be signed by a suitably senior official, e.g. a minister or head of agency, and include the name and contact information of the designated Codex Contact Point (including an e-mail address and national Codex Web site where applicable). Any e-mail address for a Codex Contact Point should be generic if at all possible. A copy

of the letter should also be referred to the Secretary of the Codex Alimentarius Commission.

Box 1.2.1 provides a sample of the form that should be completed and appended to the official letter of request for membership.

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Module 1.3

What resources do we need?

The resources a country needs to expend on its Codex activities will depend on the extent to which it is involved. When a country takes a decision to become a Member of the Codex Alimentarius Commission and become involved in its work, it is not necessary for the country to be involved in all of the Commission's subsidiary bodies. Most developing countries, or countries with small economies, tend to focus on the FAO/WHO coordinating committee for their region and one or two other committees/task forces that are developing standards for products of significance to them.

The Codex Contact Point

As indicated in Module 1.2, the Codex Contact Point is designated when a country makes known its desire to become a Member of the Codex Alimentarius Commission.

In some countries, the designated Codex Contact Point is a senior official who may have little hands-on dealings with day-to-day Codex activities. This is acceptable provided there is a professional officer with the authority and time to carry out the coordination work and report regularly to the Codex Contact Point.

The official responsible for the daily management and coordination of the Codex programme should be a professional officer, preferably with a background in food safety/food standard setting. The individual must be given sufficient authority to coordinate the programme and have sufficient time to devote to it. Ideally, the individual should have no other duties, but this is not always realistic. Regardless, the individual must be able to devote an identified portion of time to dealing with Codex issues. The amount of time will vary, depending on the number of committees a country is involved in, the level of training of the professional officer, etc. It is up to the individual country to determine its needs, but a recommended minimum allocation would be up to approximately 25 percent of the person's time (i.e. the equivalent of approximately 1¹/₄ days per week) to Codex activities, based on minimal Codex activities (e.g. involvement limited to the FAO/WHO coordinating committee).

It is important that sufficient administrative and logistical support be available to the Codex Contact Point, e.g. adequate office space, telephone, computer, e-mail, etc. Section 3 provides details on the functions and activities of the Codex Contact Point.

Administrative support for the Codex Contact Point

The level of support needed by the Codex Contact Point will depend on the location of the official. The colocation of the official Codex Contact Point and the Codex office (i.e. the officer and support staff who coordinate the daily work) has benefits in terms of efficiency and leads to greater effectiveness of allocated resources.

In terms of resource allocation, there should be an administrative officer/personal assistant or clerk assigned to assist the official responsible for the Codex Contact Point, who should be able to devote at least 25 percent of his/her time in support of the programme. The allocation of other human resources to the Codex programme will be contingent on the level of involvement and coordination required. This issue is addressed more fully in Section 3. However, in determining ongoing commitment as a Codex member country, a preliminary assessment of the projected level of involvement and associated budgetary implications should be made at this stage in the decision-making process.

Infrastructure

In becoming a Codex member country, a nation takes on responsibility for establishing an interface between the Codex Contact Point and the Rome-based Secretariat, and between the Codex Contact Point and the national stakeholders, as well as linkages with other Codex member countries within the region. Certain infrastructure issues will need to be addressed.

Computer facilities

The primary method of contact between the Codex Secretariat in Rome and the Codex Contact Points is via electronic mail. In addition, all the standards, guidelines and recommendations adopted by the Codex Alimentarius are posted on the Codex Web site. Therefore, it is essential that the Codex Contact Point and officers involved in the management of the Codex programme are equipped with a computer capable of accessing e-mail and the Internet, and with up-to-date software capabilities.

From a practical viewpoint, it may be desirable to establish a distinct e-mail address for the Codex programme so that communications regarding the programme do not get lost in the general e-mail account of the Codex Contact Point or agency. Many countries have established an e-mail address with a high degree of success along the following lines: (codex.countryname@...). This is also useful to ensure that there is no interruption in the flow of information should there be a change in the individual designated as being responsible for the Codex Contact Point.

Office

The Codex office may be located in an existing office, or provided with a separate facility. Whatever arrangement is implemented, it is important that the Codex programme has a designated area/facility from which the work is conducted.

Essential equipment

Telephone and facsimile access for the Codex office are essential to the

overall efficiency of the programme. A photocopy machine and filing cabinet will facilitate the handling and organization of Codex documentation and related correspondence.

Library/reading facility

While most Codex documentation is available electronically, not all interested stakeholders will have access to computers. Therefore, there is still a need to have the capacity to manage printed copies of some Codex documents. The need to ensure transparency and communication of Codex work has led in some countries to the establishment of a reading facility. This ensures ready access for interested parties (industry, consumers) to Codex texts. Another country has set up a specific computer for use by interested parties to access Codex material electronically.



Module 1.4

What are the first steps my country should take to participate in Codex work?

Up to this point, the country has made a decision to become involved in the work of the Codex Alimentarius Commission, a decision that was agreed to by all the relevant ministries. A Codex Contact Point has been identified and resources made available in order for the Codex Contact Point to function effectively.

Now comes the difficult part – making participation in Codex a reality. Taking into consideration the fact that each country's legal structure and administrative framework are different, the modalities of undertaking national Codex activities, including international linkages, will vary from country to country. Within that context, the following considerations are offered as suggested steps that can be taken to commence actual participation in Codex.

Establish contacts with other government ministries

As explained in the preceding modules, the decision to become involved in the food standard-setting work of the Codex Alimentarius Commission should not be made in isolation. Other relevant ministries need to be consulted and involved in the decision-making process. Similarly, in the undertaking of involvement in Codex activities, these other ministries need to remain involved.

A good first step would be to identify contacts (i.e. name, position, contact particulars, etc.) in the relevant ministries. This should include a name, telephone number and e-mail address if one exists. The next step is to contact that person, arrange a brief face-to-face meeting to outline what Codex is, and explain the nature of the country's involvement and the role the contact is expected to fulfil. One important aspect that should be conveyed to such contacts is that they will be the focal point in that ministry to whom the Codex Contact Point can go to obtain input on Codex issues. For example, if a standard on fish is being discussed in Codex, then the Codex Contact Point should ensure that the ministry with responsibility for fisheries is engaged in the process, and takes the lead in developing the national position. The consultative process will be discussed in greater detail in Section 3.

The number of contacts in each ministry will vary depending on the organizational structure and the mandate of the ministry concerned. For example, in some cases, it would be desirable to have two contacts, one being a technical expert, the other a policy-maker.

Establish contacts with industry

A key stakeholder in the establishment of food standards is the food industry. Therefore, it is recommended that as early in the process as possible, the Codex Contact Point should make contact with national food industry associations where they exist, or commercial establishments involved in the production, processing, exporting or importing of food products.

Again, it is important that the Codex Contact Point not only identify the industries – the identification should include a name, telephone number and, if possible, an e-mail address. As in the case of the government contacts, a brief face-to-face meeting with the various industry representatives should also be held to familiarize them with the country's Codex involvement.

This contact should facilitate solicitation of input from industry on Codex issues relevant to them. It should be remembered, however, that the final decision as to the content of a national position rests with the government, and it is up to the government to determine to what extent it will incorporate input from industry into the national position.

Establish contacts with consumers

Consumers play an important role in Codex and have a responsibility with respect to food safety. In order to ensure that there is a balance in the expression of opinions on Codex issues, consumers also need to be involved in the process. Therefore, the Codex Contact Point should establish contacts with national consumer organizations in order to facilitate communication on issues relevant to consumers. Again, as in the case of industry, the final decision as to the content of a national position rests with the government, and it is up to the government to determine to what extent it will incorporate input from consumers into the national position.

Establish a mechanism to enhance national collaboration

National Codex activities will not be effective if communication among all interested stakeholders is inadequate.¹ A means to achieve this communication should be planned and coordinated by the Codex Contact Point. One mechanism employed in many countries to ensure that this communication occurs is to establish a National Codex Committee (NCC). Should a country wish to establish such a committee, suggested functions and possible membership are discussed in Section 3.

As NCCs tend to reflect national requirements, their composition and organization will vary. However, NCCs can provide a forum for discussions and for the formulation of the national position(s) and responses to Codex proposals or policy.

Often the Codex Contact Point serves as the secretariat to the NCC although, again, it is up to the country to determine the organizational structure best suited to its needs. Further information on country experiences is included in Module 3.2.

¹ For the purposes of this package, the term "interested stakeholders" means government officials, consumers, industry, academia and health professionals with an interest in food safety and standard setting related to food.

Conduct Codex workshops

Once the Codex Contact Point has met with representatives of the various interested stakeholder groups, it is suggested that Codex workshops be conducted to facilitate the understanding of Codex as an international food standard-setting organization, and of how the national Codex programme interacts with international standard-setting activities.

Sections 2 and 3 of this package, including their accompanying visual aids, provide the framework for the conduct of such workshops.

Circulate reports

A first step in engaging stakeholders and making them aware of the issues discussed at Codex meetings is to circulate the latest versions of the reports of the Codex committees relevant to the country. It would be helpful to draw their attention to specific paragraphs in the report that address agenda items of particular interest to the stakeholders.

In addition, circulation of reports not only serves to familiarize recipients with the relevant issues, but also to sensitize them to the format and language of Codex documents.

Start submitting written comments

It must be understood that the submission of written comments is the first, and often the most crucial, step in the implementation of a national Codex programme. Written comments are normally submitted prior to a meeting when requested by the Codex Secretariat. These comments are translated into other languages and shared with other countries. However, when countries do not meet the deadline, they may provide written comments on a working document and request them to be circulated at the Codex meeting as a conference room document (CRD) (but only in the original language). Overuse of CRDs should be discouraged as they are not circulated in advance of the meeting and they may overstretch an already full meeting agenda. Where countries have difficulty in attending Codex meetings owing to financial constraints, the submission of written comments is important. Participation in the work of Codex starts with the submission of written comments and, regardless of a country's ability to travel, it can still make its views known by these submissions. Of course, attending Codex meetings provides the opportunity to draw the attention of the committee to the country's position through verbal interventions made by the member country, and provides additional opportunities to promote the country's position.

The various circular letters (CLs) and working papers associated with the Codex agenda often request countries to submit comments, and also include a deadline for the submission of those comments. The Codex Contact Point should ensure that the country does submit comments, and does so on time. Section 3 outlines more specific information on the modalities of developing and submitting national positions.

Comments can be submitted on a range of issues, including specific

standards under preparation and working papers prepared on a given topic, and issues related to Codex procedures.

Regional liaison/networking

The concerns and issues of significance in one country may also be shared by other countries in the region. Therefore, it is recommended that the Codex Contact Point establish contacts with the other Codex Contact Points in other countries in the region. Collaboration among the member countries in a region can enhance the effectiveness of the comments being submitted, i.e. three countries reflecting the same position in their written comments are more effective than one country. Furthermore, since resources are usually limited, it may be more feasible for countries to combine resources to fund one country's attendance at a Codex meeting where it can express the views of the region, rather than several countries trying to obtain funding for individual attendance. Another practical option is to request another country with the same position to raise the concern on behalf of one or more countries, in the event that all the countries concerned cannot attend the meeting.

An important venue for regional liaison is the FAO/WHO coordinating committee. For this reason, attendance at sessions of the FAO/WHO coordinating committee could be considered a priority, as it provides an opportunity for the coordination of positions within the region. An important role of a regional coordinator, through the Executive Committee, is to promote issues of relevance to the region, for example drawing the attention of the Commission to aspects of the Commission's work of particular relevance to the region. This enhances opportunities for countries in the region to network with other countries outside their region. More information is provided in Module 2.3.


Prepare regular briefings for senior officials

In order to ensure that politicians and senior-level officials are fully informed of Codex issues of relevance to the country, the Codex Contact Point should prepare regular briefings. These briefings should bring to their attention the status of Codex standards that are of particular interest to the country, or inform them of any policy decisions taken at the international level that may have an impact on the country.




Visual aids

Modules 1.1–1.4



FAO/WHO CODEX TRAINING PACKAGE
Enhancing participation in Codex activities

Developed by the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO)




FAO/WHO CODEX TRAINING PACKAGE

**SECTION ONE
ESTABLISHING AND
MAINTAINING NATIONAL
CODEX ACTIVITIES**

Modules 1.1–1.4

2




What is Codex?

- Codex is the common name for the Codex Alimentarius Commission
- Codex is mandated to develop international food standards:
 - to protect the health of consumers
 - to facilitate fair practices in the food trade
- As of March 2005, Codex consists of 171 member countries and 1 member organization

3

FAO/WHO Codex training package
Modules 1.1–1.4




Why is Codex important?

- Growth in world food trade
- Increase in food trade among nations
- Important to develop appropriate standards to protect the health of the consumer

4

FAO/WHO Codex training package
Modules 1.1–1.4




Why is Codex important? (cont.)

- Codex provides a forum for exchange of information
- Status of Codex standards under WTO Agreements
- Obligation of WTO member countries to participate as fully as possible, within the limits of their resources, in the standard setting work of Codex

5

FAO/WHO Codex training package
Modules 1.1–1.4




National Codex Contact Point

- Coordinator and focal point for Codex activities
- Link with the Codex Secretariat
- Facilitates communication among relevant government ministries, industry and consumer groups
- Usually located in a government department or ministry

6

FAO/WHO Codex training package
Modules 1.1–1.4

Modules 1.1–1.4 (cont.)




Why are FAO/WHO coordinating committees important?

- To define the needs of the region concerning food control and to stimulate the strengthening of food control infrastructures
- Technical needs can be identified and recommendations brought to the attention of the parent bodies
- Opportunity to develop working relationships with other professionals in the member countries of the region

7

FAO/WHO Codex training package
Modules 1.1–1.4




Resources required

- One professional officer with food science/food safety experience and/or training who can devote at least 25% of his/her time to Codex issues
- One clerical support person who can devote 25–30% of his/her time to administrative issues related to the Codex programme
- This allocation of time is based on a minimum involvement by a country in Codex (i.e. the FAO/WHO Coordinating Committee)

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FAO/WHO Codex training package
Modules 1.1–1.4




Infrastructure resources required

- The professional officer must have a computer capable of accessing the Internet, receiving e-mail and contemporary software capabilities
- Office space including photocopying capacity, filing cabinet, telephone, fax, etc.

9

FAO/WHO Codex training package
Modules 1.1–1.4



Initial activities

- Establish contacts with other relevant government ministries
- Establish contacts with industry
- Establish contacts with consumers
- Mechanism for national collaboration
- Conduct Codex workshops
- Circulate reports
- Start submitting written comments
- Regional liaison/networking
- Briefings for senior officials

10

FAO/WHO Codex training package
Modules 1.1–1.4

Section 2

Understanding the organization of Codex

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{ Introduction

New Codex member countries, or countries that have not yet become fully involved in Codex work, will need to develop a good appreciation of the functioning of the Codex Alimentarius Commission. Although the Codex programme may appear to be complex, once broken down into its operational components, Codex is like any other committee-based organization. It has a book of rules, or procedures, which set out the way it operates in order to achieve its mandate. This book of rules, the Codex Procedural Manual, is explained in Module 2.7.

This section provides general background information on the Codex Alimentarius and how the Codex Alimentarius Commission is organized to undertake its standard-setting work. The section covers the structure of the Commission and its subsidiary bodies, the terms of reference of the subsidiary bodies and the standards elaboration process, and briefly describes how Codex sessions are conducted.

Module 2.1

Codex: a historical perspective

The concept of international food standards is not new, and a desire to manage the quality and safety of food can be traced back to the earliest civilizations. Assyrian tablets described the method to be used in determining the correct weights and measures for food grains. Egyptian scrolls prescribed the labelling to be applied to certain foods. In the year 300 before the Christian era, the Indian statesman Kautilya referred to food quality control measures in his writings. There is other evidence of food control systems to protect consumers from fraud or bad produce in ancient Greece and Rome, and in England in the Middle Ages.

The term “Codex Alimentarius” is Latin and means “food code”. Thus, the Codex Alimentarius is a collection of written codes of international food standards for use by all nations. The origin of the Codex Alimentarius can be traced back to the Austro-Hungarian Empire, which developed, between 1897 and 1911, a collection of standards and product descriptions for a wide variety of foods. This was known as the “Codex Alimentarius Austriacus”. Although lacking legal force, it was used as a reference by the courts to determine standards of identity for specific foods.

Food and Agriculture Organization of the United Nations

The decision to establish an international programme, however, may be traced back to 1943, when 44 nations met for a United Nations Conference on Food and Agriculture in Hot Springs, Virginia, United States of America. That Conference recommended the formation of an international organization “to assist governments to extend and improve standards of nutrient content of all important foods” and to consider “the formulation and adoption of similar international standards to facilitate and protect interchange of such products between countries”.

World Health Organization

Another major landmark was the establishment of the World Health Organization (WHO) in 1948, with responsibilities covering human health and, in particular, a mandate to establish food standards. In 1950, Joint FAO/WHO expert meetings commenced on nutrition, food additives and related areas. This was followed in 1953 by a statement by WHO’s highest governing body, the World Health Assembly, that the widening use of chemicals in the food industry presented a new public health problem that required attention. A Joint

FAO/WHO Conference on Food Additives held in Geneva in 1955 led to a recommendation to the Directors-General of FAO and WHO that one or more expert committees should be convened to address the technical and administrative aspects of chemical additives and their safety in food.

This recommendation provided the basis for the first Joint FAO/WHO Expert Committee on Food Additives (JECFA) in 1956. While JECFA was initially founded to evaluate the safety of food additives, its work now also includes the evaluation of contaminants, naturally occurring toxicants and residues of veterinary drugs in food. Substances evaluated by JECFA alternate between additives and contaminants on odd-numbered sessions and veterinary drug residues on even-numbered sessions. For example, the Sixty-first Session (June 2003) of JECFA considered a number of additives and contaminants while the Sixty-second Session (February 2004) examined a number of veterinary drugs.

Codex Alimentarius Europaeus

The decision to establish an international programme was accelerated by moves in Europe to develop a European food code. During the period 1954–58, Austria actively pursued the creation of a regional food code, the Codex Alimentarius Europaeus, or European Codex Alimentarius. In October 1960, the first FAO Regional Conference for Europe endorsed the desirability of international, as distinct from regional, agreement on minimum food standards, and invited the Organization's Director-General to submit proposals for a joint FAO/WHO programme on food standards to the Conference of FAO. This Conference crystallized a widely held view when it recognized:

The desirability of international agreement on minimum food standards and related questions (including labelling requirements, methods of analysis, etc.) ... as an important means of protecting the consumer's health, of ensuring quality and of reducing trade barriers, particularly in the rapidly integrating market of Europe.

Within four months of the Regional Conference, FAO entered into discussions with WHO, the Economic Commission for Europe (ECE), the Organisation for Economic Co-operation and Development (OECD) and the Council of the Codex Alimentarius Europeus with proposals that would lead to the establishment of an international food standards programme.

Codex Alimentarius Commission

A landmark decision was taken at the Eleventh Session of the FAO Conference in November 1961, when a resolution was passed to set up the Codex Alimentarius Commission (CAC), requesting an early endorsement by WHO of a joint FAO/WHO food standards programme. This was followed by approval to establish the Joint FAO/WHO Food Standards Programme at the Sixteenth World Health Assembly in May 1963, including the adoption of the Statutes of the Codex Alimentarius Commission.

The Codex Alimentarius Commission, frequently referred to simply as

¹ It should be noted that the membership of Codex changes as new countries join. The Codex Web site should be consulted from time to time for current membership.

“Codex”, is an intergovernmental body consisting of 171 member countries and one member organization as of March 2005.¹ Membership in the Commission is open to countries who are Members of either FAO or WHO.

The mandate of Codex is to establish international food standards to protect the health of consumers and to ensure fair practices in the food trade. The significance of Codex standards has been heightened in recent years as a result of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) of the World Trade Organization (WTO), which specifically refers to Codex standards as the international benchmark for food safety.

The First Session of the Codex Alimentarius Commission was held in Rome, Italy, in June 1963. Subsequent venues for Commission sessions have alternated between the headquarters of its two parent organizations, i.e. the meetings alternated between Rome and Geneva. For example, the Twenty-sixth Session of the Commission was held in Rome from 30 June to 7 July 2003, while the Twenty-seventh Session was held in Geneva from 28 June to 3 July 2004.

It should be noted here that there is a distinction between the Codex Alimentarius and the Codex Alimentarius Commission (Codex). The Codex Alimentarius Commission is the body that elaborates the food standards that are published in the Codex Alimentarius. This difference is clarified further in Module 2.9.

Texts developed by the subsidiary bodies of the Codex Alimentarius Commission consist of standards (e.g. commodity standards, maximum residue limits [MRLs]) for use by Member Governments, as well as recommended codes of practice and guidelines intended as advice to governments. Throughout this package, unless stated otherwise, the term “standard” is used in its generic sense and includes all these categories of Codex texts.

Evaluation of Codex

A significant landmark in the history of Codex, 40 years after its creation, was the joint FAO/WHO Evaluation of the work of the Codex Alimentarius Commission, which took place in 2002, covering all aspects of the food standards work of FAO and WHO, including capacity building and scientific advice. The Commission considered the report of the Evaluation at an extraordinary session in February 2003, and expressed its commitment to the implementation of the recommendations it contained. The necessary work was then launched to amend the Rules of Procedure, where needed, and to initiate reform.

Reference material

FAO/WHO. 2002. Report of the Evaluation of the Codex Alimentarius and other FAO and WHO food standards work. Geneva, Switzerland/Rome (available at

<http://www.fao.org/docrep/meeting/005/y7871e/y7871e00.htm>).

FAO/WHO. 2005. Understanding the Codex Alimentarius. Revised and

updated,
pp. 1–9. Rome.
Codex Web site: www.codexalimentarius.net



Module 2.2

What is Codex?

The Codex Alimentarius Commission (commonly referred to simply as Codex) is the body established to implement the Joint FAO/WHO Food Standards Programme. In other words, Codex is an intergovernmental body whose purpose is to develop international food standards.

The Codex Procedural Manual is one of the most important Codex documents, and all those involved in Codex work should be familiar with its contents. Details are given in Module 2.7.

Statutes of the Codex Alimentarius Commission

The original Statutes were adopted in May 1963. These Statutes provide the legal basis for the Commission's work, and formally reflect the concepts behind and reasons for its establishment. They consist of ten Articles, which are summarized below. The full text can be found in the Codex Procedural Manual.

Although it is wise for those involved in the work of Codex, particularly Codex Contact Points, to be familiar with all the Articles, the main ones being Articles 1, 2, 8 and 10.

Article 1 – Mandate

- (a) Protecting the health of consumers and ensuring fair practices in the food trade.
- (b) Coordinating all food standards work undertaken by international governmental and non-governmental organizations.
- (c) Determining priorities and initiating and guiding the preparation of draft standards.
- (d) Finalizing standards and publishing them in a Codex Alimentarius either as regional or worldwide standards.
- (e) Amending published standards, after appropriate survey in the light of developments.

Article 2 – Membership

Membership of the Commission is open to all Member Nations and Associate Members of FAO and WHO that are interested in international food standards. Membership shall comprise such of these nations as have notified the Director-General of FAO or of WHO of their desire to be considered as Members.

In other words, in order to become a Member of the Codex Alimentarius

Commission, there are two conditions that must be met. First, the country must be a Member of either FAO or WHO. Second, the country must notify either the Director-General of FAO or of WHO of its wish to become a Member.

The process for this notification is explained in Module 1.2.

It should also be noted that membership is limited to countries only – the exception being regional economic integration organizations (e.g. the European Community).

Article 3 – Observers (FAO or WHO Member Nations)

Any Member Nation or Associate Member of FAO or WHO which is not a Member of the Commission but has a special interest in the work of the Commission may, upon a request communicated to the Director-General of FAO or WHO, attend sessions of the Commission and of its subsidiary bodies and ad hoc meetings as observers.

Members of either FAO or of WHO that do not wish to become full Members of the Commission are permitted to attend Codex sessions as observers. As observers they may address the Commission but cannot vote. Observers identified in Articles 3 and 4 should not be confused with international organizations that have been granted observer status under the Rules of Procedure (see Module 2.5).

Article 4 – Observers (other UN Member Nations)

Nations that, while not Member Nations or Associate Members of FAO or WHO, are Members of the United Nations, may be invited on their request to attend meetings of the Commission as observers, in accordance with the provisions of FAO and WHO relating to the granting of observer status to nations.

This Article enables countries that are Members of the United Nations but not Members of either FAO or WHO to attend Codex sessions as observers.

Article 5 – Reports and recommendations

The Commission shall report and make recommendations to the FAO Conference and the World Health Assembly of WHO through their respective Directors-General. Copies of reports, including any conclusions and recommendations, are circulated to interested Member Nations and international organizations for their information as soon as they become available.

Further details on reports from Codex committee sessions can be found in Module 2.5.

Article 6 – Executive Committee

The Commission shall establish an Executive Committee whose composition should ensure an adequate representation of the various geographical areas of the world to which the Members of the Commission belong. Between sessions, the Executive Committee shall act as the executive organ of the Commission.

This Article provides for ongoing management of the Codex process between sessions of the Commission. The Executive Committee cannot make decisions on behalf of the Commission (e.g. authorize new work, adopt

standards), but it has responsibility for strategic planning, budgeting and managing the standards elaboration process.

Article 7 – Other subsidiary bodies

The Commission may establish such other subsidiary bodies as it deems necessary for the accomplishment of its task, subject to the availability of the necessary funds.

This article provides the Commission with the authority to create the various committees and task forces necessary to elaborate standards.

Article 8 – Rules of Procedure

The Commission may adopt and amend its own Rules of Procedure that shall come into force upon approval by the Directors-General of FAO and WHO, subject to such confirmation as may be prescribed by the procedures of these Organizations.

This means that the Commission has the authority to amend its Rules of Procedure but cannot amend its Statutes. Only the parent bodies (FAO and WHO) can amend the Statutes. Amendments to the Rules of Procedure come into force upon approval of those amendments by the Directors-General of FAO and WHO.

The Rules of Procedure prescribe that a special quorum is required to amend the Rules. This special quorum consists of a majority (50 percent + 1) of the Members of the Commission. For example, with 171 member countries and one member organization, the special quorum consists of 87 countries. In all other cases (e.g. to adopt a standard) a quorum consists of 20 percent of the Members, i.e. 34 countries based on the membership as of March 2005.

Article 9 – Expenses (Commission and subsidiary bodies)

The operating expenses of the Commission and of its subsidiary bodies, other than those for which a Member has accepted the Chair, shall be borne by the budget of the Joint FAO/WHO Food Standards Programme, which shall be administered by FAO on behalf of the two Organizations in accordance with the financial regulations of FAO. The Directors-General of FAO and WHO shall jointly determine the respective portion of the costs of the Programme to be borne by each Organization and prepare the corresponding annual expenditure estimates for inclusion in the regular budgets of the two Organizations for approval by the appropriate governing bodies.

This is the Article that enables the Commission to manage a budget to implement its programme of work. These expenses relate to Secretariat costs (salaries, travel, operational expenses), costs of publication of adopted standards, infrastructure costs, etc.

Article 10 – Expenses (preparatory work)

All expenses (including those relating to meetings, documents and interpretation) involved in preparatory work on draft standards undertaken by Members of the Commission, either independently or upon recommendation of the Commission, shall be defrayed by the government concerned. Within the approved budgetary estimates the Commission may

recommend, however, that a specified part of the costs of the preparatory work undertaken by the government on behalf of the Commission be recognized as operating expenses of the Commission.

This Article makes it clear that costs related to preparatory work of the subsidiary bodies are the responsibility of the host country (e.g. translation of working papers). However, the article does provide for the Commission covering some of these costs when warranted (e.g. the host country is a developing country).

Reference material

FAO/WHO. 2004. Codex Alimentarius Commission – Procedural Manual. 14th edition, pp. 3–5. Joint FAO/WHO Food Standards Programme, Rome. Codex Web site: www.codexalimentarius.net



Module 2.3

How is Codex organized?

It is important to understand how the Codex Alimentarius Commission is structured and to have some knowledge of the roles of the various components of the structure. This will enable those responsible for the coordination of national Codex activities to know where to focus their activities. It will also enhance the effectiveness of national activities, and ensure that international standards reflect the country's concerns.

This module outlines the organizational elements of the Commission, and describes the range of subsidiary bodies (committees and task forces) where Codex standards are drafted and negotiated by member countries. A basic understanding of the structure and functioning of the Commission is essential for building a sound national Codex programme.

Organizational structure of the Codex Alimentarius Commission

The Codex Alimentarius Commission consists of the following main organizational elements (see Organizational chart, page 32):

- a) the Commission
- b) the Executive Committee
- c) the Codex Secretariat
- d) Codex subsidiary bodies:
 - general subject committees (also known as horizontal committees)
 - commodity committees (also known as vertical committees)
 - FAO/WHO coordinating committees
 - ad hoc intergovernmental task forces.

With the exception of the Codex Secretariat, all these bodies are made up of Codex Member representatives, endeavouring to ensure geographical balance and to reflect stakeholder views as appropriate.

The Codex Alimentarius Commission

The Commission is the decision-making body of the Joint FAO/WHO Food Standards Programme. As of March 2005, the Commission comprises 171 member countries and one member organization. At its Twenty-sixth Session, the Commission decided that each session would decide on the timing of the next session.² The Commission now meets annually, with meetings alternating

² Report of the Twenty-sixth Session of the Codex Alimentarius Commission (ALINORM 03/41, para. 150).

between Rome where FAO headquarters is located, and Geneva where WHO headquarters is located.

The Executive Committee

The Commission elects executive officers for a period commencing at the end of the session in which they were elected until the end of the following regular session. Those elected officials include a chairperson and three vice-chairpersons from among the delegates of the Members of the Commission. These officers can be re-elected for a maximum of one additional term.

The Executive Committee of the Commission (CCEXEC) is responsible for making recommendations about the general direction of the Commission's work. The Executive Committee, which meets between Commission sessions, acts as the executive organ of the Commission, and is the body responsible for managing the standards development process.

The Executive Committee is geographically balanced, with one member country elected from each of the following seven geographic locations: Africa, Asia, Europe, Latin America and the Caribbean, Near East, North America and the Southwest Pacific. Each Member may be accompanied by not more than two advisers from the region. However, these advisers do not address the sessions of the Executive Committee. Members elected from the regions hold office from the end of the session at which they were elected until the end of the second two regular sessions of the Commission, and may be elected for an additional term of two sessions. Members are ineligible for re-election after having served two consecutive terms.

The regional coordinators for the six regions (for coordination purposes, the regions of North America and the Southwest Pacific are combined) are also Members of the Executive Committee. Coordinators may hold office from the end of the session of the Commission at which they are appointed until not later than the end of the third succeeding regular session. After serving two consecutive terms, the coordinators are not eligible to hold office for the next succeeding term.

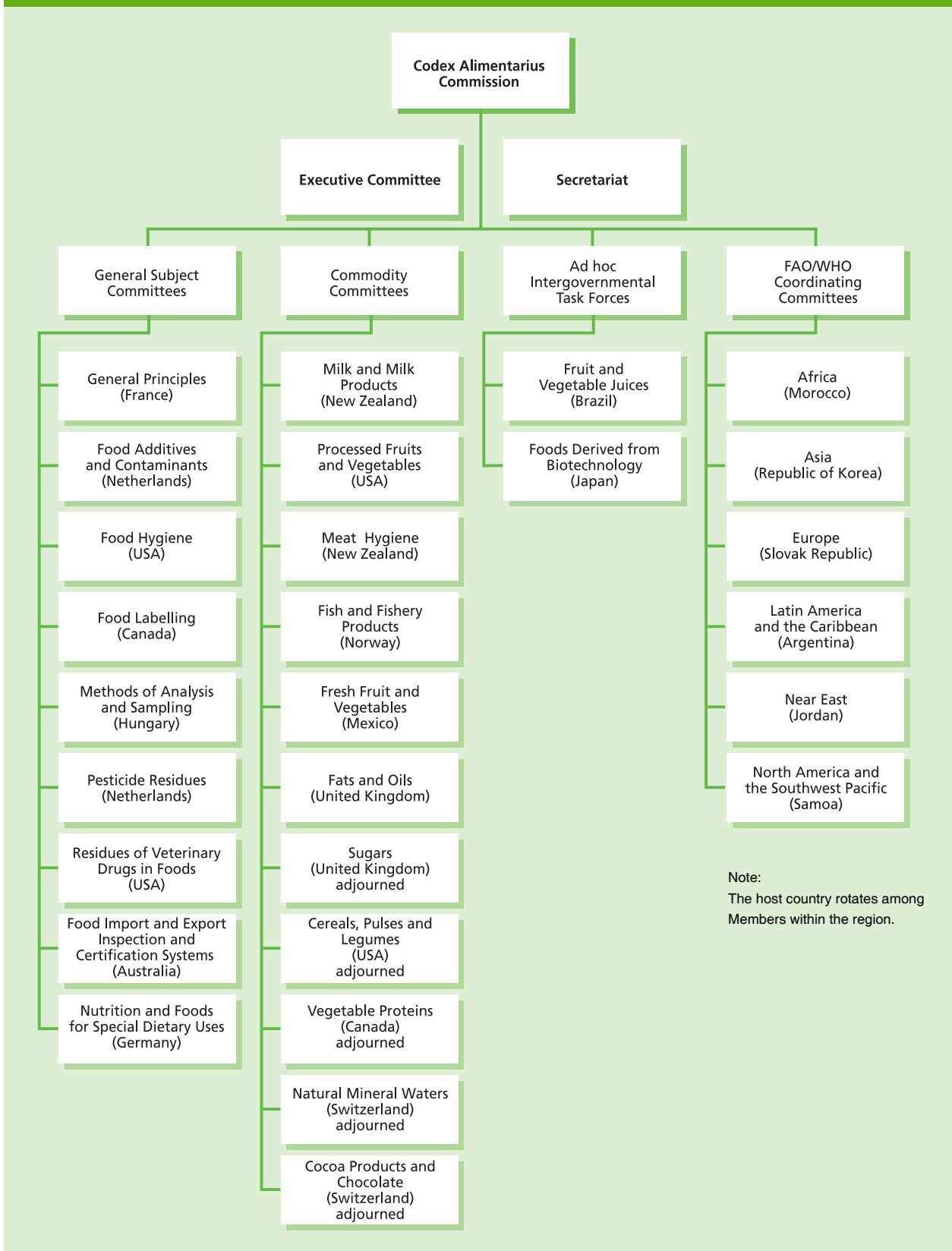
The role of the regional coordinators is to coordinate the views of the region in the preparation of draft standards, guidelines and other recommendations for submission to the Commission. They also assist the Executive Committee and the Commission as required, by advising them of the views of the region on matters under discussion or of interest.

The Executive Committee is chaired by the Chairperson of the Codex Alimentarius Commission. The total membership of the Codex Executive Committee is 17.

The Codex Secretariat

The Codex Secretariat is located at FAO headquarters in Rome. The Secretary of the Codex Alimentarius Commission is responsible for the implementation of the Joint FAO/WHO Food Standards Programme, reporting to the Director-General of FAO through the Director, Food and Nutrition Division in Rome and to the Director-General of WHO through the Director, Department of Food Safety, Zoonoses and Foodborne Diseases in Geneva. The Secretary coordinates the work of the Secretariat, which is made up of FAO officials with support from WHO officials. The Secretariat organizes the

Box 2.3.1 | Codex organizational chart*



* Valid as of March 2005. The Codex Web site should be consulted for up-to-date information.

meetings of the Commission and the Executive Committee, and facilitates the work of the subsidiary bodies in conjunction with the secretariats established by the host countries of Codex committees (see below). This includes the compilation of documents required for the discussion of agenda items, the supervision of preparatory work done by others, and the preparation and finalization of all meeting reports of the Codex Alimentarius Commission and its subsidiary bodies.

Codex subsidiary bodies

Under its Rules of Procedure, the Commission is empowered to establish four kinds of subsidiary bodies:

- general subject committees (sometimes referred to as horizontal), which establish standards and guidelines applicable to all foods;
- commodity committees (sometimes known as vertical), which prepare standards for specific commodities;
- FAO/WHO coordinating committees, through which regions or groups of countries coordinate food standards activities in the region, including the development of regional standards;
- ad hoc intergovernmental task forces, which are time-limited and prepare standards and guidelines on specific issues.

A feature of the committee system is that, with few exceptions, each committee is hosted by a member country, which is chiefly responsible for the cost of the committee's maintenance and administration, and for providing its chairperson. This places a considerable burden on the budget of the host country, and therefore only countries with sufficient resources are in a position to offer to host a committee. It should be noted however that host countries are encouraged to hold their committee in developing countries from time to time. Examples include the Thirty-fifth Session (March 2003) of CCFAC held in Arusha, United Republic of Tanzania. The FAO/WHO coordinating committees are exceptions, as there are provisions for the cost of these committees to be included in the Commission's estimate of expenditures under certain circumstances (e.g. when the regional coordinator is a developing country).

General subject committees

General subject committees are so called because their work has relevance for all commodity committees and, since this work applies across the board to all commodity standards, general subject committees are sometimes referred to as "horizontal committees". There are nine such committees:

1. Committee on Food Additives and Contaminants (CCFAC)³, hosted by the Netherlands
2. Committee on Food Hygiene (CCFH), hosted by the United States of America
3. Committee on Food Import and Export Inspection and Certification Systems (CCFICS), hosted by Australia
4. Committee on Food Labelling (CCFL), hosted by Canada

³ The Twenty-eighth Session of the CAC endorsed the recommendation that CCFAC be split into two separate committees, one for additives and a second for contaminants and toxins.

5. Committee on General Principles (CCGP), hosted by France
6. Committee on Methods of Analysis and Sampling (CCMAS), hosted by Hungary
7. Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU), hosted by Germany
8. Committee on Pesticide Residues (CCPR), hosted by the Netherlands
9. Committee on Residues of Veterinary Drugs in Foods (CCRVDF), hosted by the United States of America.

Among other issues, the general subject committees develop all-embracing concepts and principles applying to foods in general, specific foods or groups of foods; endorse or review relevant provisions in Codex commodity standards; and, based on the advice of expert scientific bodies, develop major recommendations pertaining to the health and safety of consumers. The CCGP is responsible for dealing with procedural and general matters of the Commission.

Commodity committees

Commodity committees have responsibility for developing standards for specific foods or classes of food. In order to distinguish them from the “horizontal” committees and recognize their exclusive responsibilities, they are often referred to as “vertical” committees. There are eleven such committees, of which five have been adjourned sine die:

1. Committee on Fats and Oils (CCFO), hosted by the United Kingdom of Great Britain and Northern Ireland
2. Committee on Fish and Fishery Products (CCFFP), hosted by Norway
3. Committee on Fresh Fruits and Vegetables (CCFFV), hosted by Mexico
4. Committee on Meat Hygiene (CCMH), hosted by New Zealand
5. Committee on Milk and Milk Products (CCMMP), hosted by New Zealand
6. Committee on Processed Fruits and Vegetables (CCPFV), hosted by the United States of America
7. Committee on Cereals, Pulses and Legumes (CCCPL), hosted by the United States of America (adjourned sine die)
8. Committee on Cocoa Products and Chocolate (CCCPC), hosted by Switzerland (adjourned sine die)
9. Committee on Natural Mineral Waters (CCNMW), hosted by Switzerland (adjourned sine die)
10. Committee on Sugars (CCS), hosted by the United Kingdom of Great Britain and Northern Ireland (adjourned sine die)
11. Committee on Vegetable Proteins (CCVP), hosted by Canada (adjourned sine die).

Commodity committees convene as necessary and go into recess or are abolished when the Commission decides their work has been completed. The term sine die is applied to those committees that the Commission adjourns (i.e. places into recess). Host countries call meetings of Codex subsidiary bodies at intervals of between one and two years, according to need.

FAO/WHO coordinating committees

Coordinating committees have no standing host countries. These committees are hosted by one of the member countries in each region that has indicated

to the committee their willingness to take on the responsibility. There are six coordinating committees, i.e. one each for the following regions:

- Africa (CCAFRICA)
- Asia (CCASIA)
- Europe (CCEURO)
- Latin America and the Caribbean (CCLAC)
- Near East (CCNEA)
- North America and the Southwest Pacific (CCNASWP).

Ad hoc intergovernmental task forces

Ad hoc intergovernmental task forces are established with a specific mandate and for a limited period of time, not normally exceeding four years. As in the case of the horizontal and vertical committees, Codex task forces are hosted by a member country.

As of March 2005, two task forces had been established: the Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology hosted by Japan and the Ad Hoc Intergovernmental Task Force on Fruit and Vegetable Juices hosted by Brazil. As noted above, these task forces are dissolved once their work has been completed.

Reference material

FAO/WHO. 2004. Codex Alimentarius Commission – Procedural Manual. 14th edition, pp. 108–144. Joint FAO/WHO Food Standards Programme, Rome.

FAO/WHO. 2005. Understanding the Codex Alimentarius. Revised and updated, pp. 16–19. Rome.

Codex Web site: www.codexalimentarius.net

Module 2.4

Which committees should my country be involved in?

Most developing countries and countries with small economies, indeed even some developed countries, cannot afford the resources to participate in the work of all the currently active Codex committees, task forces, the Codex Executive Committee and the Codex Alimentarius Commission itself. Therefore, each country should prioritize and focus its resources to ensure that it is involved in discussing and developing standards of greatest national significance.

This module outlines the terms of reference of the various Codex subsidiary bodies (i.e. the committees and task forces). The purpose of this is to assist countries to identify which Codex subsidiary bodies should be of priority to them. The terms of reference, the dates and host countries of past sessions of all the subsidiary bodies are given in the Codex Procedural Manual. This module also contains a practical exercise (Exercise 2.4.1) designed to guide countries through this process. Upon completion of the exercise, participants in Codex workshops are expected to identify the two top priority subsidiary bodies, excluding FAO/WHO coordinating committees. Obviously, this practical exercise is also a useful tool for national policy-makers in determining Codex priorities outside a training environment. Because of their nature, it is strongly recommended that countries actively participate in their FAO/WHO coordinating committee.

Although it is the subsidiary bodies that develop the texts of the various standards, guidelines and recommendations, such texts do not become “official” Codex standards until they are adopted by the Commission (see Module 2.6 for a description of the elaboration process). There might therefore be a tendency by some countries to focus meagre resources towards participating at Commission meetings where texts are adopted. This may not be in the best interest of a country, however, as the drafting and negotiating of the language of the text are undertaken within committees and task forces. Although there are provisions in the Codex Procedural Manual for certain issues (such as implications for economic interests) to be raised at meetings of the Commission, it is highly desirable for a country to ensure that its particular concerns are taken into consideration in the development of a standard, within the relevant committee or task force.

Countries need to take a number of factors into consideration when determining where to focus their Codex resources. Some of the considerations include the following:

- What are the country’s significant food safety/health issues?
- What are the issues most relevant to the consumer?

- What are the primary agrifood export industries contributing to the country's economy?
- What are the major agrifood imports?
- What are the agrifood priorities identified by government?
- Which Codex committees elaborate standards, guidelines or related texts pertaining to the areas identified above?
- What resources (e.g. time, money, etc.) are available to commit to the Codex programme?

In Module 2.3, it is noted that, according to its Rules of Procedure, the Commission can establish four types of subsidiary bodies:

- General subject or horizontal committees
- Commodity or vertical committees
- FAO/WHO coordinating committees
- Ad hoc intergovernmental task forces

A brief outline of the terms of reference of the Codex subsidiary bodies is given below.

General subject committees

Codex Committee on Food Additives and Contaminants

The CCFAC is one of the original committees of the Commission, first meeting in 1964. It is mandated to:

- establish or endorse permitted maximum or guideline levels for food additives, contaminants, naturally occurring toxins and animal feeds;
- prepare priority lists of food additives and contaminants for evaluation by the Joint FAO/WHO Expert Committee on Food Additives (JECFA);
- recommend specifications of identity and purity for food additives;
- consider methods of analysis;
- consider and elaborate standards or codes for related subjects.

It should be noted that only additives endorsed by this committee can be incorporated into Codex standards. The scientific basis for this work is provided by JECFA (see Module 4.3). Texts from this committee are found in Volume 1A – General requirements of the Codex Alimentarius (see Module 2.9).

Codex Committee on Food Hygiene

The CCFH first met during 1964 and is mandated to:

- draft basic provisions on food hygiene;
- consider, amend if necessary and endorse provisions on hygiene prepared by Codex commodity committees and contained in Codex commodity standards, and Codex codes of practice;
- consider specific hygiene problems assigned to it by the Commission;
- suggest and prioritize areas for microbiological risk assessment at the international level and develop questions to be addressed by the risk assessors;
- consider microbiological risk management matters related to food hygiene and in relation to the risk assessment of FAO and WHO.

An example of the type of text developed by this committee is the Recommended international code of practice: general principles of food

hygiene including its Annex Hazard Analysis and Critical Control Point (HACCP) system and guidelines for its application. Texts produced by this committee are found in Volume 1B of the Codex Alimentarius and Food Hygiene – Basic Texts (Third edition, Codex Alimentarius, 2003). The Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment (JEMRA) were established to provide scientific advice to this committee on microbiological hazards in food (see Module 4.5).

Codex Committee on Food Import and Export Inspection and Certification Systems Established by the Twenty-second Session of the Commission, the CCFICS first met in 1992 with terms of reference that require it to:

- develop principles and guidelines with a view to harmonizing methods and procedures for the application of measures by the competent authorities of exporting and importing countries, and for the utilization, as and when appropriate, of quality assurance systems;
- develop guidelines and criteria with respect to format, declarations and language of such official certificates as countries may require;
- make recommendations for information exchange;
- consult as necessary with other international groups working on matters related to food inspection and certification systems;
- consider other matters assigned to it by the Commission in relation to food inspection and certification systems.

The Principles for food import and export inspection and certification systems is an example of the type of text developed by this committee. Standards developed by this committee are found in Volume 1A of the Codex Alimentarius.

Codex Committee on Food Labelling

The CCFL is mandated to:

- draft provisions on labelling applicable to foods;
- consider, amend if necessary and endorse draft specific provisions on labelling prepared by the Codex committees drafting standards, codes of practice and guidelines;
- study specific labelling problems assigned to it by the Commission;
- study problems associated with the advertisement of food with particular reference to claims and misleading descriptions.

An example of the work of the CCFL is the Codex general standard for the labelling of prepackaged foods. Texts from this committee are found in Food Labelling – Complete Texts (Codex Alimentarius, 2001).

Codex Committee on General Principles

The CCGP, established in 1965, is mandated to deal with such procedural and general matters as referred to it by the Codex Alimentarius Commission. It is also responsible for developing guidelines for Codex committees, developing a mechanism for examining any economic impact statements and for establishing a code of ethics for international trade in food.

This committee has the general responsibility for maintaining the Codex Procedural Manual, including recommending amendments for adoption by the Commission.

Codex Committee on Methods of Analysis and Sampling

An essential part of Codex work is the determination of methods of analysis and sampling for foods moving in international trade. The CCMAS is mandated to:

- define the criteria appropriate to Codex methods of analysis and sampling;
- serve as a coordinating body for Codex with other international groups working on methods of analysis and sampling, and quality assurance systems for laboratories;
- consider, amend if necessary and endorse, as appropriate, methods of analysis and sampling proposed by Codex commodity committees, except that methods of analysis and sampling for residues of pesticides or veterinary drugs in food, the assessment of microbiological quality and safety in food, and the assessment of specifications for food additives, do not fall within the terms of reference of this committee;
- elaborate sampling plans and procedures, as may be required;
- consider specific sampling and analysis problems;
- define procedures, protocols, guidelines or related texts for the assessment of food laboratory proficiency, as well as quality assurance systems for laboratories.

Texts produced by this committee are found in Volume 13 of the Codex Alimentarius.

Codex Committee on Nutrition and Foods for Special Dietary Uses

The CCNFSDU was established at the creation of the Commission. It has been mandated to:

- study specific nutritional problems assigned to it by the Commission;
- draft general provisions concerning nutritional aspects of foods;
- develop standards, guidelines or related texts for foods for special dietary uses in cooperation with other committees where necessary;
- consider, amend if necessary and endorse provisions on nutritional aspects proposed for inclusion in Codex standards, guidelines and related texts.

This committee develops texts intended to ensure the quality and safety of foods for special dietary uses, in particular foods for infants and children, such as General principles for the addition of essential nutrients to foods and the Codex standard for gluten-free foods. Standards developed by this committee are found in Volume 4 of the Codex Alimentarius.

Codex Committee on Pesticide Residues

The CCPR first met in 1966 and is mandated to:

- establish maximum limits for pesticide residues in foods;
- establish maximum limits for pesticide residues in certain animal feeding stuffs;
- prepare priority lists of pesticides in foods for evaluation by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR);
- consider methods of sampling and analysis for the determination of pesticide residues;
- consider other matters in relation to the safety of food and feed containing pesticide residues;

- establish maximum limits for environmental and industrial contaminants showing chemical or other similarity to pesticides in specific food items or groups of foods.

Maximum residue limits established by the committee are found in Volume 2B of the Codex Alimentarius. Scientific advice is provided to this committee by the JMPR (see Module 4.4).

Codex Committee on Residues of Veterinary Drugs in Food

The CCRVDF was established in 1985 and first met in 1986. This committee is mandated to:

- determine priorities for the consideration of residues of veterinary drugs in foods;
- recommend maximum levels of such substances;
- develop codes of practice;
- consider methods of sampling and analysis for the determination of veterinary drug residues in foods.

Maximum residue limits for veterinary drugs as well as the Code of practice and guidelines for control of the use of veterinary drugs and of veterinary drug residues in foods are found in Volume 3 of the Codex Alimentarius.

Commodity committees

Codex Committee on Fats and Oils

The CCFO is mandated to elaborate worldwide standards for fats and oils of animal, vegetable and marine origin, including margarine and olive oil. Standards and codes of practice elaborated by this committee are contained in Volume 8 of the Codex Alimentarius.

Codex Committee on Fish and Fishery Products

The CCFFP has terms of reference to elaborate worldwide standards for fresh, frozen (including quick-frozen) or otherwise processed fish, crustaceans and molluscs. Standards and related texts developed by the CCFFP are found in Volume 9 of the Codex Alimentarius.

Codex Committee on Fresh Fruits and Vegetables

Established by the Seventeenth Session of the Commission in 1987 as the Codex Committee on Tropical Fresh Fruits and Vegetables, its name and terms of reference were amended by the Twenty-third Session in 1995. The CCFFV is required to:

- elaborate worldwide standards and codes of practice;
- consult with the UN/ECE Working Party on Standardization of Perishable Produce in the elaboration of worldwide standards and codes of practice, with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format;
- consult, as necessary, with other international organizations in the area of standardization of fresh fruits and vegetables.

Standards developed by this committee are contained in Volume 5B of the Codex Alimentarius.

Codex Committee on Meat Hygiene

The CCMH is mandated to elaborate worldwide standards and/or codes of practice as may seem appropriate for meat hygiene. Texts prepared by this committee are found in Volume 10 of the Codex Alimentarius.

Codex Committee on Milk and Milk Products

The CCMMP, which held its first meeting in 1994, is mandated to elaborate worldwide standards, codes and related texts for milk and milk products. Standards developed by the CCMMP are contained in Volume 12 of the Codex Alimentarius.

Codex Committee on Processed Fruits and Vegetables

The terms of reference of the CCPFV were extended by the Twenty-third Session of the Commission in 1999 to include the work of the abolished Joint ECE/Codex Alimentarius Groups of Experts on Standardization (Quick Frozen Foods).

This resulted in a mandate to elaborate worldwide standards for all types of processed fruits and vegetables including dried products, canned dried peas and beans, jams and jellies, for quick-frozen fruits and vegetables, but not dried prunes or fruit and vegetable juices. The Commission has also allocated to this committee the work of revision of standards for quick-frozen fruits and vegetables.

Standards elaborated by this committee are contained in Volume 5A of the Codex Alimentarius.

Codex Committee on Cereals, Pulses and Legumes

The CCCPL first met in 1980 to elaborate worldwide standards and/or codes of practice as may be appropriate for cereals, pulses, legumes and their products. It has been adjourned sine die. Standards elaborated by the CCCPL are found in Volume 7 of the Codex Alimentarius.

Codex Committee on Cocoa Products and Chocolate

The CCCPC has a mandate to elaborate worldwide standards for cocoa products and chocolate. It has been adjourned sine die. Standards elaborated by this committee are contained in Volume 11 of the Codex Alimentarius.

Codex Committee on Natural Mineral Waters

First established as a regional (European) Codex committee, but since allocated the task of elaborating worldwide standards for natural mineral waters and bottled (packaged) water other than natural mineral water. The CCNMW has been adjourned sine die. Standards that have been developed by this committee are found in Volume 11 of the Codex Alimentarius.

Codex Committee on Sugars

The CCS is mandated to elaborate worldwide standards for all types of sugars and sugar products. It has been adjourned sine die. Standards elaborated by this committee are contained in Volume 11 of the Codex Alimentarius.

Codex Committee on Vegetable Proteins

The CCVP is mandated to elaborate definitions and worldwide standards for vegetable protein products deriving from any member of the plant kingdom as they come into use for human consumption, and to elaborate guidelines on utilization of such vegetable protein products in the food supply system, on nutritional requirements and safety, on labelling and on other aspects as may seem appropriate. The Codex standard for vegetable protein products is an example of the work done by this committee, currently adjourned sine die.

Standards developed by this committee are found in Volume 7 of the Codex Alimentarius. An example is the General guidelines for the utilization of vegetable protein products in foods.

FAO/WHO coordinating committees

The terms of reference for the six FAO/WHO coordinating committees are identical, as follows:

- define the problems and needs of the region concerning food standards and food control;
- promote, within the committee, contacts for the mutual exchange of information on proposed regulatory initiatives and problems arising from food control, and stimulate the strengthening of food control infrastructures;
- recommend to the Commission the development of worldwide standards for products of interest to the region, including products considered by the committee to have an international market potential in the future;
- develop regional standards for food products moving exclusively or almost exclusively in intraregional trade;
- draw the attention of the Commission to any aspects of the Commission's work of particular significance to the region;
- promote coordination of all regional food standards work undertaken by international governmental and non-governmental organizations within the region;
- exercise a general coordinating role for the region and such other functions as may be entrusted to it by the Commission;
- promote the use of Codex standards and maximum residue limits by member countries.

Ad hoc intergovernmental task forces

The terms of reference of these task forces are given below. It should be noted that these task forces have a limited time frame and specific mandate.

Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology⁴

- Elaborate standards, guidelines or other principles, as appropriate, for

⁴ This task force completed its work in 2003; however in 2004, the Commission agreed to establish a new Intergovernmental Task Force on Foods Derived from Biotechnology, with the understanding that the final report should be submitted to the Commission in 2009 (ALINORM 04/27/41, para. 89).

In 2004, the Task Force had completed its work on the Draft code of practice for good animal feeding, but agreed that further work in the area of animal feed was needed, and that specific project proposals for new work should be prepared and submitted to the Commission for consideration (ALINORM 04/27/10D-Add.1, para. 8).

Exercise 2.4.1 | Prioritization of Codex committees

Objective

The purpose of this exercise is to review the terms of reference of the various Codex committees and identify no more than two committees, in addition to the FAO/WHO coordinating committee, that would be of particular interest to the country or to the region in which the training is being conducted.

For developing countries in particular, it is strongly recommended that the FAO/WHO coordinating committee be a committee to which resources are directed. It is in those committees that issues of most significance to the country are discussed and the needs of the region regarding food standards are identified. It also provides an opportunity for communicating to the Commission, and ultimately to FAO and/or WHO, information on areas needing capacity building.

Method

1. Depending on the size of the group, groups of five to six trainees should be arranged.
2. Review the subject matter and terms of reference of Codex committees and ad hoc task forces.
3. Identify those Codex committees/ad hoc task forces that should be included in the national Codex programme. Issues to be taken into account include:
 - What are the significant food safety/health issues?
 - What are the issues most relevant to the consumer?

- What are the primary agrifood export industries contributing to the country's economy?
- What are the major agrifood imports?
- What are the agrifood priorities identified by government?
- What resources (e.g. time, money, etc.) are available to commit to the Codex programme?
- Which Codex committees elaborate standards, guidelines or related texts pertaining to the areas identified above?

The terms of reference for the various committees should be reviewed in the context of the above considerations, which should facilitate the identification and prioritization of those Codex committees of most significance.

Time allocation

The groups should be allowed 45 minutes to discuss, and then 10 minutes per group to report and discuss in plenary.

Outcome

The identification of no more than two committees is important as it will be the current issues under consideration in those committees that will be used as practical exercises to develop a consultation plan and positions.

foods derived from modern biotechnology, taking account in particular of the Principles for the risk analysis of foods derived from modern biotechnology. ●

- Coordinate and closely collaborate, as necessary, with appropriate Codex committees within their mandate as relates to foods derived from modern biotechnology.
- Take account of existing work carried out by national authorities, FAO, WHO, other international organizations and other relevant international fora.

Ad Hoc Intergovernmental Task Force on Fruit and Vegetable Juices

- Revise and consolidate the existing Codex standards and guidelines for fruit and vegetable juices and related products, giving preference to general standards.
- Revise and update the methods of analysis and sampling.
- Complete its work prior to the Twenty-eight Session of the Commission (2005).

Ad Hoc Intergovernmental Task Force on Animal Feeding⁵

- Complete and extend the work already done by relevant Codex committees on the Draft code of practice for good animal feeding.
- Address other aspects that are important for food safety such as problems related to toxic substances, pathogens, microbial resistance, new technologies, storage, control measures, traceability, etc.
- Take full account of and collaborate with, as appropriate, work carried out by relevant Codex committees, and other relevant international bodies, including FAO, WHO, the World Organisation for Animal Health (OIE) and the International Plant Protection Convention (IPPC).

Reference material

FAO/WHO. 2004. Codex Alimentarius Commission – Procedural Manual. 14th edition, pp. 112–144. Joint FAO/WHO Food Standards Programme, Rome.

Codex Web site: www.codexalimentarius.net

Module 2.5

How do Codex committees function?

The question is discussed here from two perspectives: (1) the function of Codex subsidiary bodies, including their composition, and the role and responsibilities of host countries; and (2) the provision of guidance on how meetings are conducted, including how Members and observers intervene and other procedural issues.

As explained in Modules 2.3 and 2.4, there are four types of Codex subsidiary body. Although the nature of the subject matter may be different, all Codex subsidiary bodies follow the same procedures to comply with their respective terms of reference.

Codex committees: functions, composition and host country responsibilities

What do Codex committees do?

The main function of Codex subsidiary bodies, as described in the Codex Procedural Manual is to develop standards, guidelines and recommendations (which include codes and principles) relevant to their specific subject area. Specifically, Codex subsidiary bodies are expected to:

- draw up of a list of priorities among the subjects and products within their terms of reference;
- consider the safety and quality elements to be covered;
- consider the types and scope of products to be covered by standards, e.g. whether materials for further processing into food should be covered;
- prepare draft Codex standards (including guidelines, codes of practice) taking into account the standard-setting methodology adopted by the Commission;
- report to each session of the Commission on the progress of their work and, where necessary, on any difficulties caused by their terms of reference, together with suggestions for their amendment;
- review and, as necessary, revise existing standards and related texts on a scheduled, periodic basis to ensure that the standards and related texts within their terms of reference are consistent with current scientific knowledge and other relevant information.

What is the composition of Codex committees?

All Codex committees consist of a chairperson, a body of members (i.e. those Codex Member countries present), observers who have speaking privileges but not voting rights, a secretariat and a host government that facilitates the

work of the committee.

Chairperson. The Codex Alimentarius Commission designates a member country of the Commission, which has indicated its willingness to accept financial and all other responsibility associated with hosting a committee, as having responsibility for appointing a chairperson of the committee. The member country concerned is responsible for appointing the chairperson of the committee from among its own nationals. Although a committee, at any session, may appoint one or more rapporteurs from among the delegates present, most committees have a secretariat provided by the host country.

Members. Membership of Codex committees is open to Members of the Commission who have notified the Director-General of FAO or WHO of their desire to be considered as Members. This notification is achieved through the formal registration process. Membership of FAO/WHO coordinating committees is open only to Members of the Commission belonging to the region or group of countries concerned, although other Codex member countries may attend, as observers, meetings of FAO/WHO coordinating committees other than those to which they are geographically allocated.

Observers. Procedures for the admittance of observers at a Codex committee are as follows:

- Notification has been made by the country (for FAO/WHO coordinating committee sessions of which the country is not a Member) or international organization to the Director-General of FAO or WHO. Again this is normally done by responding to the invitation and registering.
- Observer countries may participate fully in the discussion of the regional committee and shall be provided with the same opportunities as other Members to express their point of view (including the submission of memoranda), but without the right to vote or to move motions either of substance or of procedure.
- International organizations can also be invited to attend all meetings of Codex subsidiary bodies in an observer capacity. The participation of international organizations in Codex should be in accordance with the Principles concerning the participation of international non-governmental organizations in the work of the Codex Alimentarius Commission (see Codex Procedural Manual, pp. 62–66).

What are important preparations for Codex meetings?

Preparations for meetings are mainly in the hands of the secretariat of the host country, working closely with the Codex Secretariat.

Secretariat/host government. A member country to which a Codex committee has been assigned is responsible for providing all conference services, including contributing to the secretariat. The host government has a responsibility to ensure that it:

- has administrative support staff able to work easily in the languages used at the session;
- has at its disposal adequate word processing and document reproducing

equipment;

- provides for simultaneous interpretation from and into all languages used at the session;
- makes available the services of a translator if the report of the session is to be adopted in more than one of the working languages of the committee.

The members of the secretariat from the host country support the work of the Codex Secretariat, and are not members of the host country's official delegation. Their primary function is to facilitate the functioning of the session and it is important that they be perceived as being neutral and not influencing the outcome of the discussions.

Invitations. Each session of a Codex committee or FAO/WHO coordinating committee is scheduled by the Codex Secretariat in Rome in consultation with the Codex Contact Point of the country hosting the respective Codex committee. The biennial schedule of Codex sessions is then tabled for consideration and endorsement by the Commission.

The letter of invitation and provisional agenda for each Codex meeting are prepared by the Secretary of the Codex Alimentarius Commission, in consultation with the committee secretariat of the host country or the National Codex Committee, and issued by the respective Director-General to all Members and Associate Members of FAO and WHO or, in the case of coordinating committees, to the countries of the region or group of countries concerned, Codex Contact Points and interested international organizations in accordance with the official mailing lists of FAO and WHO. The invitation and provisional agenda are required by the Rules of Procedure of the CAC to be translated and distributed by FAO/WHO in the working languages of the Commission at least four months before the date of the meeting. However, owing to workloads, this time frame is not always achieved.

Invitations should include the following information:

- title of the Codex committee;
- time and date of opening and date of closing the session;
- place of the session;
- languages to be used and arrangements for interpretation;
- if appropriate, information on hotel accommodation;
- request to the Codex Contact Point for information on the country delegation, including the names of the chief delegate and other members of the delegation, and for information on whether the chief delegate of a government will be attending as a representative or in the capacity of an observer.

Replies to invitations will normally be requested to be sent to reach the host country secretariat as early as possible, and in any case not less than 30 days before the session. When responding to the invitation, a copy should also be sent to the Secretary of the Codex Alimentarius Commission. A timely response to the invitation letter is very important to facilitate the organization of the committee meeting room by the host country, to ensure correct sequence of countries, sufficient seats for each delegation, coordinated microphone facilities where used, etc. The acceptance by a Codex Member to attend a Codex session should be channelled officially through the national Codex Contact Point.

Provisional agenda. A provisional agenda is normally prepared by the Codex Secretariat in consultation with the host country secretariat stating the time, date and place of the meeting. An example of a Codex provisional agenda is given in Box 2.5.1. Provisional agendas comprise three distinct groups of items: fixed items linked to procedure (adoption of the agenda, rapporteurs, matters referred from other committees, etc.); items stemming from previous sessions of the committee (e.g. standards being elaborated); and other business. A provisional agenda would normally include these items in the following order:

- adoption of the agenda;
- if considered necessary, election of rapporteurs;
- items relating to subject matter to be discussed, including, where appropriate, the step in the Commissions Procedure for the elaboration of standards (reference should also be made to the committee papers relevant to the item, standard procedure being that items more advanced in the step process come first on the agenda, i.e. items at step 7 will be considered before items at step 5; items related to public health come before items that are not);
- other business;
- consideration of date and place of next session;
- adoption of draft report.

The work of the committee and the length of the meeting should be arranged so as to leave sufficient time at the end of the session for a report of the committees discussions to be agreed. In most circumstances, there is no plenary session the day prior to the adoption of the report in order to provide sufficient time for the reports preparation, including translation.

Preparation and distribution of working papers

Working papers (e.g. draft standards, country comment papers, discussion papers) for a committee session are normally distributed at least two months before the opening of the session. However, owing to workloads of the secretariats, this timeline is often not possible to achieve. Normally, this task of preparing and distributing working papers is carried out by the Rome-based Codex Secretariat, with assistance as necessary from the host country secretariat. These working papers form the basis of discussion at the relevant committee meeting, and distribution in advance enables member countries to consult and develop national positions on issues of importance to their country. Relevant papers should be sent to the following:

- all Codex Contact Points;
- international governmental and non-governmental organizations with observer status in the Commission;
- other participants on the basis of replies received.

Codex Contact Points are responsible for ensuring that papers are circulated to those concerned within their own country and for ensuring that all necessary action is taken by the date specified as the deadline for comments.

Comments submitted by countries on agenda items or items contained in a circular letter should be circulated to all Members and observers prior to the Codex session. Documents received too late for circulation prior to a session

will be circulated at the session itself. These are known as conference room documents (CRDs). The disadvantage of CRDs is that their distribution is limited to those Members and observers present at the session. In addition, Members and observers at the session may not have sufficient time or competence to consider the CRD fully or be able to seek a timely official position on the issues raised therein (see also Module 2.7).

Conduct of meetings

Who may attend Codex meetings?

Participation in Codex meetings is open to delegations representing member countries and organizations with official observer status. Meetings of Codex committees and task forces are also held in public unless the committee decides otherwise.

Is there a format for the conduct of meetings?

All Codex sessions follow the same format. First, there may be an official or formal opening of the session. If so, the country responsible for hosting the session decides who will officially open the session. This task is often delegated to a senior official of the host government or a minister of the parliament of the host country.

After the session is officially opened, the chairperson proceeds to the adoption of the provisional agenda and invites observations from members of the committee concerning the provisional agenda. Any member country may include specific items in the provisional agenda, according to Rules VI.3 and VI.5 of the Rules of Procedure of the Codex Procedural Manual. In the light of such observations, the chairperson requests the committee to adopt the provisional agenda or the amended agenda.

Meetings are conducted in accordance with the Rules of Procedure (Guidelines for Codex committees and ad hoc intergovernmental task forces) in the Codex Procedural Manual.

Chairpersons of Codex committees are expected to ensure that all questions are fully discussed, including comments on the possible economic implications of the standard being elaborated, when the committee considers submitted comments at Steps 4 and 7. The eight-step elaboration procedure is further explained in Module 2.6. Chairpersons are also expected to ensure that the committee considers the written comments of Members not present at the session and that all issues are put clearly to the committee.

It should be noted here that if a country has submitted written comments and is unable to attend the meeting, it would be wise to liaise with a like-minded country that is attending the meeting and can intervene and draw the committee's attention to the written comments. However, this can only be done if written comments were duly submitted (see Module 3.2).

At appropriate intervals during the discussion of each agenda item, the chairperson summarizes the discussion by stating what appears to be the generally acceptable view, and asking delegates whether they have any objection to it being recorded as the decision of the committee. The chairperson should always try to arrive at a consensus and should not ask the committee to proceed to voting if agreement on the committee's decision can

be secured by consensus. In fact, voting at the committee level is extremely rare.

How can a country express its views at a meeting?

Members and observers are permitted to speak (intervene) on issues under consideration by the committee. Members and observers indicate their desire to speak by holding up their country or organization nameplate, or placing it on one end. In some committees, delegates can indicate their desire to speak by pushing a button at their seat, which places their country or organizations name on a computer screen in front of the chairperson. Protocol states that Members speak before observers, and delegations speak only when acknowledged by the chairperson. Normally, it is the head delegate who has the right to speak but, with the chair's permission, another member of the delegation may speak on technical matters. At all times comments are directed to the chair, never directly to another delegation.

At the beginning of an intervention, the delegate should always acknowledge the chairperson and conclude by thanking the chairperson for the opportunity to speak.

How often and for how long may I speak?

There are no precise rules within Codex regarding the number and duration of interventions. However, by convention the general practice is to intervene only once on any particular issue, although a second intervention may be permitted at the discretion of the chair, to clarify a point or reply to a question raised by another delegation.

It is highly desirable for interventions to be as short and clear as possible (two or three minutes are reasonable maximum limits). One should speak slowly to allow for good interpretation. It is difficult to follow lengthy interventions, and other delegations may lose their concentration, with the result that the point that was to be made may be missed, thus diminishing the effectiveness of the intervention. At some committees with a very heavy agenda and time limitations, it is not unusual for the chairperson to ask speakers to make their interventions as short as possible, or to specify an agreed time limit, often two or three minutes. It should also be borne in mind that all interventions are interpreted simultaneously into several other languages, with the result that lengthy interventions risk being misunderstood by those who do not comprehend the language of the speaker.

What if my country disagrees with a decision taken by the committee?

Delegations who wish their opposition to a decision of the committee to be recorded may do so, whether the decision has been taken or not, by asking for a statement of their position to be contained in the report of the committee. This statement should not merely use a phrase such as: "The delegation of X reserved its position", but should make clear the extent of the delegations opposition to a particular decision of the committee and state whether they were simply opposed to the decision or wished for a further opportunity to consider the question. When an objection has been recorded in the report at the time of adoption, the speaker should ensure the accuracy of the record of the objection, and that the country's position has not been misinterpreted.

Box 2.5.1 | Example of a provisional agenda

codex alimentarius commis-



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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CX/FH 05/31/1
January 2005

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON FOOD HYGIENE
Thirty-seventh Session
Buenos Aires, Argentina, 14–19 March 2005

Sheraton Buenos Aires Hotel and Convention Center, San Martin 1225/1275, Buenos Aires, Argentina, beginning at 10.00 hrs on Monday 14 March through Saturday 19 March 2005

PROVISIONAL AGENDA

Agenda Item	Subject Matter	Doc. Reference
	Opening of the Session	
1.	Adoption of the Agenda	CX/FH 05/37/1
2.	Matters Referred by the Codex Alimentarius Commission and/or Other Codex Committees to the Food Hygiene Committee	CX/FH 05/37/2
3.	Discussion Paper on the Management of the Work of the Committee	CX/FH 05/37/3
	- <i>Comments</i>	CX/FH 05/37/3-Add.1
4.	Proposed Draft Revision of the Recommended International Code of Hygienic Practice for Foods for Infants and Children at Step 4	CX/FH 05/37/4
	- <i>Comments at Step 3</i>	CX/FH 05/37/4-Add.1 CX/FH 05/37/4-Add.2
5.	Proposed Draft Guidelines on the Application of General Principles of Food Hygiene to the [Management] of <i>Listeria monocytogenes</i> in Foods at Step 4	CX/FH 05/37/5
	- <i>Comments at Step 3</i>	CX/FH 05/37/5-Add. 1
6.	Proposed Draft Principles and Guidelines for the Conduct of Microbiological Risk Management at Step 4	CX/FH 05/37/6
	- <i>Comments at Step 3</i>	CX/FH 05/37/6-Add.1
7.	Proposed Draft Guidelines for the Validation of Food Hygiene Control Measures at Step 4	CX/FH 05/37/7
	- <i>Comments at Step 3</i>	CX/FH 05/37/7-Add.1

Box 2.5.1 (cont.) | Example of a provisional agenda

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|-----|--|--|
| 8. | Proposed Draft Revision of the Code of Hygienic Practice for Egg Products (CAC/RCP 15-1976) at Step 4
- <i>Comments at Step 3</i> | CX/FH 05/37/8
CX/FH 05/37/8-Add.1 |
| 9. | Reports of the ad hoc FAO/WHO Expert Consultations on Risk Assessment of Microbiological Hazards in Food and Related Matters | CX/FH 05/37/9 |
| 10. | Discussion Paper on the Guidelines for the Application of the General Principles of Food Hygiene to the Risk Based Control of <i>Salmonella</i> spp. in Poultry | CX/FH 05/37/10 |
| 11. | Discussion Paper on the Guidelines for the Application of the General Principles of Food Hygiene to the Risk Based Control of Enterohemorrhagic <i>E. coli</i> in Ground Beef and Fermented Sausages | CX/FH 05/37/11 |
| 12. | Discussion Paper on the Guidelines for Risk Management Options for <i>Campylobacter</i> in Broiler Chickens | CX/FH 05/37/12 |
| 13. | Other Business and Future Work:
(a) Risk Profile of <i>Vibrio</i> spp. in Seafood
(b) Discussion Paper on the Viruses in Food
(c) Draft Terms of Reference for the FAO/WHO Expert Consultation on the Uses of Active Chlorine |
CX/FH 05/37/13
CX/FH 05/37/14
CX/FH 05/37/15 |
| 14. | Date and Place of the Next Session | |
| 15. | Adoption of the Report | |

N.B.: The hard copies of documents except for Agenda Item 1 will be distributed from the US Codex Secretariat. For enquiry please contact Mr Ali Syed, fax: 1 202 720-3157, e-mail: Syed.Ali@fsis.usda.gov

Working documents as prepared will be uploaded onto the Codex Web site. They can be downloaded and printed by accessing the following URL:
<http://www.codexalimentarius.net>

Delegates are kindly requested to bring with them to the meeting all documents which have been distributed as the number of additional copies which can be made available at the meeting is limited.

NOTES ON THE PROVISIONAL AGENDA

Opening of the Session: The Session will be opened by the Host Government.

Agenda Item 1. Adoption of the Agenda (Doc. Ref. CX/FH 05/37/1). In accordance with Rule V.1 of the Rules of Procedure, the first item on the Provisional Agenda shall be the adoption of the Agenda.

Agenda Item 2. Matters Referred by the Codex Alimentarius Commission and/or Other Codex Committees to the Food Hygiene Committee (Doc. Ref. CX/FH 05/37/2). The document is based on the information prepared by the Codex Secretariat. The Committee is invited to consider matters

Box 2.5.1 (cont.) | Example of a provisional agenda

referred to it by the Codex Alimentarius Commission and/or other Committees and to take actions, if necessary.

Agenda Item 3. Discussion Paper on the Management of the Work of the Committee (Doc. Ref. CX/FH 05/37/3). The Committee is invited to consider the working procedures in order to identify, prioritize and carry out its work; and interact with other Codex Committees, the ad hoc Expert Consultations and task forces. Comments in response to CX/FH 05/37/3 will be reproduced in CX/FH 05/37/3-Add. 1. Furthermore the Working Group is scheduled to meet prior to the session on Saturday, March 12, 2005 to resolve comments and if necessary, revise the document. The product of the Working Group meeting will be issued as CRD 1.

Agenda Item 4. Proposed Draft Revision of the Recommended International Code of Hygienic Practice for Foods for Infants and Children (Doc. Ref. CX/FH 05/37/4). The proposed revised code is prepared by Canada with assistance of their drafting partners. The Committee is also invited to expedite the work of FAO/WHO Meeting on *E. sakazaki* and other microorganisms in powdered infant formula¹. The document CX/FH 05/37/4-Add.1 reproduces comments received in response to the document CX/FH 05/37/4.

Agenda Item 5. Proposed Draft Guidelines on the Application of General Principles of Food Hygiene to the [Management] of *Listeria monocytogenes* in Foods (Doc. Ref.. CX/FH 05/5). At the 36th Session of the Committee several suggested changes to the document were provided to the drafters of the document. The Committee also asked the drafting group to prepare an Annex to the Guidelines on the establishments of FSOs and related performance objective and performance criteria, including microbiological criteria for *Listeria monocytogenes* in Ready-to-eat Foods. The Committee is invited to consider the above proposed guidelines as elaborated by Germany with assistance of their drafting partners. Government comments are summarized in CX/FH 05/37/5-Add.1.

Agenda Item 6. Proposed Draft Principles and Guidelines for the Conduct of Microbiological Risk Management (Doc. Ref. CX/FH 05/37/6). The current text is the result of improvements made in the light of discussion of the 36th Session of the CCFH and the Drafting Group meeting led by France. CX/FH 05/37/6-Add.1 reproduces comments received in response to the document CX/FH 05/6. The Working Group will meet prior to the session on Sunday to resolve comments and revise the document. The product of the Working Group meeting will be issued as CRD 2.

Agenda Item 7. Proposed Draft Guidelines for the Validation of Food Hygiene Control Measures (Doc. Ref. CX/FH 05/7). At the 36th Session of the Committee, several suggested changes were provided to the drafting group. The Committee is invited to consider the proposed draft Guidelines as elaborated by the US with their drafting partners at Step 4. Government comments are included in CX/FH 04/37/7-Add.1.

Agenda Item 8. Proposed Draft Revision of the Code of Hygienic Practice for Egg Products (CAC/RCP 15-1976) (Doc. Ref. CX/FH 05/37/8). The Committee is invited to consider the proposed draft revision at Step 4 being prepared by Australia. Comments are presented in CX/FH 05/37/8-Add.1.

Agenda Item 9. Reports of the ad hoc FAO/WHO Expert Consultations on Risk Assessment of Microbiological Hazards in Food and related Matters (Doc. Ref. CX/FH 05/37/9). This FAO/WHO paper will summarize all of the microbiological risk assessment activities conducted last year in support of the Committee activities.

Agenda Item 10. Discussion Paper on the Guidelines for the Application of the General Principles of Food Hygiene to the Risk Based Control of *Salmonella* spp. in Poultry (Doc. Ref. CX/FH

¹ Enterobacter sakazakii and other microorganisms in powdered infant formula. Geneva, FAO/WHO, 2004. (Microbiological Risk Assessment Series, No. 6, ISBN: 92 4 156262 5). <http://www.who.int/foodsafety/publications/micro/en/es.pdf>

Box 2.5.1 (cont.) | Example of a provisional agenda

05/37/10). The current text is the result of improvements made in the light of discussion of the 36th Session of the CCFH and the Drafting Group meeting led by Sweden.

Agenda Item 11. Discussion Paper on the Guidelines for the Application of the General Principles of Food Hygiene to the Risk Based Control of Enterohemorrhagic *E. coli* in Ground Beef and Fermented Sausages (Doc. Ref. CX/FH 05/37/11). At the direction of the 36th Session the United States and its drafting partners have prepared the discussion paper. The Committee is invited to provide further direction to the drafting group regarding the content and format of the document.

Agenda Item 12. Discussion Paper on the Guidelines for Risk Management Options for *Campylobacter* in Broilers Chickens (Doc. Ref. CX/FH 05/37/12). At the 36th Session of the Committee, the drafting Group leader Netherlands sought clear directions from the Committee regarding the content and format of this paper. The Committee specified a format for further development of the document and this paper is the product of the Drafting Group lead by Netherlands and its partners.

Agenda Item 13. Other Business and Future Work. In accordance with Rule V.5 of the Rules of Procedure, any Member of the Commission may propose the inclusion of specific items of an urgent matter. The Committee may propose to undertake new work which shall be in compliance with the Medium Term Objectives and subject to approval by the Commission or its Executive Committee.

- (a) **Risk Profile of *Vibrio spp* in Seafood** (Doc. Ref.: CX/FH 05/37/13). The Committee is invited to consider how to proceed with further development of the document which had been prepared by the United States and its drafting partners.
- (b) **Discussion Paper on the Viruses in Food.** Consideration of this item has been temporary suspended at the 32nd session of the Committee, however the 36th session decided to put it on the list of activities for consideration regarding prioritization (Doc. Ref. CX/FH 05/37/14).
- (c) **Draft Terms of Reference for the FAO/WHO Expert Consultation on the Uses of Active Chlorine** (Doc. Ref. CX/FH 05/37/15). The Committee is invited to consider draft Terms of Reference for the FAO/WHO Expert Consultation on the uses of active chlorine, including safety/benefit issues and questions for the above Consultation that fall within the Committee's

What is in the report of a session?

A draft report of the committees proceedings is prepared by the secretariat for consideration by the committee on the final day of the session. The report is reviewed and adopted by the committee, paragraph by paragraph or section by section. Once adopted, the draft report becomes the official record of the committee session. The review and adoption processes provide countries with an opportunity to ensure that the report is accurate. It is not an opportunity to reopen discussion on agenda items. What has been said and decided cannot be revisited. When requesting an amendment to the draft report, it is important to make a concrete proposal for changes (e.g. deletion or addition of words).

The following points should be borne in mind:

- committee decisions in the report should be clearly stated;
- action taken in regard to economic impact statements should be fully recorded;
- all decisions on draft standards should be accompanied by an indication of the step in the procedure that the standards have reached;
- if action has to be taken before the next meeting of the committee, the nature of the action, who is to take it and when the action must be completed should be clearly stated;
- where matters require attention by other Codex committees, this should be

clearly stated;

- if the report is of any length, an executive summary of points agreed and the action to be taken should be included at the beginning of the report. All reports contain a section at the end of the report showing clearly in summary form:
 - a) standards considered at the session and the steps they have reached;
 - b) standards at any step of the procedure, the consideration of which has been postponed or which are held in abeyance and the steps which they have reached;
 - c) new standards proposed for consideration, the probable time of their consideration at Step 2 and the responsibility for drawing up the first draft.

The following appendixes are normally attached to the report:

- a list of participants with full postal and e-mail addresses, telephone numbers and fax numbers;
- the complete text of draft standards with an indication of the step in the procedure that has been reached.

The Codex Secretariat makes every effort to ensure that, as soon as possible and in any event not later than one month after the end of the session, copies of the final report are sent to all Codex Contact Points.

Reference material

FAO/WHO. 2004. Codex Alimentarius Commission – Procedural Manual. 14th edition, pp. 55–61 and 62–66. Joint FAO/WHO Food Standards Programme, Rome.

FAO/WHO. 2005. Understanding the Codex Alimentarius. Revised and updated, pp. 15–16. Rome.

Codex Web site: www.codexalimentarius.net



Terms of Reference.

Agenda Item 14. Date and Place of the Next Session. The Committee will be advised of the tentative dates and the venue of the next meeting.

Agenda Item 15. Adoption of the Report. In accordance with Rule VIII of the Rules of Procedure, the Committee shall adopt the report of its 37th Session based on a draft provided by the Secretariat.

Module 2.6

How does Codex elaborate standards?

When a Codex subsidiary body (i.e. a committee or a task force) proposes to elaborate a standard, code of practice or related text within its terms of reference, it should consider:

- the priorities that were established by the Commission in the Strategic Plan of Work;
- any specific relevant strategic project currently being undertaken by the Commission;
- the feasibility of completing the work within a reasonable period of time.

The Codex Alimentarius Commission has established criteria, outlined below but currently under review, to be applied in determining priorities for inclusion of tasks in the programme of work of committees/ad hoc task forces. These criteria are generally addressed when a member country makes a submission to a committee for new work or for the review of an existing, or adopted, Codex text.

If the proposal falls outside of the committee's terms of reference, the proposal should be referred to another committee or reported to the Commission in writing together with proposals for amendments to the committee's terms of reference.

Normally, the origin of a standard will come from a country or group of countries that raise the issue at a Codex committee or a FAO/WHO coordinating committee. A committee may only proceed with work on a new standard once it has been approved by the Commission.

When a committee or task force starts to elaborate a standard whose development has been approved by the Commission, there is a step procedure to be followed. The normal procedure is eight steps, although an accelerated five-step procedure may be used if agreed to by at least two-thirds of the Members of the Commission.

While most Codex documents are elaborated through this step process, it is important to realize that some Codex documents are developed outside of the step process, e.g. internal documents to guide the work of a specific Committee.

This module describes the mechanism for initiating work on a standard, the criteria for prioritization, elaboration procedures for standards, codes of practice or related texts and the procedures for revision of standards.

Project documentation

When a committee or other subsidiary body of the Commission is considering

elaborating a standard code of practice, or related text, the committee will prepare project documentation for submission to the Executive Committee and the Commission. This documentation will provide the information required by the Commission to determine whether or not the work should be approved, and will be the basis for the Executive Committee's monitoring of the progress of the work. This project documentation is not required for individual maximum residue limits for pesticides or veterinary drugs, or the maintenance of standards and texts such as the General standard on food additives or International numbering system.

Project documentation should consist of the following:

- purpose of the proposed standard;
- indication of its relevance to the Codex strategic objectives;
- scope of the proposed standard;
- assessment of the proposed standard against the criteria for the establishment of work priorities;
- proposed time line for completion of the work (including, as a minimum, start date, proposed date for adoption at step 5 and proposed date for final adoption by the Commission);
- identification of expert advice requirements;
- identification of any issues related to the needs of developing countries.

Preparation of this project documentation is the responsibility of the Member proposing new work. It should be prepared in sufficient time for the committee to reach consensus on whether or not to recommend the work and subsequent consideration by the Executive Committee and the Commission.

Specific criteria are used in determining priorities for inclusion of tasks in the programme of work of committees and task forces, as set out below.

Criteria applicable to general subject committees

- Contribution to the protection of consumers' health and prevention of fraudulent practices
- Diversification of national legislation and apparent resultant or potential impediments to international trade
- Scope of the work undertaken and the establishment of priorities between the various sections of the work
- Work already undertaken by other international organizations in this field will be considered.

Criteria applicable to commodity committees

- Contribution to the protection of consumers' health and prevention of fraudulent practices
- Volume of production and consumption in individual countries and volume and pattern of trade between countries
- Diversification of national legislation and apparent resultant or potential impediments to international trade
- International or regional market potential
- Amenability of the commodity to standardization
- Coverage of the main consumer protection and trade issues by existing or proposed general standards
- Number of commodities that would need separate standards indicating

Box 2.6.1 | The eight-step procedure for elaborating Codex standards, guidelines and related texts

- Step 1 The Commission decides to elaborate a standard and assigns the work to a committee. A decision to elaborate a standard may also be taken by a committee, but is subject to endorsement by the Commission.
- Step 2 The Secretariat arranges preparation of a proposed draft standard.
- Step 3 The proposed draft standard is sent to governments and international organizations for comment.
- Step 4 The Secretariat forwards comments to the committee for consideration and possible revision of the draft.
- Step 5 The proposed draft standard is sent to the Commission through the Secretariat for adoption as a draft standard.
- Step 6 The draft standard is sent to governments and international organizations for comment.
- Step 7 The Secretariat forwards comments to the committee.
- Step 8 The draft standard is submitted to the Commission through the Secretariat for adoption as a Codex standard.

Box 2.6.2 | The five-step accelerated procedure for elaborating Codex standards, guidelines and related texts

- Step 1 The Commission decides to elaborate a standard on the basis of a two-thirds majority of votes cast using the accelerated procedure and assigns the work to a committee.
- Step 2 The Secretariat arranges preparation of a proposed draft standard.
- Step 3 The proposed draft standard is sent to governments and international organizations for comment. When standards are subject to the accelerated procedure, Members of the Commission and the interested international organizations are notified.
- Step 4 The Codex Secretariat forwards comments to the committee for consideration and amendments to the proposed draft standard.
- Step 5 The proposed draft standard subject to the accelerated elaboration procedures is sent to the Commission through the Secretariat, together with any written proposals from Members and interested international organizations, for adoption as a Codex standard.

whether raw, semi-processed or processed products are to be included in the standard

- Work already undertaken by other international organizations in this field

Procedures for the elaboration of Codex standards

The preparation and adoption of food standards and their publication in the Codex Alimentarius is one of the principal purposes of the Codex Alimentarius

Commission. Procedures for preparing standards are well defined, open and transparent.

Codex step process

The submission of a proposal for a standard, code of practice or related text to be developed by a subsidiary body of the Commission is initially brought forward for a decision by the Commission or the Executive Committee. The process involves an assessment of the criteria for the establishment of work priorities and for the establishment of subsidiary bodies to assist the Commission or Executive Committee in their decision-making and in selecting or creating the subsidiary body to be responsible for steering the standard through its development.

The issue of establishing a subsidiary body may arise where there is a proposal for the elaboration of a standard, code of practice or related text in an area not covered by the terms of reference of an existing subsidiary body.

Box 2.6.1 shows the uniform procedure for the elaboration of Codex standards and related texts.

Once the decision is made by the Commission to proceed with the elaboration of a Codex text, an eight-step procedure is normally followed in the development and approval of the standard. The Commission may also approve the use of an accelerated procedure for the elaboration of these standards, using a five-step elaboration process. The uniform accelerated procedure for the elaboration of Codex standards and related texts is shown in Box 2.6.2.

In some circumstances, steps may be repeated. The Commission or the committee may conclude that a specific issue needs to be discussed in more detail and may suggest that the draft standard be circulated again at the same step or at a previous step. As indicated previously, a committee may recommend following an accelerated procedure and recommend the omission of Steps 6 and 7. Once adopted by the Commission, a Codex standard is included in the Codex Alimentarius (see Module 2.9).

Revision of Codex standards

The Commission and its subsidiary bodies are committed to revision of Codex standards and related texts as necessary to ensure that they are consistent with and reflect current scientific knowledge. Standards may also be revised owing to technological developments or changes in economic considerations. Each Member of the Commission is responsible for identifying and presenting to the appropriate committee any new scientific and other relevant information that may warrant revision of existing Codex standards or related texts. The procedure for revision follows the same step procedure, including the preparation of project documentation. Preparation of project documentation is not required for individual maximum residue limits for pesticides or veterinary drugs, or the maintenance of standards and texts such as the *General standard on food additives or International numbering system*.

Amendments to the Codex Procedural Manual

It should be noted that amendments to the Codex Procedural Manual do not go through the Codex step procedure, and do not require a project document. Proposed amendments are considered by the CCGP, and recommendations for revision go from that committee to the Commission. Only texts being considered for incorporation into the Codex Alimentarius go through the step procedure.

Reference material

FAO/WHO. 2004. Codex Alimentarius Commission – Procedural Manual. 14th edition, pp. 18–25, 67–68 and 69–70. Joint FAO/WHO Food Standards Programme, Rome.
Codex Web site: www.codexalimentarius.net



Module 2.7

Understanding Codex documentation

It is necessary to have an understanding of how Codex documents are organized and referenced. This understanding will make it easier to keep Codex documents in order, and avoid confusion and loss of time when searching for a specific document, in view of the large volume of documents produced by the Codex system.

This module includes a description of the Codex Procedural Manual and an outline of its contents. It also clarifies the differences between ALINORMS, Commission working papers, committee working papers, circular letters and conference room documents. The Codex document numbering system is also explained.

Codex documentation is divided into six main categories:

- 1) the Codex Procedural Manual
- 2) ALINORMS
- 3) committee working papers (CXs)
- 4) conference room documents (CRDs)
- 5) circular letters (CLs)
- 6) adopted texts

All categories of documents follow a specific numbering system that may include a reference to the year of origin and the relevant committee or task force.

The Codex Procedural Manual

The Codex Procedural Manual contains the Statutes of the Commission, the Rules of Procedure and information on how the Commission carries out its work. It also includes a listing of the Commission's subsidiary bodies and their terms of reference, and identifies the Members of the Commission together with the addresses of Codex Contact Points. The Codex Committee on General Principles is responsible for updating the Manual, and such amendments are considered regularly by the Commission. Amendments to the Manual do not follow the Codex step procedure.

The Manual outlines the agreed set of rules to ensure uniform running of Codex activities, and is intended to help member countries to participate effectively in the work of the Joint FAO/WHO Food Standards Programme. As of March 2005, the most recent version of the Manual was the Fourteenth edition, published in 2004.

Section I of the Manual sets out the Commission's basic Rules of Procedure, and the other internal procedures necessary to achieve the

Commission's objectives. These include the procedures for the elaboration of Codex standards and related texts, general principles and guidelines for the acceptance of Codex standards by governments, and some basic definitions.

Section II is devoted to guidelines for the efficient operation of Codex committees. These committees are organized and operated by Member Governments designated by the Commission. It describes how standards are set out in a uniform manner, describes a uniform reference system for Codex documents and working papers, provides a number of general principles for formulating key sections of Codex standards, and outlines the core functions of national Codex Contact Points.

Section III lists the Commission's subsidiary bodies with their terms of reference. It also gives the membership of the Commission (at the time of going to print), together with the addresses of Codex Contact Points. It should be noted that membership numbers are adjusted each time a new Member joins, and therefore the Codex Web site should be consulted for the most up-to-date information.

Working documents for Codex sessions

ALINORMS

Reports of the Commission, committees and task forces, recording the outcomes of meetings, and working documents prepared for Commission sessions are called ALINORMS.

These documents are identified with the term "ALINORM" followed by the calendar year in which the meeting is held, followed by the session number. This is then followed by the consecutive number of the document in line with the Commission agenda item.

For example, a document on the agenda of the Twenty-sixth Session of the Codex Alimentarius Commission (held in July 2003) would be identified as ALINORM 03/26/xx (xx being a consecutive number, starting at 1). As in the case of the documents related to agendas of subsidiary bodies, the number allocated is not necessarily the same number as the agenda item.

Reports of committees and task forces are Commission documents and, as such, are also referenced as ALINORMS. These also follow a standard numbering system, but with a slight variation on the above system. In the case of reports, the number following the word "ALINORM" indicates the year in which the Commission meeting is being held at which the committee report will be presented.⁶

For example, ALINORM 04/30 would be the report of a Codex committee that will be presenting its report to the Twenty-seventh Session of the Commission being held in July 2004. In addition, instead of a letter combination indicating the committee, each committee/task force has a number.

For example, the Codex Committee on Food Labelling (CCFL) is designated "22". Therefore, a CCFL report from a session held in May 2004 would be identified as ALINORM 04/22 (i.e. report tabled at the Twenty-

⁶ It should be noted that in 2003 and 2004, a slightly different system was used in order to deal with additional sessions of the Executive Committee and Commission, which were held to discuss the recommendations of the Codex Evaluation (see Module 2.1).

Box 2.7.1 | ALINORM numbers for active Codex subsidiary bodies

Codex committee/ad hoc task force	ALINORM No.*
Food Additives and Contaminants	xx/12
Food Hygiene	xx/13
Food Import and Export Inspection and Certification Systems	xx/30
Food Labelling	xx/22
General Principles	xx/33
Methods of Analysis and Sampling	xx/23
Nutrition and Foods for Special Dietary Uses	xx/26
Pesticide Residues	xx/24
Residues of Veterinary Drugs in Foods	xx/31
Fats and Oils	xx/17
Fish and Fishery Products	xx/18
Fresh Fruits and Vegetables	xx/35
Meat Hygiene	xx/16
Milk and Milk Products	xx/11
Processed Fruits and Vegetables	xx/27
FAO/WHO Coordinating Committee for Africa	xx/28
FAO/WHO Coordinating Committee for Asia	xx/15
FAO/WHO Coordinating Committee for Europe	xx/19
FAO/WHO Coordinating Committee for Latin America and the Caribbean	xx/36
FAO/WHO Coordinating Committee for the Near East	xx/40
FAO/WHO Coordinating Committee for North America and the Southwest Pacific	xx/32
Task Force on Foods Derived from Biotechnology	xx/34
Task Force on Fruit and Vegetable Juices	xx/39

* xx = year (e.g. 03 stands for 2003)

seventh Session in July 2004). A report from a session of the Codex Committee on Fats and Oils (CCFO) held in November 2004, which would be reported to the Commission meeting in 2005, would be identified as ALINORM 05/17, the “17” being the number assigned to CCFO. Box 2.7.1 gives a list of ALINORM numbers.

If there is more than one meeting of a particular committee between Commission sessions, the second session is identified with the letter “A” after the number.

Working papers for subsidiary bodies

All the working texts of Codex committees and task forces carry the same reference:

CX (abbreviation for Codex) followed by the acronym of the committee. These document identities are followed by two digits representing the specific year in

Box 2.7.2 | Document reference system for Codex bodies

Committee committee/ad hoc task force	Reference
Executive Committee	CX/EXEC
Food Additives and Contaminants	CX/FAC
Food Hygiene	CX/FH
Food Import and Export Inspection and Certification Systems	CX/FICS
Food Labelling	CX/FL
General Principles	CX/GP
Methods of Analysis and Sampling	CX/MAS
Nutrition and Foods for Special Dietary Uses	CX/NFSDU
Pesticide Residues	CX/PR
Residues of Veterinary Drugs in Foods	CX/RVDF
Fats and Oils	CX/FO
Fish and Fishery Products	CX/FFP
Fresh Fruits and Vegetables	CX/FFV
Meat Hygiene	CX/MH
Milk and Milk Products	CX/MMP
Processed Fruits and Vegetables	CX/PFV
Cereals, Pulses and Legumes	CX/CPL
Cocoa Products and Chocolate	CX/CPC
Natural Mineral Waters	CX/NMW
Sugars	CX/S
Vegetable Proteins	CX/VP
FAO/WHO Coordinating Committee for Africa	CX/AFRICA
FAO/WHO Coordinating Committee for Asia	CX/ASIA
FAO/WHO Coordinating Committee for Europe	CX/EURO
FAO/WHO Coordinating Committee for Latin America and the Caribbean	CX/LAC
FAO/WHO Coordinating Committee for the Near East	CX/NEA
FAO/WHO Coordinating Committee for North America and the Southwest Pacific	CX/NASWP
Task Force on Foods Derived from Biotechnology	CX/FBT
Task Force on Fruit and Vegetable Juices	CX/FJ

which the session will be held, the session number and finally the consecutive number of the document, for example CX/FH 05/37/3. In this case, CX = Codex, FH = Food Hygiene, 05 = 2005 (the year in which the session is being held), 37 = the Thirty-seventh Session of CCFH and 3 = the consecutive number allocated to the document for discussion on

Box 2.7.3 | Example of a circular letter

CX 4/10

CL 2001/24-GP

July 2001

TO: Codex Contact Points
Interested International Organizations

FROM: Secretary, Joint FAO/WHO Food Standards Programme
FAO, 00100 Rome, Italy

SUBJECT: PROPOSED DRAFT WORKING PRINCIPLES FOR RISK ANALYSIS

DEADLINE: 30 October 2001

COMMENTS: To:

Secretary
Joint FAO/WHO Food Standards
Programme – FAO
Viale delle Terme di Caracalla
00100 Rome, Italy
Fax: +39 (06) 5705 4593
E-mail: codex@fao.org

Copy to:

Codex Contact Point for France SGCI/CODEX
Carré Austerlitz, 2 Boulevard Diderot
75703 Paris Cedex 12
Fax. 33 (0)1 4487 16 04
E-mail: sgci-codex-fr@sgci.finances.gouv.fr

BACKGROUND

The Sixteenth Session of the Committee on General Principles considered the Proposed Draft Working Principles for Risk Analysis and agreed on several amendments to the text. However, it could not come to a consensus on the Scope and the use of precaution in risk analysis, especially in risk management. The Committee therefore agreed to request the Commission for clarification on the Scope of the Working Principles; i.e. whether they were intended exclusively for application in the framework of Codex, or by Member Governments, or by both. The Committee also requested the advice of the Commission on how Codex should react when scientific data were insufficient or incomplete and evidence of a risk to human health existed, in particular whether it should proceed to elaborate a standard or related text.

The Twenty-fourth Session of the Codex Alimentarius Commission confirmed the initial mandate of the Committee on General Principles to complete the principles for risk analysis within Codex as a high priority, with a view to their adoption in 2003. It also agreed that the Committee should develop guidance to governments subsequently or in parallel, as appropriate in view of its programme of work. The Commission also decided how it should proceed when scientific data were insufficient or incomplete (ALINORM 01/41, paras. 81-83).

Following the decision of the Commission, the Secretariat has redrafted the Principles for Risk Analysis for application within Codex, including the position of the Commission on precaution in risk management. The revised text also includes the amendments made by the last session of the Committee on General Principles and some editorial changes for clarification purposes, in conformity with the decision of the Committee (ALINORM 01/33A, para. 74). The changes made are further explained in the Introduction to the revised text.

Governments and international organizations wishing to submit comments should do so in writing, preferably by e-mail, to the above addresses before 30 October 2001.

the agenda.

The consecutive number does not necessarily indicate the agenda item number, since discussion of some agenda items may require more than one document. On some occasions, a committee may have two or more meetings in the same Commission session period. In these cases, the letter “A” would follow the abbreviated year of the second meeting, to differentiate between the meetings.

Box 2.7.2 shows the document reference system used to identify the specific working documents for Codex committees and task forces.

Circular letters

Circular letters (CLs) provide the vehicle for communication from the Codex Secretariat in Rome to Codex member countries and interested international non-governmental organizations. When reports from committees (ALINORMS) are circulated, they always include a CL that invites Members and observers to provide comments on specific elements of the report – usually comments on draft text contained in the appendixes to the report. When a committee establishes an ad hoc working group, and the working group wishes to circulate its recommendations, this is normally done through a CL.

Circular letters are numbered consecutively, also indicating the calendar year and committee to which they pertain. For example, CL2001/24 – GP identifies the twenty-fourth circular letter for the calendar year 2001. This particular CL pertains to the Codex Committee on General Principles. CL2001/25 – FFP is the twenty-fifth CL for 2001, and pertains to an issue related to the Codex Committee on Fish and Fishery Products.

Box 2.7.3 shows an example of a circular letter.

Conference room documents

Conference room documents (CRDs) are documents that are circulated at a Codex session and are not circulated more broadly to all Codex Members and observers. CRDs are numbered consecutively, but normally have no other identities and may originate from a number of sources. The “LIM” (limited distribution) document series used in Commission sessions is equivalent to “CRD” in subsidiary bodies.

Where countries submit written comments in response to a CL or CX document, the Secretariat compiles all comments and circulates these prior to the meeting. These documents would have the appropriate CX designation. However, there are times when comments are received too late for translation and circulation to Member Governments. These would be circulated at the meeting itself as a CRD, and are given consecutive numbers by the national Codex secretariat as they are circulated within the committee.

Other CRDs may be generated when a committee establishes a working/drafting group that meets during the committee session. The report of the working/drafting group back to the committee is identified as a CRD.

CRDs provide information that was late in submission, but they receive only limited distribution. Countries not present at a meeting do not receive copies, as these are neither appended to committee reports nor formally circulated after a committee meeting. Countries relying on CRDs to present their position on a specific issue may find it more difficult to gain support, as there is limited time for members of the delegations of other countries to review the CRD and determine if they can support the position. In addition, where there are technical issues involved, the other delegations may not have the expertise on their respective

delegation, necessitating either a call back to their capitals or the deferment of a decision.

Adopted texts

As indicated previously, Codex texts take the form of standards, recommended codes of practice and guidelines. Once a committee has elaborated one of these types of texts, it is forwarded to the Commission for adoption. Upon adoption, the text is incorporated into the Codex Alimentarius.

Standards are identified as STAN, recommended codes of practice as RCP and guidelines as GL. For example, a standard would be identified as CODEX STAN or CX STAN, followed by a letter (for selected standards) and number, then the year the standard was adopted and, if applicable, the year it was revised. For example, the Codex international individual standard for cottage cheese, including creamed cottage cheese is identified as CODEX STAN C-16 (1968). The Codex standard for named vegetable oils is identified as CX STAN 210-1999.

Recommended codes of practice and guidelines follow a similar identification system. For example, the Code of hygienic practice for aseptically processed and packaged low-acid foods is identified as CAC/RCP 40-1993. The Codex general guideline on claims is identified as CAC/GL 1-1979 (Rev. 1-1991).



Module 2.8

Is there a format for Codex standards?

This module outlines the standard format for Codex commodity standards. Codex codes of practice, guidelines and recommendations do not have a format prescribed in the Codex Procedural Manual, although they do have similarities. This module will focus on the format of commodity standards.

The format is intended for use as a guide by the subsidiary bodies of the Codex Alimentarius Commission in presenting their standards, with the objective of achieving, as far as possible, a uniform presentation of commodity standards. The format also indicates the statements that should be included in standards as appropriate under the relevant headings of the standard. The sections of the format should be completed in a standard only in so far as such provisions are appropriate to an international standard for the food in question.

A practical exercise (Exercise 2.8.1) is given at the end of this module. The purpose of the exercise is to permit participants in the training to develop experience with the structured approach of drafting a standard for a commodity that would be relevant to the country in which the training is taking place.

Why should a standard format be used?

There are several advantages in having a format for standards development, namely:

- a common format guides subsidiary bodies of the Codex Alimentarius Commission in presenting their commodity standards in a uniform manner;
- it facilitates a structured approach to standards development;
- the structured approach aids in ensuring that all elements essential to protect the consumer are identified and described;
- the format can also be used as a model by governments in developing national standards.

Although there is no format specified in the Codex Procedural Manual for codes of practice, guidelines or recommendations, there is a format for commodity standards, which is as follows:

- Name of the standard
- Scope
- Description
- Essential composition and quality factors
- Food additives
- Contaminants

- Hygiene
- Weights and measures
- Labelling
- Methods of analysis and sampling

Format for Codex standards

Name of the standard

The name of the standard should be clear and as concise as possible. It should usually be the common name by which the food covered by the standard is known or, if more than one food is dealt with in the standard, by a generic name covering them all. If a fully informative title is inordinately long, a subtitle may be added.

Scope

This section should contain a clear, concise statement as to the food or foods to which the standard is applicable, unless this is self-explanatory in the name of the standard. In the case of a general standard covering more than one specific product, the specific products to which the standard applies should be made clear.

Description

This section should contain a definition of the product or products with an indication, where appropriate, of the raw materials from which it is derived and any necessary references to processes of manufacture. It may also include references to types and styles of product and to type of pack. There may also be additional definitions when these are required to clarify the meaning of the standard.

Essential composition and quality factors

This section should contain all quantitative and other requirements as to composition including, where necessary, identity characteristics, provisions on packing media and requirements as to compulsory and optional ingredients. It should also include quality factors that are essential for the designation, definition or composition of the product concerned. Such factors could include the quality of the raw material, with the objective of protecting the health of the consumer, provisions on taste, odour, colour and texture that may be apprehended by the senses, and basic quality criteria for the finished products, with the object of preventing fraud. This section may refer to tolerances for defects, such as blemishes or imperfect material but, as these factors may not be essential requirements, this information should be contained in a (non-mandatory) appendix to the standard or in another advisory text.

Food additives

This section should contain the names of the additives permitted and, where appropriate, the maximum amount permitted in the food. It should be prepared in accordance with guidance given in the Codex Procedural Manual (p. 93), and may take the following form:

The following provisions in respect of food additives and their specifications as contained in section ... of the Codex Alimentarius are subject to endorsement [have been endorsed] by the Codex Committee on Food Additives and Contaminants. This would be followed by a tabulation, viz.:

Name of additive, maximum level (in percentage or mg/kg).

Contaminants

Pesticide residues. Although the Codex Procedural Manual has indicated that this section of a standard should include, by reference, any levels for pesticide residues that have been established by the Codex Alimentarius Commission for the product concerned, the Commission has published maximum limits for pesticide residues separately in Volume 2 of the Codex Alimentarius (see Module 2.9).

Other contaminants. In addition, this section should contain the names of other contaminants and, where appropriate, the maximum level permitted in the food. The text to appear in the standard may take the following form:

The following provisions in respect of contaminants, other than pesticide residues, are subject to endorsement [have been endorsed] by the Codex Committee on Food Additives and Contaminants.

They should follow a tabulation, viz.:

Name of contaminant, maximum level (in percentage or mg/kg).

Hygiene

Any specific mandatory hygiene provisions not covered by the General standard on food hygiene but considered necessary should be included in this section. They should be prepared in accordance with the guidance given in the Codex Procedural Manual (p. 95). Reference should also be made to applicable codes of hygienic practice. Any parts of such codes, including in particular any end-product specifications, should be set out in the standard, if it is considered necessary that they should be made mandatory. The following statement should also appear:

The following provisions in respect of the food hygiene of this product are subject to endorsement [have been endorsed] by the Codex Committee on Food Hygiene.

Weights and measures

This section should include all provisions, other than labelling provisions, relating to weights and measures, for example, where appropriate, fill of container, weight, measure or count of units determined by an appropriate method of sampling and analysis. Weights and measures should be expressed in SI units. In the case of standards that include provisions for the sale of products in standardized amounts (e.g. multiples of 100 g), SI units should be used, but this would not preclude additional statements in the standards of these standardized amounts in approximately similar amounts in other systems of weights and measures.

Labelling

This section should include all the labelling provisions contained in the standard and should be prepared in accordance with the guidance given in the Codex Procedural Manual (p.92). Provisions should be included by reference

to the General standard for the labelling of prepackaged foods. The section may also contain provisions that are exemptions from, additions to, or necessary for the interpretation of the general standard in respect of the product concerned, provided that these can be justified fully. The following statement should also appear:

The following provisions in respect of the labelling of this product are subject to endorsement [have been endorsed] by the Codex Committee on Food Labelling.

Methods of analysis and sampling

This section should include, either specifically or by reference, all methods of analysis and sampling considered necessary and should be prepared in accordance with the guidance given in the Codex Procedural Manual (p. 96). If two or more methods have been proved to be equivalent by the Codex Committee on Methods of Analysis and Sampling, these could be regarded as alternative and included in this section either specifically or by reference. The following statement should also appear:

The methods of analysis and sampling described hereunder are to be endorsed [have been endorsed] by the Codex Committee on Methods of Analysis and Sampling.

Reference material

FAO/WHO. 2004. Codex Alimentarius Commission – Procedural Manual. 14th edition, pp. 88–98. Joint FAO/WHO Food Standards Programme. Rome.

Codex Web site: www.codexalimentarius.net

Exercise 2.8.1 | Format for Codex commodity standards

Objective

This exercise has two objectives. The first objective is for participants to work through development of a standard, so as to familiarize themselves with the various elements of a standard. This will also facilitate development of a systematic approach to standards development.

The second objective is to provide participants with some experience of the manner in which Codex plenary sessions are conducted when reviewing a draft standard.

Method

Participants should be divided into groups of five to six people. The groups will be asked to develop a standard using the Codex format provided in this module. All groups will work on developing a standard for the same commodity. The trainer should select a commodity relevant to the country where the training is being held, preferably one where no national standard has yet been developed.

Each group will provide the trainer with a draft document. Overnight, the trainer will develop a draft standard using elements from the drafts developed by each group. This draft version, which contains elements from each of the groups, will be presented (via overhead projection or a slide presentation) to the

plenary the next day.

As the document is systematically reviewed, each group should be encouraged to intervene and comment on the text – either supporting the text or proposing amendments. Each group should only be permitted to intervene once per section, similar to the process for reviewing texts practised by Codex committees. The trainer will act in the role of chairperson, ensuring that each group only intervenes once at the invitation of the chairperson, resolve any dispute on the language of the text, and propose language for the text that will result in consensus.

Time allocation

Group work to develop draft standard: 90 minutes.

Plenary review of the trainer's draft: 45 minutes.

Outcome

Trainees will be familiar with both the systematic approach to standards development and with the method used by Codex committees, in either plenary sessions or within working groups, to review a draft text.

Module 2.9

What is the difference between the Codex Alimentarius Commission and the Codex Alimentarius?

The purpose of this module is to clarify the difference between the Codex Alimentarius, which is the collection of standards, guidelines and related texts and the Codex Alimentarius Commission, which is the body mandated to develop the texts. This module outlines how the Codex Alimentarius is structured, its scope and purpose, and outlines its organization.

Purpose and scope of the Codex Alimentarius

The Codex Alimentarius is a collection of internationally adopted food standards and other provisions of an advisory nature presented in a uniform manner to assist in protecting consumers' health and ensuring fair practices in the food trade. The publication of the Codex Alimentarius is intended to guide countries in the elaboration and revision of their food standards in order to promote the harmonization of these standards, and in so doing to facilitate international trade.

The Codex Alimentarius includes standards for all the principal foods, whether processed, semi-processed or raw, for distribution to the consumer. Materials for further processing into foods should be included to the extent necessary to achieve the purposes of the Codex Alimentarius as defined. The Codex Alimentarius includes general provisions in respect of:

- contaminants
- food additives
- food hygiene
- inspection and certification
- labelling and presentation
- methods of analysis and sampling
- pesticide residues
- veterinary drug residues

It also includes provisions of an advisory nature in the form of:

- codes of practice
- guidelines
- other recommended measures

Organization of the Codex Alimentarius

The Codex Alimentarius is organized in 13 volumes. Each volume contains the standards relevant to the volume, which have been adopted by the Codex Alimentarius Commission. Box 2.9.1 shows the structure of the Codex

Box 2.9.1 | Structure of the Codex Alimentarius

Volume	Subject
1A	General requirements
1B	General requirements (food hygiene)
2A	Pesticide residues in foods (general texts)
2B	Pesticide residues in foods (maximum residue limits)
3	Residues of veterinary drugs in foods
4	Foods for special dietary uses (including foods for infants and children)
5A	Processed and quick-frozen fruits and vegetables
5B	Fresh fruits and vegetables
6	Fruit juices
7	Cereals, pulses (legumes) and derived products and vegetable proteins
8	Fats and oils and related products
9	Fish and fishery products
10	Meat and meat products; soups and broths
11	Sugars, cocoa products and chocolate and miscellaneous products
12	Milk and milk products
13	Methods of analysis and sampling

Alimentarius.

Where can these standards be found?

All the adopted Codex standards, guidelines, codes of practice and recommendations can be found on the Codex Web site (http://www.codexalimentarius.net/standard_list.asp).

Listings of maximum residue limits for chemical substances used in agricultural production (commonly referred to as “pesticides”), and residue limits for veterinary drugs in foods, are also available on the Codex Web site (www.codexalimentarius.net).

The Codex Contact Points of member countries receive all Codex texts. Printed copies can also be ordered from the Sales and Marketing Group, Publishing Management Service, FAO Information Division, Viale delle Terme di Caracalla, 00100 Rome, Italy, e-mail: Publications-Sales@fao.org, fax: (+39) 06 57053360.

Reference material

FAO/WHO. 2005. Understanding the Codex Alimentarius. Revised and updated, pp. 10–12. Rome.
Codex Web site: www.codexalimentarius.net

Module 2.10

What is the relationship between Codex standards and WTO?

It is not the intent of this module to turn all students of Codex into trade experts. Its purpose is to identify the two main trade agreements that are relevant to Codex, highlight some of the key features of each, and outline the relationship between Codex and the World Trade Organization (WTO).

It should be noted that not all Members of Codex are Members of WTO. Codex is an organization focused on developing international food standards. WTO is a trade organization mandated to facilitate trade, not a standard-setting organization. WTO came into being as a result of the outcomes of the General Agreement on Tariffs and Trade (GATT) Uruguay Round of Talks that were signed in Marrakesh (Morocco) on 15 April 1994.

Trade agreements of significance in Codex work

The two WTO agreements of most significance for international food trade are the Agreement on the Application of Sanitary and Phytosanitary Measures (commonly referred to as the SPS Agreement) and the Agreement on Technical Barriers to Trade, known as the TBT Agreement. The SPS Agreement is concerned with measures applied to protect human, animal and plant health. The TBT Agreement refers to technical regulations and conformity assessment procedures and applies to all commodities, not just food.

Rights of Members under the SPS Agreement

The SPS Agreement states that Members are entitled to establish their own appropriate level of sanitary and phytosanitary protection provided such measures are not inconsistent with the provisions of the agreement. Sanitary and phytosanitary measures must be science-based, and should not represent an unnecessary or disguised restriction on trade. Members are encouraged to use international standards where they exist, but may impose more stringent measures if required to achieve their appropriate level of protection provided there is scientific justification. Members may be required to justify a stringent measure that results in a barrier to trade.

The SPS Agreement covers all relevant laws, decrees, regulations; testing, inspection, certification and approval procedures; and packaging and labelling requirements

directly related to food safety. Examples of SPS measures include: (i) inspection of products for microbiological contaminants; (ii) mandating a

specific fumigation treatment for products; and (iii) setting maximum allowable levels of pesticide residues in food.

Obligations of Members under the SPS Agreement

Members are required to base their national measures on international standards and an assessment, as appropriate to the circumstances, of the risks to human, animal or plant life or health. SPS measures should be applied only to the extent necessary to protect human, animal or plant life or health. The measures should be applied equally to domestic and imported products so as not to discriminate unjustifiably against foreign sources of supply. Members are also required to participate in the relevant international standards organizations to the extent possible.

Members are expected to promote the review and development of international standards and to accept the SPS measures of other members as equivalent, even if such measures differ from their own, where it is demonstrated that those measures achieve their appropriate level of protection.

Relationship between Codex standards and the SPS Agreement

The SPS Agreement identifies standards, guidelines and recommendations adopted by the Codex Alimentarius Commission as the international benchmark for food safety. National regulations consistent with Codex standards are deemed to meet the requirements of the SPS Agreement, i.e. they do not have to be justified. Members of WTO should base their food safety standards on the standards of the Codex Alimentarius Commission, keeping in mind the right of WTO Members to establish their appropriate level of protection. In other words, WTO Members may implement standards that are more stringent than those of the Codex Alimentarius Commission, provided there is scientific justification that the more stringent measure is required to achieve their appropriate level of protection. In doing so, WTO Members must have scientific justification for such variations, as well as being able to demonstrate that the action taken was based on an assessment of risk.

For the purposes of the SPS Agreement, WTO does not differentiate between standards, guidelines and recommendations elaborated by Codex. They all have the same status under WTO. For food safety, the SPS Agreement refers to standards developed by Codex in the following areas:

- codes and guidelines of hygienic practices
- contaminants
- food additives
- methods of analysis and sampling
- veterinary drug and pesticide residues

Again, it is important to remember that not all Members of Codex are Members of WTO. Although Codex standards are referred to by WTO, Codex does not establish food standards for WTO. It establishes food standards for the use of its (Codex) Member countries. The direction of the Forty-fifth Session of the Codex Executive Committee should be followed, i.e. "... the

work of Codex should move forward without concern arising from misunderstandings or misinterpretations as to how Codex standards and related texts might be used”.

The TBT Agreement

The TBT Agreement covers a large number of technical regulations and standards that are adopted for protecting human safety or health. Numerous examples of these can be provided. For example, national regulations requiring motor vehicles to be equipped with seat belts to minimize injury in the event of an accident, or that sockets be manufactured in a manner to prevent the user from electric shocks, fall under the first category. A common example of regulations whose objective is to protect human health is the labelling of cigarettes indicating that they are harmful to health.

Most of the regulations falling under the TBT Agreement aim to protect consumers through information, mainly in the form of labelling requirements, and to promote fair trade practices. Other regulations include classification and definition, essential composition and quality factors, packaging requirements and measurements (size, weight, etc.), so as to avoid deceptive practices.

Similarities between the SPS and TBT Agreements

Regulations that address microbiological contamination of food, or set allowable levels of pesticide or veterinary drug residues, or identify permitted food additives, by definition fall under the SPS Agreement. Some packaging and labelling requirements, if directly related to the safety of the food, are also subject to the SPS Agreement.

The TBT Agreement seeks to ensure that technical regulations and standards, including packaging, marking and labelling requirements, and analytical procedures for assessing conformity with technical regulations and standards, do not create unnecessary obstacles to trade. An illustrative example of the SPS and TBT measures that can apply to a food item is given in Box 2.10.1.

It is noteworthy that the SPS and TBT Agreements both acknowledge the importance of harmonizing standards internationally so as to minimize or eliminate the risk of sanitary, phytosanitary and other technical standards becoming barriers to trade.

The TBT Agreement covers all technical regulations, voluntary standards and the procedures to ensure that these are met (conformity assessment procedures), except when these are sanitary or phytosanitary measures as defined by the SPS Agreement. It is thus not only the type of measure that determines whether it is covered by the TBT Agreement, but the purpose of the measure that is relevant in determining whether a measure is subject to the SPS Agreement. For this purpose Annex A of the TBT Agreement defines a technical regulation as follows:

A document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology,

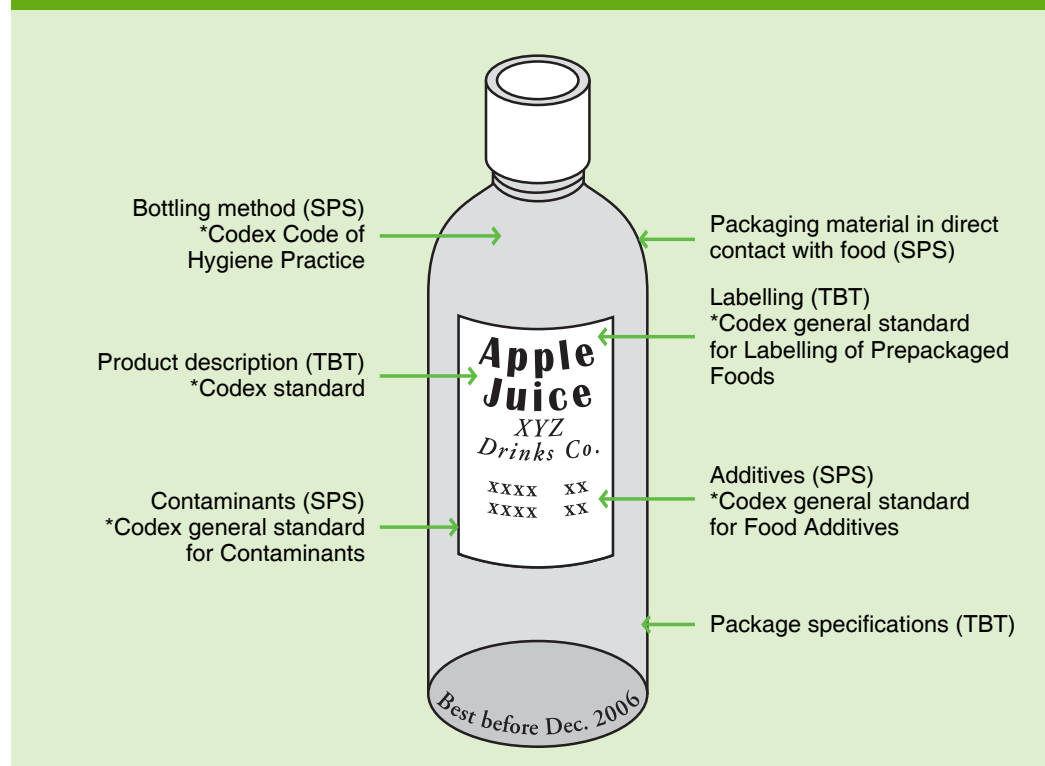
symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

Differences between the SPS and TBT Agreements

The two Agreements have some common elements, including basic obligations for non-discrimination and similar requirements for the advance notification of proposed measures, and the creation of “enquiry points”. However, many of the substantive rules are different. For example, both Agreements encourage the use of international standards. However, under the SPS Agreement the only justification for not using such standards for food safety and animal/plant health protection is scientific argument resulting from an assessment of the potential health risks. In contrast, under the TBT Agreement governments may decide that international standards are not appropriate for other reasons, including fundamental technological problems or geographical factors.

TBT measures could cover any subject, from car safety to energy-saving devices, to the shape of food cartons. To give some examples pertaining to human health, TBT measures could include pharmaceutical restrictions, or the labelling of cigarettes. Most measures related to human disease control are under the TBT Agreement, unless they concern diseases that are carried by plants or animals (such as rabies). In terms of food, labelling requirements, quality and packaging regulations are generally not considered to be sanitary or phytosanitary measures and hence are normally subject to the TBT

Box 2.10.1 | Relationship between a Codex standard and the SPS and TBT Agreements



Agreement.

Also, sanitary and phytosanitary measures may be imposed only to the extent necessary to protect human, animal or plant health, on the basis of scientific information. Governments may, however, introduce TBT regulations when necessary to meet a number of objectives, such as national security or the prevention of deceptive practices. Because the obligations that governments have accepted are different under the two Agreements, it is important to know whether a measure is a sanitary or phytosanitary measure, or a measure subject to the TBT Agreement.

Codex since the creation of WTO

Considerable interest in the Commission's activities has been stimulated by the specific recognition of Codex standards, guidelines and recommendations within the SPS Agreement, as well as the importance assumed by Codex standards in the Technical regulations and standards provisions contained in Article 2 of the TBT Agreement. Consequently, attendance at Codex meetings, especially by developing countries, has markedly increased. This is a welcome development, particularly since both Agreements direct Members, within the limits of their resources, "to play a full part" in the work of international standards organizations and their subsidiaries.

The adoption of Codex standards as scientifically justified norms for the purpose of the SPS and TBT Agreements is of immense significance. The standards have become an integral part of the legal framework within which international trade is being facilitated through harmonization. Already, they have been used as the benchmark in international trade disputes, and it is expected that they will be used increasingly in this regard.

Why does WTO refer to Codex standards as benchmarks for food safety?

A fundamental premise of all Codex standards is that they are based on science. The first principle on Codex decision-making states: "The food standards, guidelines and other recommendations of Codex Alimentarius shall be based on the principle of sound scientific analysis and evidence, involving a thorough review of all relevant information, in order that the standards assure the quality and safety of the food supply."

Codex has also adopted statements of principle relating to the role of food safety risk assessment. The first principle states that "health and safety aspects of Codex decisions and recommendations should be based on a risk assessment, as appropriate to the circumstances". The second principle states that "food safety risk assessment should be soundly based on science, should incorporate the four steps of the risk assessment process, and should be documented in a transparent manner".

As WTO Members are obligated to base their SPS measures on an assessment of the risk taking into account all available scientific information, the usefulness of Codex standards to the WTO/SPS Agreement is evident. It is adherence to this principle of science-based standards that provides the rationale for WTO to make reference to Codex standards.

Reference material

- FAO/WHO. 1999. Report of the Forty-fifth Session of the Executive Committee of the Codex Alimentarius Commission. Document ALINORM 99/3. Rome.
- WHO. 1998. Food safety and globalization of trade in food. Document WHO/FSF/FOS/97.8 Rev. 1. Geneva, Switzerland.
- WTO. 1998. Sanitary and phytosanitary measures. WTO Agreements Series No.4 (contains the SPS Agreement). Geneva, Switzerland.
- World Trade Organization Web site: www.wto.org

