

INTRODUCTION

1. The Codex Alimentarius Commission held its Thirtieth Session at FAO Headquarters, Rome, Italy, from 2-7 July 2007. Dr Claude J. S. Mosha (Tanzania), Chairperson of the Commission presided over the Session, assisted by the Vice-Chairpersons, Ms Noraini Mohd. Othman (Malaysia), Dr Karen Hulebak (United States of America) and Dr Wim van Eck (Netherlands). The Session was attended by 516 delegates from 122 Member countries and 1 Member Organisation, 40 international governmental and non-governmental organizations including UN agencies. A list of participants, including the Secretariat, is given in Appendix I to this report.

2. The Session was opened by Mr J. M. Sumpsi, Assistant Director-General, Agriculture and Consumer Protection Department, FAO and Dr G. Moy, Scientist, Department of Food Safety, Zoonoses and Foodborne Disease, WHO on behalf of Ms Weber-Mosdorf, Assistant Director-General, Sustainable Development and Healthy Environments, WHO, respectively.

3. A minute's silence was observed in memory of Mr Graham Kermodé, Joint Secretary of the Commission from 1964 to 1983, who had played an important role in the setting up and early running of the Codex Alimentarius Commission.

Division of Competence

4. The Commission noted the division of competence between the European Community and its Member States, according to paragraph 5, Rule II of the Procedure of the Codex Alimentarius Commission, as presented in document CAC/30 LIM/2.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

5. The Commission adopted the Provisional Agenda as its Agenda for the Session.

6. At the request of the Delegation of Colombia, the Commission agreed to discuss, under Agenda Item 20, "Other Business", if time allowed, the necessity of circulating Codex documents simultaneously in all working languages.

7. The Commission, upon the proposal of the Delegation of Switzerland, the host country for the Codex Committee on Natural Mineral Waters and with a view to facilitating the Commission's discussion on the subject matter under Agenda Item 13, agreed to convene an in-session working group under the chairmanship of Switzerland, opened to all interested members and observers and working in English only, to review the comments submitted in response to the Circular Letter (CL) 2006/13-NMW and to consider whether an amendment to the Codex Standard for Natural Mineral Waters was necessary and, if affirmative, how to proceed.

REPORT BY THE CHAIRPERSON ON THE 59th SESSION OF THE EXECUTIVE COMMITTEE (Agenda item 2)²

8. In accordance with Rule V.7 of the Rules of Procedure, the Chairperson reported to the Commission on the outcome of the 59th Session of the Executive Committee, as follows.

9. The Chairperson recalled that the Executive Committee had not met since the 29th Session of the Commission and therefore had considered both the Critical Review of standards and related texts submitted to the Commission for adoption and the monitoring of standards development. It had recommended adoption of all the texts proposed for adoption and made some recommendations of a general nature, especially as regards food additives. As regards new work, some general recommendations had also been made considering the preparation of project documents and specific comments on individual proposals.

10. As regards the structure and mandate of Codex Committees the Executive Committee had considered the Proposal related to commodity work of regional committees (Proposal 8 of CL 2006/29-CAC) and

¹ ALINORM 07/30/1 and ALINORM 07/30/1A Rev.1

² ALINORM 07/30/3

recommended a revised text for this Proposal, which had been used in the consideration of the Proposed Draft Standards and proposals for new work originating from the Coordinating Committee for Asia.

11. The Executive Committee had considered in detail financial and budgetary matters and had proposed a revised version of the Draft Strategic Plan 2008-2013, taking into account the comments from Coordinating Committees and further discussion during the session.

12. In accordance with Rule IX.6, the Executive Committee had considered the application of five international non-governmental organizations and had recommended to the Directors-General of FAO and WHO to grant them Observer status with the Codex Alimentarius Commission.

13. The Commission noted that this report was presented for information with the understanding that the recommendations made by the Executive Committee on specific questions would be considered under the relevant Agenda items.

REPORTS OF FAO/WHO REGIONAL COORDINATING COMMITTEES (Agenda Item 3)³

14. The Commission noted the reports of the Coordinating Committees, as presented by their respective Coordinators. The Coordinators expressed their gratitude for the capacity building activities of FAO and WHO and the Codex Trust Fund, while expressing the wish that such activities would continue in order to facilitate the participation of countries in Codex work. The Coordinating Committees had discussed food legislation and food control systems, consumer participation, the use of Codex standards, the Draft Strategic Plan, and had expressed their views on issues of interest to their regions.

FAO/WHO Coordinating Committee for Africa

15. The Delegation of Morocco informed the Commission that the Coordinating Committee for Africa had endorsed a Strategic Plan to enhance participation of countries of the region in Codex and was developing a regional plan of action for the CCAFRICA together with a set of indicators for evaluation and a mechanism for monitoring its progress. A website with a discussion forum had been developed and was operational within the region. Several countries in the region were harmonising national legislation with Codex standards, although some difficulties still existed in the process and countries in the region still faced difficulties in accessing international markets due to the fact that importing countries adopted more stringent standards than Codex standards.

FAO/WHO Coordinating Committee for Asia

16. The Delegation of the Republic of Korea reported the progress of the four commodity standards under elaboration by the Coordinating Committee for Asia and noted that the Proposed Draft Standard for Gochujang and the Proposed Draft Standard for Ginseng Product had been forwarded to the Commission for adoption at Step 5, with the recommendation by the Committee to finalize these standards in relevant Commodity Committees. The Committee further agreed to request the Commission for approval of new work on two commodity standards. The Committee had initiated the consideration of the Strategic Plan for CCASIA, with the goal of strengthening the food safety infrastructure of the countries of the region.

FAO/WHO Coordinating Committee for Latin America and the Caribbean

17. The Delegation of Argentina informed the Commission about different Codex related activities held in conjunction with the Coordinating Committee, including the development of a project platform to enhance food quality and safety in the region as a follow-up to the recommendations of the FAO/WHO Regional Conference on Food Safety in the Americas. Other activities aimed at improving communication within the region included the enhancement of the CCLAC webpage (www.cclac.org); the establishment of electronic fora to discuss Codex matters of interest to the region and the development of e-learning tools, and presently the second online course to increase knowledge about Codex had been initiated. In addition, the Delegation highlighted some of the matters of interest to the region such as the establishment of and compliance with Codex maximum residue limits for pesticides, and the matters associated with the availability of data to set Codex MRLs for pesticides and the criteria for the establishment of such MRLs.

³ ALINORM 07/30/28, ALINORM 07/30/15, ALINORM 07/30/36, ALINORM 07/30/19, ALINORM 07/30/40, ALINORM 07/30/32

FAO/WHO Coordinating Committee for Europe

18. The Delegation of Switzerland indicated that the Coordinating Committee had recognised the need to further encourage participation from countries outside the European Union; had supported Codex work on the implementation of the Global Strategy on Diet, Physical Activity and Health; had stressed the importance of risk analysis for food control; and had urged FAO/WHO to allocate sufficient resources to allow Codex to fulfil its mandate, especially as regards Coordinating Committees. A website to foster intra-regional cooperation had been created (www.codexeurope.ch) and three regional training courses had been organized. The Delegation noted that food legislation was well harmonized within the European Community and the European Economic Area and that it was a long standing practice in Europe to involve consumers in food legislation, food control and Codex matters.

FAO/WHO Coordinating Committee for the Near East

19. The Delegation of Jordan informed the Commission that the Coordinating Committee had advanced three draft regional standards for final adoption and was working on the proposed draft Regional Guidelines for Street-Vended Foods. The Committee had endorsed the recommendations of the 28th Session of the Commission regarding the role and activities of Regional Coordinating Committees and recommended that the Committee on General Principles should seek to define the respective roles of the Coordinators and members of the Executive Committee elected on a geographical basis. It had supported the adoption of the draft Strategic Plan 2008-2013 of the Commission; had expressed its appreciation to FAO and WHO for their work in the area of scientific advice; and supported various coordinating activities in the region.

FAO/WHO Coordinating Committee for North America and the South West Pacific

20. The Delegation of New Zealand, on behalf of the Delegation of Samoa, absent, presented the report and indicated that the Coordinating Committee had made several specific comments on the draft Strategic Plan 2008-2013 and on the review of the Structure and Mandate of Codex Committees and Task Forces. The Committee also discussed the status of implementation of the Strategic Plan for the CCNASWP, the objectives of which included the improvement of coordination and communication of regional activities on Codex and the promotion of participation of all members countries of the region in the activities of the Committee. The Delegation congratulated Samoa for the excellent work carried out as Coordinator and wished to the delegate of Samoa a very prompt recovery.

AMENDMENTS TO THE PROCEDURAL MANUAL OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 4)⁴

Proposed Amendments to the Rules of Procedure

Amendments concerning the role of coordinators and members elected on a geographical basis

21. The Commission determined that the quorum specified in Rule VI.7 for the amendment of the Rules of Procedure was constituted⁵. The Commission noted that there was general support for the amendments to Rules IV. Coordinators, Rule V. Executive Committee and Rule XI. Subsidiary Bodies, as proposed by the Committee on General Principles. In accordance with Rule VIII.7 and XV.1 of the Commission's Rules of Procedure and Rule XII.7 of the General Rules of FAO, the Commission agreed to proceed to a single roll call vote for all amendments, as they all concerned the role of coordinators and members elected on a geographical basis, with the following results.

Votes in favour: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Honduras, Hungary, India, Indonesia, Islamic Republic of Iran, Ireland, Jamaica, Japan, Jordan, Kenya,

⁴ ALINORM 07/30/4, ALINORM 07/30/4A (comments of Islamic Republic of Iran, CIAA), ALINORM 07/30/4A-Add.1 (comments of Brazil), CAC/30 LIM/9 (comments of Ghana)

⁵ The number of Codex Member Countries [174] / 2 + 1 = 88

Kuwait, Lao People's Democratic Republic, Latvia, Lithuania, Malawi, Malaysia, Mali, Malta, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Niger, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Vanuatu, Viet Nam, Zambia, Zimbabwe.

Votes against:	None
Abstaining:	Bolivia, Nigeria
Tally:	99 votes cast, 99 in favour, 0 against, 2 abstentions (two-thirds majority required: 66)
Result:	The amendments were adopted

22. The Commission noted that the amendments to the Rules of Procedure would enter into force only after their approval by the Directors-General of FAO and WHO (Rule XVI). The amendments to the Rules as adopted by the Commission are presented in Appendix II to the present report.

23. The Delegation of Italy subsequently indicated that it was in agreement with the amendment proposed.

Proposals to Amend Other Sections of the Procedural Manual

Amendments to the Procedures for the Elaboration of Codex Standards and Related texts - *Guide to the Procedure for the Revision and Amendment of Codex Standards and Arrangements for the Amendments of Codex Standards Elaborated by Codex Committees which have been adjourned sine die*

24. The Delegation of Colombia, supported by other delegations, expressed the view that the provisions for methods of analysis and sampling should be considered as revisions rather than amendments as they were of a substantial nature and could create technical barriers to trade.

25. The Delegation indicated that the current text in the Procedural Manual in the Spanish version did not refer to "updating" but only to "finalization" of methods of analysis. The Commission noted that the current text in the English version was identical and that the changes to the proposed text resulted from the discussion in the Committee on General Principles.

26. The Secretariat recalled that methods of analysis and sampling were considered for adoption by the Commission as any other provision in Codex standards, and noted that the text under consideration specified that the Commission had the final authority to decide whether an amendment was of an editorial or substantive nature.

27. Some delegations pointed out that these questions had been discussed in detail in the Committee on General Principles and supported the current text. After some discussion, the Commission agreed to adopt the text as proposed, recalling that it would have the authority to decide on any proposed amendment or revision.

Amendments to the *General Principles of the Codex Alimentarius*

28. The Delegation of Argentina expressed its reservation on paragraph 3 on the Nature of Codex Standards, as, in their view, it undermined the importance of Codex standards as an international reference in the framework of the WTO.

Amendment to the *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission*

Proposed amendments to the *Format for Commodity Standards*

29. The Commission adopted the above amendments as proposed.

Draft Risk Analysis Principles Applied by the Committee on Pesticide Residues

30. The Delegation of Argentina was of the view that the proposed procedures for the periodic review and criteria for deletion of the Maximum Residue Limits (MRLs) were not fully based on science and did not take sufficiently into consideration the concerns and situation of developing countries. The Delegation

pointed out that the issue to be addressed related to the procedures applied by the Committee on Pesticide Residues and should not be confused with the trade related problems that had also been discussed in the Committee and were also under consideration in the WTO Committee on Sanitary and Phytosanitary Measures, and proposed to return the document for further consideration by the Committee on Pesticide Residues. This view was supported by several delegations. Some delegations also pointed out that the revocation of MRLs in the framework of Codex should be based on the relevant new scientific evidence and not on commercial considerations or on a pre-established revision period, especially as Codex standards were an international reference in the framework of the WTO SPS Agreement.

31. Several other delegations pointed out that all aspects of the document had been discussed at length in the Committee on Pesticide Residues and clearly described the procedures applied in the Committee, as well as its relationship with the JMPR. These delegations stressed the need to adopt the Draft Risk Analysis Principles in order to document the risk analysis policies and procedures applied to the establishment of MRLs, in accordance with the earlier decision of the Commission.

32. After some discussion, the Commission adopted the document as proposed, with the understanding that, in accordance with the Strategic Plan, this matter could be further considered when the Committee on General Principles reviewed all relevant texts on risk analysis policies applied by Codex Committees as a whole, in order to ensure consistency throughout Codex.

33. The Delegations of Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, India, Indonesia, Jamaica, Panama, Paraguay, and Peru expressed their reservation on this decision, not only because what is mentioned above but also because in their view consensus had not been reached.

Proposed Draft Risk Management Methodologies, including Risk Assessment Policies in the Committee on Residues of Veterinary Drugs in Foods

34. The Delegation of Australia, while supporting the adoption of the text, expressed the view that when reviewing the risk analysis policies applicable to the Codex Committees concerned, the Committee on General Principles should review the provisions on data protection and confidentiality in order to ensure consistency throughout Codex. The Commission adopted the document as proposed.

Proposed Amendment of the Principles for the Establishment or Selection of Codex Sampling Procedures

Proposed Procedure for Consideration of the Entry and Review of Food Additive Provisions in the General Standard for Food Additives

Proposed amendments to harmonise the text concerning the membership of the Coordinating Committee for Europe with that of the other Coordinating Committees

Proposed Amendments to the Terms of Reference for the Committee on Food Additives

Proposed Amendments to the Terms of Reference for the Committee on Contaminants in Foods

Proposed Amendments to the Risk Analysis Principles Applied by the Codex Committee on Food Additives and Contaminants

Proposed Amendments to the CCFAC Policy for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups

Proposed Definition for Codex Maximum Level for a Contaminant in a Food or Feed Commodity

35. The Commission adopted the above texts as proposed.

Proposed Amendments to the Format for Codex Commodity Standards – Food Additives and Relations between Commodity Committees and General Committees

36. The Commission recalled that the proposed changes to the *Relations between Commodity Committees and General Committees* applied only to additives and that, if they were adopted, the current provisions applicable to contaminants would be lost, and noted that the Executive Committee had recommended to defer the adoption of the amendment proposed, with the understanding that the Secretariat would review the current provisions and prepare a revised proposed amendment addressing both additives and contaminants.

37. Some delegations expressed the view that it would be preferable to adopt the proposed text at the present session as it was necessary in order to clarify the relations between Commodity Committees and the Committee on Food Additives, although it would result in the deletion of the provisions applicable to contaminants in the immediate future. It was however recognised that similar provision for contaminants should be developed for inclusion in the *Relations between Commodity Committees and General Committees*. The Commission therefore adopted the provisions applicable to additives as proposed, and recommended that the Committee on Contaminants in Foods develop necessary provisions for contaminants, on the basis of a draft to be prepared by the Secretariat.

38. The amendments to the Procedural Manual as adopted by the Commission are presented in Appendix III to the present report.

DRAFT STANDARDS AND RELATED TEXTS AT STEP 8 OF THE PROCEDURE (Agenda Item 5)⁶

39. The Commission **adopted** all of the Draft Standards and Related Texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5 with a recommendation to omit Steps 6 and 7 and those submitted at Step 5 of the Accelerated Procedure) as presented in Appendix IV to this report.

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

Contaminants in Foods

Draft Maximum Levels for Tin in Canned Foods (other than beverages) and in Canned Beverages⁷

41. The Committee **adopted** the draft Maximum Levels and agreed to include them in Schedule I of the General Standard for Contaminants and Toxins in Foods (GSCTF), with the understanding that the existing maximum levels for tin in certain canned foods included in Schedule I of the GSCTF would be replaced by the adopted maximum levels.

42. The Delegation of the European Community maintained its reservation expressed at the First Session of the Codex Committee on Contaminants in Foods, stating that the proposed maximum levels for tin might lead to the PTWI set by JECFA being exceeded in certain vulnerable groups, that the maximum levels for tin should be set as low as reasonably achievable and that the technological need did not justify the proposed levels.

Proposed Draft Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Wine (N05-2006)⁸

43. The Committee **adopted** the proposed draft Code of Practice at Step 8, omitting Steps 6 and 7, with some editorial changes in the English text.

⁶ ALINORM 07/30/5; ALINORM 07/30/3; ALINORM 07/30/5A (comments of Argentina, Australian, Bolivia, Brazil, European Community, Ecuador, Guatemala, Iran, Lebanon, Mexico, Peru, United States of America, CIAA, IADSA, ISDI and WPTC); ALINORM 07/30/5A Corr. (comments of Argentina); CAC/30 LIM/3 (comments of France, Malaysia, Peru, South Africa and Sri Lanka), CAC/30 LIM/7 (comments of European Community, Guatemala, Indonesia, Philippines and Switzerland); CAC/30 LIM/12 (comments of France); CAC/30 LIM/15 (comments of Kenya); CAC/30 LIM/17 (comments of the United States of America); CAC/30 LIM/18 (comments of Honduras)

⁷ ALINORM 07/30/41, Appendix IX

⁸ ALINORM 07/30/41, Appendix VIII

Food Additives

*Draft and Proposed Draft Food Additive Provisions of the General Standard for Food Additives (GSFA)*⁹

44. The Commission noting the recommendations of the 59th Session of the Executive Committee, within the framework of the Critical Review, **agreed** that: (i) no consequential changes should be made to commodity standards at this stage when adopting food additive provisions in the GSFA, recognizing that inconsistencies would exist between the GSFA and commodity standards until the General Standard would be finalized; (ii) the food additive provisions in Annex 1 of CX/EXEC 09/59/2 be forwarded by the Codex Committee on Food Additive (CCFA) to active commodity committees as appropriate; and (iii) the CCFA give the highest priority to the completion of the GSFA.¹⁰

45. In view of the above decision and of the difficulty of the CCFA to simultaneously work on the completion of the GSFA and address the food additive provisions in the commodity standards, the Commission agreed to suspend the following decision taken at its 29th Session:

*When provision for additives for inclusion into the GSFA result in amendments to additive provisions in Codex standards, consequential amendments should be made to the relevant standards and that the report of CCFAC should include a table showing the existing food additive provisions in Codex standards.*¹¹

46. The Commission **adopted** the draft and proposed draft food additive provisions of the GSFA as proposed by the 39th Session of the CCFA, noting the reservation of the Delegation of Cuba with regard to the provisions for alitame (INS 956) in food category 01.1.2 “Dairy-based drinks, flavoured and/or fermented (e.g. chocolate milk, cocoa, egnog, drinking yoghurt, whey-based drink)”.

*Proposed Draft Amendments to the International Numbering (INS) System for Food Additives*¹²

47. The Commission noted that a number of amendments to the INS system adopted at the current session should be reflected in the food additive provisions of existing commodity standards and requested the Codex Secretariat to revise the INS numbers in commodity standards accordingly.

Fish and Fishery Products

*Draft Code of Practice for Fish and Fishery Products (Sections on Quick Frozen Coated Products, Salted Fish and relevant Definitions)*¹³

48. The Commission **adopted** the Draft Sections with the amendments proposed by the Committee on Food Hygiene to Sections 10.4 and 10.5 Processing Operations for Molluscan Shellfish and Coated Shrimp, respectively, and to Section 11.4.4 Dry Salting and Section 11.5.3 Weighing, Wrapping and Packaging.

Fresh Fruits and Vegetables

*Draft Standard for Table Grapes and its proposed draft Sections 2.1.2 - Maturity Requirements and 3.1 - Minimum Bunch Weight*¹⁴

49. The Delegation of the United States of America, while not opposing the adoption of the Standard, expressed its reservation on the provisions for maturity requirements, stating that the uniform approach applied to Section 2.1.2 and the values therein did not reflect maturity requirements for all table grape varieties and producing regions in the world.

⁹ ALINORM 07/30/12 Rev, Appendix VII

¹⁰ ALINORM 07/30/3, para. 8

¹¹ ALINORM 06/29/41, para. 42, point (ii)

¹² ALINORM 07/30/12 Rev, Appendix XIII

¹³ ALINORM 07/30/18, Appendix II

¹⁴ ALINORM 07/30/35, Appendices IV and V

50. The Commission **adopted** the draft Standard for Table Grapes at Step 8 and the proposed draft Sections 2.1.2 - Maturity Requirements and 3.1- Minimum Bunch Weight at Step 5/8, with the omission of Steps 6 and 7, for inclusion in the Standard.

Food Hygiene

Draft Guidelines on the Application of General Principles of Food Hygiene to the Control of *Listeria monocytogenes* in Foods¹⁵

51. The Commission **adopted** the Draft Guidelines on the Application of General Principles of Food Hygiene to the Control of *Listeria monocytogenes* in Foods with amendments, as proposed by Brazil and Guatemala in their written comments, to reinsert “ready-to-eat foods” in the title and to insert a reference to the *General Standard for the Labelling of Prepackaged Foods* in Section 9.3.

Food Import and Export Inspection and Certification Systems

Proposed Draft Revision to the Guidelines for Generic Official Certificate Formats and Design, Production, Issuance and Use of Certificates¹⁶

52. The Delegation of Australia, speaking as the Chairperson of the Codex Committee on Food Import and Export Inspection and Certification Systems, stated that, after a careful review of the written comments submitted, the following amendments could be taken on board with a view to improving the document:

- Amend the title to read: “Guidelines for Design, Production, Issuance and Use of Generic Official Certificates”, in order to better reflect the content of the guidelines.

- Amend the first sentence of paragraph 18 as follows to avoid translation issues with the term “trade sample”:

“A consignment consisting of a food sample intended for evaluation, testing or research in the importing country ~~may be described using a term such as “trade sample”~~ should be clearly identified according to its intended use.”

- Amend the beginning of paragraph 34 for clarification as follows:

“Where, in exceptional cases justified by ~~immediate~~ a documented public health problem concern, [...]”.

53. The Commission noted that additionally several editorial corrections to the Spanish version would be made in the final version of the text.

54. The Commission **adopted** the Proposed Draft Revision to the Guidelines at Steps 5/8, with the omission of Steps 6 and 7, with the amendments indicated above.

Fats and Oils

Draft Standard for Fat Spreads and Blended Spreads¹⁷

55. The Commission **adopted** the Draft Standard with the amendments made in the endorsement process by the Committee on Food Additives and the Committee on Methods of Analysis and Sampling. In particular, the Commission recommended that the Committee on Fats and Oils reconsider the levels of annatto extracts in fat spreads and other relevant products in existing standards to take into account the new ADIs established by JECFA.

¹⁵ ALINORM 07/30/13, Appendix III

¹⁶ ALINORM 07/30/30, para. 39 and Appendix II

¹⁷ ALINORM 07/30/17, Appendix II

General Principles

*Proposed Draft Working Principles for Risk Analysis for Food Safety for Application by Governments*¹⁸

56. The Commission briefly recalled the history of the proposed draft document which had begun as a general document on the application of risk analysis principles and had then been split into a document on *Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius*, which was subsequently adopted by the Commission at its 26th session (2003), and the proposed draft principles intended for application by governments, which had been discussed for several sessions in the Committee on General Principles (CCGP).

57. Several delegations stated that while not being opposed to the adoption of the text at Step 5, they had reservations on adopting it at Steps 5/8. They felt that while significant progress had been made in a physical working group and in the last session of the CCGP, not all comments had been taken into account and there was still room for improving the text. Some delegations, referring to the 59th Session of the Executive Committee,¹⁹ felt that the document should be circulated for comments at Step 6 to allow for more time before its finalization.

58. The Delegations of Chile, Mexico, Paraguay and South Africa expressed their reservation with respect to the procedure adopted in the CCGP, whereby comments on the proposals from the working group were not accepted, which was not consistent with the Guidelines on Physical Working Groups.

59. Many delegations and one Observer supported adoption of the Proposed Draft Principles at Steps 5/8. They expressed the view that the text was the fruit of long-lasting work in the CCGP and contained important guidance for governments to be made available to Codex members without delay. Some delegations noted that Codex was the only organisation among the “three sisters” under the WTO SPS agreement that had not as yet adopted such principles.

60. The Commission **adopted** the Proposed Draft Principles at Steps 5/8, with the omission of Steps 6 and 7. The Commission noted the reservations of the delegations of Costa Rica, Mexico, Paraguay and Thailand, who requested another round of discussion on this document before final adoption, on the decision to omit Steps 6 and 7, as well as the reservations of Argentina, Costa Rica, Paraguay and Thailand with the respect to the inclusion of the first sentence of paragraph 12 of the Proposed Draft Principles.

Coordinating Committee for Near East

*Draft Regional Standards for Canned Humus with Tehena, for Foul Medames and for Tehena*²⁰

61. The Commission **adopted** all three Standards at Step 8, with the amendments proposed by Lebanon improving the clarity of the texts, especially in Arabic, with the understanding that their sections on methods of analysis and sampling would be considered by the Commission after their endorsement by the Committee on Methods of Analysis and Sampling.

Nutrition and Foods for Special Dietary Uses

*Draft Revised Standard for Infant Formula and Formula for Special Medical Purposes Intended for Infants*²¹

62. The Delegation of Côte d'Ivoire indicated that the reference to good hygienic practice and other provisions in Section 9.5 “Information for Use” did not provide sufficiently detailed guidance for safe preparation and use of powdered infant formula and proposed to reference the recently published WHO/FAO *Guidelines on the Safe Preparation, Storage and Handling of Powdered Infant Formula*, which provided useful information for customers on safe handling and use of powdered infant formula and which had not

¹⁸ ALINORM 07/30/33 para. 89 and Appendix VIII

¹⁹ ALINORM 07/30/3, para. 13

²⁰ ALINORM 07/30/40, Appendices II, III and IV

²¹ ALINORM 07/30/26, Appendix II; ALINORM 07/30/3 para. 15

been available during finalization of the Standard by the Committee on Nutrition and Foods for Special Dietary Uses. The Representative of WHO proposed, instead, to make a reference, in the Section on Hygiene, to the WHO/FAO *Guidelines* in order to better protect infants. These proposals were supported by the Delegation of Singapore and several other delegations and observers.

63. Several other delegations and one observer pointed out that the standard had been under revision during a very long period of time, that the current text had been agreed by consensus at the last session of the CCNFSDU and that introduction of the reference to the WHO/FAO *Guidelines* might open some technical issues which should be dealt with by the Committee. It was noted that the Committee on Food Hygiene has been revising the Code of Hygienic Practice for Powdered Infant Formula for Infants and Young Children and that the WHO/FAO *Guidelines* could be fully taken into account in the revision of the Code.

64. After some discussion, the Commission agreed to **adopt** the Standard at Step 8 as proposed by the CCNFSDU with some editorial changes in Spanish and deletion of the reference to arginine in Annex I containing the list of essential amino acids, with the understanding that the section on methods of analysis would be reviewed by the next session of the CCNFSDU with a view to its submission to CCMAS for endorsement.

65. The Commission also **agreed** to request the Committee on Food Hygiene to take into account the WHO/FAO *Guidelines on the Safe Preparation, Storage and Handling of Powdered Infant Formula* when revising the Code of Hygienic Practice for Powdered Infant formula for Infants and Young Children and to invite the CCNFSDU to review the Section on Hygiene of the adopted Standard once the above Code had been finalized by the CCFH.

Processed Fruits and Vegetables

*Draft Standard for Processed Tomato Concentrates*²²

66. The Delegation of Cuba expressed concern on the technological justification for the inclusion of citric acid as an acidity regulator for this commodity. The Delegation indicated that the current Standard for Processed Tomato Concentrates (CODEX STAN 57-1981) did not contemplate the use of this additive whose addition might create a technical barrier to trade. The Delegation of the United States, speaking on behalf of the Chairperson of the Committee on Processed Fruits and Vegetables, informed the Commission that food additive provisions, including citric acid in processed tomato concentrates, had been discussed and agreed upon by the Committee and subsequently endorsed by the Committee on Food Additives.

67. The Commission **adopted** the draft Standard for Processed Tomato Concentrates at Step 8 as proposed by the Committee. The Delegations of Cuba and Egypt reserved their position on this decision of the Commission.

Pesticide Residues

*Draft and Proposed Draft Maximum Residue Limits for Pesticides*²³

68. In reply to the strong opposition expressed by the European Community and Norway on Indoxacarb (216), the WHO Secretariat of the FAO/WHO Joint Meetings on Pesticide Residues (JMPR) clarified that their concern had been considered by the JMPR in 2006. After detailed review of the relevant toxicological studies, the JMPR confirmed its previous opinion and a detailed analysis of this matter was presented at the 39th Session of the Committee, which accepted the opinion and assessment of the JMPR and recommended the advancement of the draft MRLs for adoption at Step 8.

69. The Commission **adopted** the MRLs as proposed in Appendices II and III of ALINORM 07/30/24 with the addition of the explanatory note for exclusion for the MRLs for Boscalid (221), which had inadvertently been omitted from the report of the Committee, and noted the reservation expressed by the European Community and Norway on MRLs for Endosulfan (32), Pirimicarb (101), Propamocarb (148), Fenpropathrin (185) and Pyraclostrobin (210) as presented in CAC/30 LIM/7.

²² ALINORM 07/30/27, Appendix III

²³ ALINORM 07/30/24, Appendices II and III

Methods of Analysis and Sampling

*Methods of Analysis in Codex Standards at different steps*²⁴

70. The Commission adopted the methods as proposed by the Committee on Methods of Analysis and Sampling. The Delegation of Brazil expressed its reservation on the methods of analysis for inclusion in the four Standards developed by the Committee on Processed Fruits and Vegetables and adopted at the current session and on the update of the methods in current standards for fats and oils, as mentioned in their written comments in ALINORM 07/30/5A.

Standards and related texts held at the Commission at Step 8

*Draft MRLs for Bovine Somatotropin*²⁵

71. Some delegations noted that the draft MRLs for bovine somatotropin (BST) had been held at Step 8 since the 23rd Session of the Commission in 1999 and expressed the view that the Commission needed to take action to finalise this matter in the near future. The Delegation of Chile requested that the status and procedures be defined for standards retained at Step 8.

72. The Commission noted that no request had been received to change the status of the draft MRLs for BST and therefore agreed to retain them at Step 8.

*Draft Revised Standards for: Cheddar (C-1); Danbo (C-3); Edam (C-4); Gouda (C-5); Havarti (C-6); Samsø (C-7); Tilsiter (C-11); Saint-Paulin (C-13); Provolone (C-15); Cottage Cheese (C-16); Coulommiers (C-18); Cream Cheese (C-31); Camembert (C-33); Brie (C-34); and draft Standard for Mozzarella*²⁶

73. The Commission recalled that its 29th Session had agreed to hold 16 individual cheese standards at Step 8 due to non-endorsement of their labelling provisions²⁷ and that the 35th Session of the Committee on Food Labelling had subsequently endorsed all provisions in section 7.2 “Country of Origin” as originally proposed by the Committee on Milk and Milk Products.²⁸ The Commission further recalled that the 38th Session of the Committee on Food Additives and Contaminants had not endorsed the food additive provisions for annatto extracts (INS 160b) and gluconic acids (INS 574).²⁹

74. The Commission agreed to adopt the 15 draft standards above mentioned with the amendments made in the endorsement process by the Committee on Food Additives and Contaminants. Furthermore, the Commission recommended that the Committee on Milk and Milk Products reconsider the levels of annatto extracts in individual cheese standards and in existing standards for milk products to take into account the new ADIs established by JECFA, as recommended by the Executive Committee in the framework of the Critical Review³⁰.

*Draft Revised Standard for Emmental (C-9)*³¹

75. The Delegation of Switzerland, referring to its written comments in CAC/30 LIM/7, recalled that it had always been opposed to the deletion of the reference to Switzerland as the historical country of origin of Emmental cheese in the Draft Revised Standard. The Delegation stressed that the omission of the reference to Switzerland as the historical country of origin would mislead or deceive the consumers especially since Switzerland had been recognised as the historical country of origin in the current Codex Emmental Standard since 1967. In addition, the Delegation of Switzerland opposed the establishment of a link to the question of

²⁴ ALINORM 07/30/23, Appendix III

²⁵ ALINORM 95/31, Appendix II

²⁶ ALINORM 06/29/11, para. 85 and Appendices VI, VII, IX-XII, XIV-XXII

²⁷ ALINORM 06/29/41, para. 88 and Appendix VI

²⁸ ALINORM 07/30/22, para. 16

²⁹ ALINORM 06/29/12, paras 40 and 44 and Appendix IV

³⁰ ALINORM 07/30/3, para. 16

³¹ ALINORM 06/29/11, para. 85 and Appendix XIII

unascertained goods and reiterated the opinion that individual cheese standards should be replaced by more general health-based group standards in accordance with the recommendations of the Codex *Evaluation* and the Strategic Framework. The Delegation expressed its strong opposition to the adoption of the Draft Revised Standard, unless a footnote in section 7.2 was added to indicate the country (Switzerland) in which the name “Emmental” had historically originated and the labelling provisions were dealt with separately from questions regarding unascertained goods and that no mention with regard to the nature of the names of the cheeses concerned was made or accepted.

76. Other delegations supported the adoption of the draft revised standard as submitted by the Committee on Milk and Milk Products and noted that Emmental cheese was produced all over the world and its name had become generic. It was also noted that the standard had been considered by the Committee on Milk and Milk Products on the basis of the same criteria used for the other standards for individual cheeses.

77. On the basis of the above debate, the Chairperson closed the discussion and concluded that the revised Standard for Emmental had been adopted, with the amendments made in the endorsement process by the Committee on Food Additives and Contaminants, and the strong opposition of the Delegation of Switzerland recorded in the report.

78. The Delegation of Switzerland challenged the Chairperson’s ruling and, in accordance with the General Rules of FAO, for instance Rules IX.4 and XII.16, they submitted an alternative proposal, seconded by the Delegation of Jamaica, to hold the Draft Revised Standard at Step 8 and to refer its labelling provisions in section 7.2 “Country of Origin” back to the Committee on Food Labelling for further discussion. According to the above mentioned Rules a vote was conducted on the alternative proposal made by Switzerland. The motion was put to a roll-call vote, as opposed to a show of hands, at the request of the Delegation of Switzerland, with the following results.

Votes in favour: Algeria, Angola, Armenia, Benin, Bhutan, Bulgaria, Croatia, Cyprus, Islamic Republic of Iran, Iraq, Jamaica, Lao People’s Democratic Republic, Niger, Papua New Guinea, Qatar, Romania, Rwanda, Senegal, Serbia, Sudan, Switzerland, Syrian Arab Republic, Turkey

Votes against: Argentina, Australia, Austria, Belgium, Botswana, Brazil, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Cuba, Democratic Republic of Congo, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Hungary, India, Indonesia, Japan, Kenya, Kuwait, Latvia, Lithuania, Malawi, Malaysia, Mali, Malta, Mexico, Netherlands, New Zealand, Nigeria, Norway, Oman, Paraguay, Peru, Poland, Portugal, Republic of Korea, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Tanzania, Tunisia, Uganda, United Arab Emirates, United Kingdom, United States of America, Vanuatu, Venezuela, Viet Nam, Zambia, Zimbabwe

Abstaining: Antigua and Barbuda, Czech Republic, Ghana, Iceland, Ireland, Jordan, Lebanon, Lesotho, Morocco, Panama, Thailand

Tally: 93 votes cast, 23 in favour, 70 against, 11 abstentions (majority required 47)

Result: The motion by Switzerland was not approved.

79. The ruling of the Chairperson that the Commission had adopted the revised Standard for Emmental, as per above, stood.

PROPOSED DRAFT STANDARDS AND RELATED TEXTS AT STEP 5 (Agenda Item 6)³²

80. The Commission **adopted** the Proposed Draft Standards and Related Texts at Step 5 submitted by its subsidiary bodies as presented in Appendix V to this report and advanced them to Step 6. The Commission noted that technical comments raised during the session would be referred to the relevant Committees for their consideration. The Commission encouraged members and observers that have submitted comments in writing or orally at the session to submit these comments at Step 6 of the Procedure.

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

Food Additives***Proposed Draft Guidelines for the Use of Flavourings (N03-2006) (with the exception of Section 4 and Annexes A and B)***³³

82. The Commission **adopted** the proposed draft Guidelines at Step 5 as proposed by the Committee and advanced them to Step 6, with the understanding that several translation issues in Spanish would be addressed by the next session of the Committee on Food Additives.

Coordinating Committee for Asia***Proposed Draft Standards for Gochujang and Ginseng Product***³⁴

83. The Commission agreed to defer the discussion on the proposed draft Standards for Gochujang and Ginseng Product until it had discussed the issues on the role of Coordinating Committees in developing regional standards and the conversion of regional standards into worldwide standards, as a general issue, under Agenda Item 12 (b). The Delegation of the Republic of Korea proposed to apply Proposal 8, as amended by the Executive Committee, to new work rather than to ongoing work.

84. Taking into account the outcome of the discussion under Agenda Item 12 (b), based on the recommendation of the 59th Session of the Executive Committee³⁵, the Commission **adopted** the proposed draft Standards at Step 5 as Draft Regional Standards for further elaboration by the CCASIA with a view to finalization as regional standards. The Delegation of the United States, speaking as the Vice-Chair of the Commission, reminded the Commission of the Executive Committee's commitment to develop policies concerning regional standards including their conversion into world-wide standards. The Delegation of the Republic of Korea stated that the conversion of these regional standards into world-wide standards should be actively considered after adoption at Step 8.

³² ALINORM 07/30/6, ALINORM 06/29/6A (comments of Japan (CCFA), International Alliance of Dietary/Food Supplement Associations (CCASIA), European Community, Peru (CCFFP), Argentina, Australia, Mexico, New Zealand, United States of America, International Special Dietary Food Industry (CCNFSDU), Argentina (CCFFV), International Hydrolyzed Protein Council (CCCF), Brazil (CCPFV), CAC/30 LIM-4 (comments of Guatemala, Malaysia (CCFL), South Africa (CCNFSDU), Malaysia, Peru (CCPFV), Malaysia (CCASIA), CAC/30 LIM-8 (comments of Indonesia (CCFA), Indonesia (CCASIA), Indonesia, Peru, Philippines (CCFL), European Community, Indonesia (CCPR), Indonesia (CCNFSDU, CCPFV, CCFFV), Indonesia, Philippines (CCCF), CAC/30 LIM-18 (comments of Honduras)

³³ ALINORM 07/30/12 Rev, Appendix XI

³⁴ ALINORM 07/30/15, Appendices II and III

³⁵ ALINORM 07/30/3 para. 114

Fish and Fishery Products

*Proposed Draft Standard for Live and Raw Bivalve Molluscs*³⁶

85. The Commission endorsed the recommendation of the Executive Committee that the Committee on Fish and Fishery Products consider the questions from the Committee on Food Hygiene in the development of the standard and consider the need for further scientific advice on biotoxins and **adopted** the draft Standard at Step 5 and advanced it to Step 6.

Committee on Food Labelling

*Proposed Draft Amendment to the Guidelines for Organically Produced Foods (Ethylene)*³⁷

86. Some delegations, while not objecting in principle to the use of ethylene, expressed the view that this substance should be used only in accordance with good agricultural practices and that all required conditions for use should be met in order to ensure the safety and quality of the products treated with ethylene.

87. The Commission agreed that these comments should be taken into account in the finalisation of the amendment on the inclusion of ethylene.

*Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods (Quantitative Declaration of Ingredients)*³⁸

88. The Delegation of Norway, while not objecting to the adoption of the text, expressed concern with the deletion of the provisions for added sugars in view of their importance in the perspective of the WHO Global Strategy for Diet, Physical Activity and Health and proposed that the purpose of these provisions should not be lost and should be considered further by the Committee in relation with the implementation of the Global Strategy.

*Proposed Draft Definition of Advertising in relation to health and nutrition claims*³⁹

89. The Delegation of China expressed the view that advertising should not be defined in the framework of Codex but should be left to national authorities.

90. The Commission recommended that the Committee on Food Labelling clarify in which text the definition should be included when finalised.

Pesticide Residues

*Proposed Draft Maximum Residue Limits for Pesticides*⁴⁰

91. The Commission **adopted** the draft MRLs as proposed in Appendices IV of ALINORM 07/30/24 at Step 5 and advanced them to Step 6, noting the reservations expressed by the European Community and Norway on the MRLs for Endosulfan (32). The Commission noted that the reference to “marine mammals” appearing under Thiabendazole (65) was an editorial error and should be deleted.

Fresh Fruits and Vegetables

*Proposed Draft Standard for Bitter Cassava*⁴¹

92. The Commission concurred with the recommendation of the Executive Committee to adopt the Standard at Step 5 and that, as a separate issue, the Committee on Contaminants in Foods should consider the

³⁶ ALINORM 07/30/18 Appendix V, ALINORM 07/30/3 paras 25 – 27, ALINORM 07/30/13 paras 219 – 223

³⁷ ALINORM 07/30/22 Appendix IV

³⁸ ALINORM 07/30/22 Appendix V

³⁹ ALINORM 07/30/22 Appendix VI

⁴⁰ ALINORM 03/30/24, Appendix IV

⁴¹ ALINORM 07/30/ 35 Appendix VI, ALINORM 07/30/3, paras 28 - 30

safety levels of hydrogen cyanide proposed in the Standard, with a view to a re-evaluation of cyanogenic glycosides by JECFA.

Proposed Draft Guidelines for the Inspection and Certification of Fresh Fruits and Vegetables for Conformity to Quality Standards⁴²

93. In adopting the proposed draft Standard at Step 5, the Commission recognized that the Guidelines addressed inspection, certification and sampling matters specific to fresh fruits and vegetables and therefore, agreed to forward the document to the Committees on Food Import and Export Inspection and Certification Systems as well as on Methods of Analysis and Sampling to provide observations from a horizontal perspective on certification, inspection and sampling provisions in order to ensure consistency in the approach followed on these matters within Codex.

Contaminants in Foods

Proposed Draft Maximum Levels for 3-MCPD in Liquid Condiments containing Acid-Hydrolyzed Vegetable Proteins (excluding Naturally Fermented Soy Sauce) (N08-2004)⁴³

94. The Delegations of the European Community and Norway expressed their reservation on the decision of the Commission to adopt the proposed draft Maximum Levels of 0.4 mg/kg for 3-MCPD at Step 5, stating that the maximum level for 3-MCPD should be set as low as reasonably achievable in view of possible public health concerns, that the levels lower than 0.4 mg /kg were achievable by implementing good manufacturing practices and that lower maximum levels should be considered in the light of the finalization and implementation of the Code of Practice for the Reduction of 3-MCPD during the Production of Acid-Hydrolyzed Vegetable Proteins (Acid-HVPs) and Products that contains Acid-HVPs.

REVOCAION OF EXISTING CODEX STANDARDS AND RELATED TEXTS (Agenda Item 7)⁴⁴

95. The Commission **approved** the revocation from the *Codex Alimentarius* of previously adopted texts as summarized in Appendix VI to this report.

PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 8)⁴⁵

ELABORATION OF NEW STANDARDS AND RELATED TEXTS

96. The Commission **approved** the elaboration of new standards and related texts as summarized in Appendix VII to this report. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

97. The Commission noted that project documents submitted to the 59th Session of the Executive Committee contained information that, while respecting the overall format as set out in the Procedural Manual, varied significantly in terms of quantity and quality, and therefore, endorsed the recommendation of the Executive Committee to encourage Codex committees, task forces and Codex Members to prepare future project documents according to the format set out in the current revision of the Procedural Manual and provide sufficiently detailed, relevant information with particular regard to the evidence-based assessment against each of all the Criteria for the Establishment of Work Priorities⁴⁶.

⁴² ALINORM 07/30/35 Appendix VII

⁴³ ALINORM 07/30/41 Appendix X

⁴⁴ ALINORM 07/30/7; CAC/30 LIM/10 (comments of Sri Lanka)

⁴⁵ ALINORM 07/30/8, CAC/30 LIM/6 (comments of Ghana, Malaysia and Philippines), CAC/30 LIM/10 (comments of Japan and Malaysia), CAC/30 LIM/13 (comments of Indonesia) and CAC/30 LIM/15 (comments of Kenya)

⁴⁶ ALINORM 07/30/3, para 46

Fish and Fishery Products

Revision of the Procedure for the Inclusion of Additional Species in Standards for Fish and Fishery Products

98. The Delegation of Morocco, supported by the Delegation of Chile, noting the status of the document which was for internal use by the Committee on Fish and Fishery Products, stated that there was a need for more transparency with regard to the procedures used by this Committee.

99. In view of the above, the Commission recommended that the Committee consider, upon finalisation of the document, its inclusion in the Procedural Manual and subsequent publication on the Codex website in order to enhance transparency of the processes used by the Committee.

Standard for Fresh/Live and Frozen Abalone (*Haliotis* spp.)⁴⁷

100. The Commission, while approving the proposal for new work on the revision of the Standard for Fresh/Live and Frozen Abalone (*Haliotis* spp) endorsed the recommendation of the Executive Committee that the Committee on Fish and Fishery Products consider broadening the scope of the standard to include other gastropods.

Processed Fruits and Vegetables

Sampling Plan Including Methodological Provisions for Controlling Minimum Drained Weight of Canned Fruits and Vegetables⁴⁸

101. The Commission agreed with the recommendation of the Executive Committee to amend the title by referring to canned fruits and vegetables “in packing media” as there are other canned fruits and vegetables not requiring provisions for minimum drained weight.

102. The Delegation of the United States, while not opposing to the elaboration of the proposed document, questioned the need for developing a separate sampling plan for minimum drained weight as the current, simple provisions in the relevant standards for processed fruits and vegetables had not created problems in international trade and the proposed work did not substantially advance the Codex objectives in terms of the protection of consumers’ health and fair trade practices. The Delegation stressed the need to consider carefully priorities amongst proposals for new work to be undertaken by subsidiary bodies of the Commission in view of their workload and resource limitations.

Coordinating Committee for Asia⁴⁹

Standard for Chili Sauce

103. Many delegations from Asia, referring to the recommendation of the 59th Session of the Executive Committee, supported the elaboration of a standard for chili sauce with a view to its finalization as a regional standard by the CCASIA. Its conversion into a worldwide standard could be considered after adoption at Step 8. Some other delegations from the region and from outside the region did not support the proposal because in their countries chili sauce referred to tomato-based products, not to chili pepper-based products only as suggested in the Project Document, and stated that the establishment of a Codex Standard for Chili Sauce, whether regional or worldwide, could have adverse impact on fair trade of the related products.

104. Some delegations from outside the region expressed the view that, depending on the scope to be defined for this standard, it could refer to products which were widely traded in other regions and therefore they could be interested in participating in this work. The Delegation of Mexico informed the Commission of its intention to propose new work on chili peppers at the next meeting of the Committee on Fresh Fruits and Vegetables.

⁴⁷ ALINORM 07/30/3 para. 34

⁴⁸ ALINORM 07/30/3, para 35

⁴⁹ ALINORM 07/30/3, paras 40-41

105. Given the support by the majority of the Members from Asia, the Commission **approved** the proposal for new work to elaborate a Regional Standard for Chili Sauce by the CCASIA and agreed to encourage the Committee, in undertaking the work, to take into account the comments made at the present session and seek comments and information from members belonging to other regions. The Commission also recommended that the Committee on Processed Fruits and Vegetables be informed of the status of work in CCASIA at its next session and be invited to provide its views on the need for an international standard for chili sauce. The Delegation of the Republic of Korea reserved its position on this decision of the Commission, stating that the standard should be developed as a worldwide standard.

Standard for Edible Sago Flour

106. The Delegation of Japan, while not opposing the proposal for new work, suggested that the scope of the standard should exclude sago starch, whose manufacturing process and quality factors were quite different from sago flour.

107. The Commission **approved** the elaboration of a Regional Standard for Edible Sago Flour by CCASIA.

Foods Derived from Biotechnology

Annex to the Guideline for the Conduct of Food Safety Assessment of Foods Derived From Recombinant-DNA Plants on Low-level Presence of Recombinant-DNA Plant Material

108. The Delegation of the European Community, supporting the new work, stressed that the proposed annex must be developed in parallel with the establishment of a mechanism for data sharing and information exchange to support the actions of food control authorities in situations of low-level presence of unauthorized recombinant-DNA plant materials and urged FAO to take a lead to coordinate with other relevant international organizations and stakeholders with a view to facilitating construction of such mechanism.

109. The Representative of FAO, speaking on behalf of FAO and WHO, informed the Commission of the ongoing work for the establishment of a database to be developed within FAO as part of the International Portal on Food Safety, Animal and Plant Health, and stated that the Codex Task Force on Food Derived from Biotechnology would be kept informed of the progress made on this matter.

Food Hygiene

Guidelines for the Control of Campylobacter and Salmonella spp. in Broiler (young bird) Chicken Meat⁵⁰

110. The Commission agreed to the recommendation of the Executive Committee that the scope of the new work be expanded to cover chicken meat in general, thereby deleting reference to “broiler (young bird)” in the title, and that the Committee for Food Hygiene be invited to consider re-scoping the document, as appropriate, taking into account all relevant factors including the availability of risk assessments.

111. The Commission noted that this decision would impact on the proposed work plan for the new work and might require a longer time-frame for the completion of the guidelines since the guidelines would follow a novel farm-to-fork approach based on quantitative risk assessment to the widest extent practicable; that there existed considerable scientific data and a risk assessment by JEMRA for broiler chickens but not for non-broiler chickens with different risk profiles, production and processing conditions; that a new worldwide call for scientific data for the latter category of chicken meat might be necessary before a risk assessment be conducted by JEMRA.

112. The Commission further noted that the OIE would undertake work on *Salmonella* and *Campylobacter* in broiler chickens that could contribute to this new work in the Committee on Food Hygiene.

⁵⁰ ALINORM 07/30/3 paras 43-45

DISCONTINUATION OF WORK

Committee on Food Labelling⁵¹

Guidelines for the Production, Processing, Labelling and Marketing of Organically produced Foods Proposed Draft Revised Annex 2: Table 1 (Natural Sodium Nitrate)

113. The Delegation of Chile expressed the view that the consideration of this issue in the Committee on Food Labelling had not been consistent with the criteria applicable to substances for inclusion in the Guidelines as, although all relevant scientific justification had been provided, the use of Natural Sodium Nitrate had not been accepted, although other member countries did not provide written counter arguments. The Delegation also pointed out that other substances which were not based on similar scientific data had been included in the list of permitted substances.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 9)

114. The Commission noted the extensive discussions held at the 59th Session of the Executive Committee on the Codex Budget 2006-07 and the estimates of expenditure for 2008-09⁵², on alternative funding mechanisms and on the FAO/WHO budgets for scientific advice.

Codex Budget 2006-07 and estimated budget for 2008-09⁵³

115. The Commission noted the introduction by the Secretariat of document ALINORM 07/30/9 on the budget for the current biennium (2006-07) (Table 1) and estimates of expenditure for the biennium 2008-09 (Tables 2A and 2B). The estimates were based on the assumption of two sessions of the Commission, three sessions of the Executive Committee, one session of each Coordinating Committee, and maintaining the current cost saving measures concerning publication/document distribution. Different budgetary scenarios were envisaged pending the introduction of additional languages (Russian in CCEURO and CAC; Portuguese in CCAFRICA).

116. One delegation stated that the Commission should await the outcome of the FAO Conference in November 2007 before pronouncing its view on the budget 2008-09. The Commission noted the opinion of one delegation that four sessions of the Executive Committee should be held during the next biennium in order to allow it to adequately fulfil its standards management function.

117. The Commission recalled that FAO and WHO had significantly increased their contributions to the Codex programme between the 2002-03 and 2004-05 biennia but noted further that the main expenditure of the Codex Secretariat was in Euro and Swiss Francs, against which the US dollar had weakened significantly in the same period of time, resulting in loss of purchasing power. The Commission further noted that WHO had adopted its overall budget level for 2008-09 in May 2007 whereas FAO would discuss its budget proposals only at the FAO Conference in November 2007. The Commission welcomed the commitment of the parent organisations to secure the Codex budget. In reply to requests for WHO to increase its share in the Codex budget, the Representative of WHO stated that any requests for additional resources from WHO should be well justified by a business plan based on the objectives of the Strategic Plan. The Representative further stated that the increase of one budget (e.g. Codex) might lead to a decrease in another (e.g. scientific advice) and stressed the need for a clear prioritisation of Codex work as well as further investigation of relevant cost-saving measures.

118. The Commission noted that the overall cost of the Codex undertakings was significantly higher than the figures given in document ALINORM 07/30/9 due to the fact that host governments of Codex Committees and Task Forces also provided substantial contributions through the provision of resources such as venue, translation and interpretation services.

119. The Commission noted requests from delegations for increased transparency in the expenditure of the Codex programme and welcomed the information given by the Secretariat to the 59th Session of the

⁵¹ ALINORM 07/30/22, para. 92

⁵² ALINORM 07/29/3, paras 88-106

⁵³ ALINORM 07/30/9

Executive Committee on the staff structure of the Codex Secretariat and the breakdown of chargebacks⁵⁴. The Commission further noted that the capacity of the Codex Secretariat was stretched to its limits due to the increased workload related to the annual sessions of the Commission and the newly assigned functions of the Executive Committee such as the critical review and the assessment of the applications for observer status. The Commission also noted that the need for continuously monitoring and reporting the progress made in the implementation of the Strategic Plan 2008-2013 would lead to additional work.

120. The Commission noted proposals from delegations on the possibility to make savings by outsourcing translation and printing but recalled that as the Joint FAO/WHO Food Standards Programme was administered by FAO on behalf of FAO and WHO, the Codex Secretariat had to follow FAO rules and practices in the purchase of services and goods. Any proposal to change the current arrangement would have to be reviewed as an organization-wide management issue. The Representative of FAO stressed the need to identify further cost-saving measures, such as producing outcome-based, significantly shorter reports of Codex sessions. The Commission however noted concerns of some members that this might impact negatively on the transparency of the Codex standards setting process, especially for developing countries which could not participate in all Codex sessions. The Representative of WHO informed the Commission that WHO had now outsourced many administrative tasks including printing.

121. The Commission further noted concerns of some delegations on the late availability of Codex documentation in other languages than English and problems with the quality of translations. The Commission noted the information from the Secretariat that delays in translation were often due to the complexity and tightness of the Codex session schedule especially with annual Commission sessions, limited human resources of the Codex Secretariat and late submission of government comments.

122. Some members strongly supported the use of Portuguese in CCAFRICA as a language of interpretation but not for documentation.

123. In conclusion the Commission:

- **Noted** the Codex budget proposals for 2008-09 and **expressed** its strong desire that FAO and WHO allocate, to the Codex programme, a budget level that would allow the Secretariat to conserve, at least, the same purchasing power as in the 2006-07 biennium, calling upon Codex members to voice their support to Codex in the governing bodies of FAO and WHO;
- **Requested** FAO and WHO, pending the adoption of Russian by the FAO Conference as an FAO language, to increase the Codex budget to allow the use of Russian in the Commission and in the FAO/WHO Coordinating Committee for Europe; and
- **Requested** FAO and WHO to study the possibility to add Portuguese as a language of interpretation in the FAO/WHO Coordinating Committee for Africa in line with the policy applied at the FAO Regional Conference for Africa and the WHO Regional Committee for Africa.

Consideration of alternative funding mechanisms⁵⁵

124. The Commission recalled that at its 29th Session it had requested the Secretariat to prepare a discussion paper, in collaboration with FAO and WHO, on the possibilities for more sustainable funding including through other funding sources and alternative ways of achieving it⁵⁶.

125. The Commission noted the discussion held at the 59th Session of the Executive Committee on this matter⁵⁷ and endorsed the recommendation of the Executive Committee to consider the document at its 60th Session in December 2007.

FAO/WHO budgets for scientific advice⁵⁸

126. The Commission noted the information provided by FAO and WHO, including the strengthening of their scientific activity in the area of nutrition. The Commission **expressed** its desire that FAO and WHO

⁵⁴ ALINORM 07/30/3, para. 95, CRD 9 at the 59th Session of the Executive Committee

⁵⁵ ALINORM 07/30/9-Add.1

⁵⁶ ALINORM 06/29/41, para. 150

⁵⁷ ALINORM 07/29/3, paras 88-99

⁵⁸ CAC/30 INF/3

maintain an adequate budgetary level for the provision of scientific advice and welcomed the initiative of FAO and WHO to develop adequate funding strategies for these activities supporting Codex. The Commission was informed that the Global Initiative for Food Related Scientific Advice (GIFSA), was launched at a side-event of this Commission session, allowing FAO and WHO to collect extrabudgetary contributions from members and civil society.

PROPOSED SCHEDULE OF CODEX SESSIONS (Agenda Item 10)⁵⁹

127. The Commission considered the tentative schedule that had been prepared on the basis of the information provided by host countries of Codex Committees and Task Forces. The Commission noted the changes in the dates and venues proposed for some sessions.

128. The Delegation of Mexico proposed to retain the current five-day meeting of the Coordinating Committee for Latin America and the Caribbean instead of the four-day meeting mentioned in the proposed Schedule. The Secretariat pointed out that this duration was consistent with the schedule of other Coordinating Committees, and drew the attention of the Commission to the financial implications of longer sessions in the case of Coordinating Committees as interpretation and translation were funded by the Codex budget.

129. The Delegation of Argentina stressed the importance of Coordinating Committees in order to allow developing countries to participate in Codex and therefore expressed the view that the current five days meeting should be retained so as to allow the Committee to consider all issues of importance to countries in the region.

130. The Commission noted that the final dates and venues of Codex sessions were determined by the Directors-General of FAO and WHO, in consultation with the host country, and would be indicated in formal invitations. The Commission endorsed the Proposed Schedule in principle with the above mentioned changes and noted that some further changes might be made to the schedule in the future.

STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION⁶⁰ (Agenda Item 11)

131. The Commission considered the revised draft Strategic Plan 2008 – 2013 and the relevant discussion in the report of the 59th Session of the Executive Committee (ALINORM 07/30/3), which conducted a final revision on the basis of comments forwarded by the six FAO/WHO Coordinating Committees as presented in document ALINORM 07/30/9B. The Commission noted the observations made, and agreed to some amendments as follows.

132. The Commission agreed that the term “risk-based” be replaced with “based on risk” in the first bullet point of paragraph 6, Part 1 and in Activity 1.1 of Part 2 in the English text, on the basis of a proposal from Brazil, in order to ensure consistency with the language that was already used in the Codex Alimentarius.

133. The Commission agreed to delete Activity 2.6 in Part 2 and in Table 1, Part 3 regarding the elaboration of working principles for risk analysis for food safety for application by governments, taking note of the adoption of the “Working Principles for Risk Analysis for Food Safety for Application by Governments” at its current Session (see Appendix III). The Commission, while noting the proposal from the Delegation of Cameroon to replace activity 2.6 with another activity to develop indicators to monitor the implementation of the Working Principles, agreed with the proposal of the Delegation of New Zealand to replace activity 2.6 with an alternative activity aimed at facilitating the implementation and application of the Working Principles at the national level. The Commission therefore agreed to add a new Activity 2.6 in Part 2 and in Table 1, Part 3, on the basis of a proposal by the Delegation of New Zealand (LIM 21) with a minor modification, noting the important role of FAO, WHO and Codex Members in the provision of technical assistance. The Commission noted the proposal of the delegation of Chile to include under activity 4.4. of the Strategic Plan the activities on cooperation with the WTO, as they were included in the Goals but not in the activities, however decided not to make changes in this regard.

⁵⁹ ALINORM 07/30/9A

⁶⁰ ALINORM 07/30/3 paras 72 - 87 and Appendix II, ALINORM 07/30/9B, CAC/30 LIM/21 (Proposed text from New Zealand)

134. The Delegation of Australia, supporting the adoption of the draft Strategic Plan, suggested that the Executive Committee could consider, probably at its next session, the elaboration of a biennial business plan based on the priority of work identified in the Strategic Plan, along with corresponding estimates of funding and expenditure to cover the activities foreseen in 2010 - 2011. This business plan could also be used as a basis for future requests for increased funding. The Delegation noted that this approach was already used by the International Plant Protection Convention (IPPC).

135. In regard to the concern expressed by the Delegation of Mexico, on the need to strengthen scientific advisory bodies particularly in the area of pesticide residues, the Commission, recalling the extensive discussion at the 59th Session of the Executive Committee on this issue, agreed that there was no need to amend the text of the draft Strategic Plan, noted that it was necessary to explore possible solutions to mitigate or eliminate concerns of developing countries on this matter and therefore suggested that FAO and WHO organize a tailor-made action-oriented workshop to address some of these concerns of developing countries on pesticide residue issues. Such a workshop would facilitate the understanding of the impact of the current processes followed by JMPR and CCPR in developing MRLs for pesticides and the identification of the need of developing countries.

136. The Representative of FAO stated that FAO, WHO and IAEA continued to provide capacity building activities to assist member countries in generating data as well as controlling and monitoring pesticide residues to ensure food safety. The Representative expressed their willingness to continue efforts to respond to greater needs of developing countries on this issue.

137. The Delegation of Argentina, supporting the view expressed by Mexico, suggested that an international FAO/WHO conference with all interested parties, that would take into account the concerns of developing countries, be held to explore an alternative mechanism for data generation and collection with a view to facilitating the provision of scientific advice on pesticide residues to Codex.

Status of the Draft Strategic Plan 2008-2013

138. The Commission adopted its Strategic Plan 2008 – 2013 as contained in Appendix IX to this report.

IMPLEMENTATION OF THE JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS (Agenda Item 12)

GENERAL IMPLEMENTATION STATUS (Agenda Item 12a)⁶¹

139. The Commission noted with satisfaction the status of implementation of the proposals as presented in Tables 1 and 2 of document ALINORM 07/30/9C. Five years after the Joint FAO/WHO Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards, nearly all proposals originating from the recommendations of the Joint Evaluation and endorsed by the 26th Session of the Commission had been implemented and no further action required at this juncture, except the two recommendations below which were being experimented at the committee level:

- Proposal No. 19 “Use of facilitators”; and
- Proposals No. 32 “Co-chairmanship”

140. With regard to Proposal No. 12 “Participation of observers in the Executive Committee”, the Commission noted that recent sessions of the Executive Committee had been audio-recorded and the audio-recording posted on the Codex website on an experimental basis. In view of the positive outcome of this arrangement which allowed publicizing of the proceedings of the Executive Committee, the Commission recommended that the current arrangements for audio-recording and web-posting be implemented on an ongoing basis.

141. Regarding Proposal No. 34 “Definition of Consensus”, the Delegations of Chile and Colombia expressed their reservation on the way the matter had been handled in the Committee on General Principles and expressed the wish that this matter be addressed as a high priority.

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142. The Commission acknowledged the remarkable work done by the Committee on General Principles hosted by the Government of France as well as the support so far provided by FAO and WHO in this regard. The Chairperson observed that now the Commission was fully capacitated to efficiently develop international food standards for a decade to come and stand up to new challenges.

143. The Commission noted that some work was still necessary, especially on the review of the structure and mandates of the Committees and Task Forces (see Item 12b). One delegation stated that the Commission should consider monitoring the effectiveness of the new measures taken and developing an implementation plan for any additional actions that would contribute to the goal of the Commission.

REVIEW OF CODEX COMMITTEE STRUCTURE AND MANDATES OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 12 b)⁶²

144. The Commission recalled that the 29th Session of the Commission had considered proposals put forward by the Secretariat on the structure and mandates of Codex Committees and Task Forces, had requested government comments through a Circular Letter (CL 2006/29-CAC) and had also invited FAO/WHO Coordinating Committees to provide their views on these proposals. The Commission noted that, due to time constraints, the 59th Session of the Executive Committee did not discuss in detail individual proposals as presented in CL 2006/29-CAC, with the exception of Proposal 8.

145. The Commission took note of the general comments of several members urging to further focus and expedite the work of Codex and to enhance the Committee management and standards management function of the Executive Committee. The matter was referred to the next session of the Executive Committee.

Proposal 1 (number of meetings)

146. The Delegation of Cameroon, while agreeing to the setting of upper limits, stated that they should be adopted on a temporary basis pending the improvement of the strategic planning process.

147. The Commission **agreed** to set an indicative upper limit on the number of Codex sessions planned per biennium (forty) and an indicative upper limit on the number of Codex sessions planned in one calendar year (twenty), in order to achieve a balanced session schedule within a biennium, with the understanding that these upper limits were based on the current, quite full Codex meeting schedule, but that they should be considered as indicative targets to allow for some flexibility. They would serve as a management tool to call the attention of the Executive Committee and the Commission where the number of meetings exceeded these targets.

148. The Commission recognized that an increased number of Codex meetings would have negative impact on the overall management of Codex standards setting work and on effective participation of Codex members.

149. Some delegations pointed out that the increasing number of physical working group meetings posed serious concerns and therefore suggested that the number of physical working group meetings should be closely monitored, with a view to better management of Codex work.

Proposal 2 (number of subsidiary bodies)

150. The Commission **agreed** to set an indicative target upper-limit (eighteen, excluding coordinating committees) on the number of active subsidiary bodies that could co-exist at one time, in order to avoid the increase of Codex sessions beyond a manageable level. The Commission also agreed to consider, before proposing to establish a new subsidiary body, dissolving or adjourning others, in accordance with work priorities identified by the Commission and in particular the Commission's six-year Strategic Plan.

⁶² CL 2006/29-CAC, ALINORM 07/30/9C Part II, ALINORM 07/30/9C Add.1, ALINORM 07/30/3 paras 109-118, LIM 11 (comments of Brazil, Malaysia and South Africa), LIM 14 (comments of Indonesia), LIM 16 (comments of China), LIM 20 (comments of Republic of Korea)

Proposal 3 (interval of meetings)

151. The Commission **agreed** to invite Codex committees to consider adopting a longer inter-session interval with the understanding that a structured, effective inter-session working mechanism should then be put in place in accordance with the Guidelines on Physical Working Groups and on Electronic Working Groups.

152. The Commission, referring to the recommendation under Agenda Item 10 on CCRVDF and CCFICS⁶³, noted that the intervals of meetings should be decided depending on the length of agenda as well as the use of working groups in the committees and that decision on the meeting intervals should be made on a committee-by-committee basis.

153. With regard to inter-session physical working group meetings, several delegations suggested that the number of physical working group meetings should be limited and that physical working groups should only undertake work on non-controversial issues and should not impose a limit to discussion at the committee level, and expressed concern that many physical working groups were held with a single working language. It was also proposed that physical working groups be held in conjunction with Codex subsidiary body meetings as much as possible, to save travel costs and enhance participation.

154. The Commission recalled that a wider coverage of languages was desirable in working groups and that the Guideline for Working Groups, in the Procedural Manual, clearly stated that working groups could not take any decisions on behalf of the committee that established them.

Proposal 4 (duration of meetings)

155. The Commission **agreed** that the duration of a Codex session should be kept within seven days, including the pre-session meetings of working groups, if any, in order to keep its proceedings well focused, ensure transparency, and facilitate effective participation of the members, with the understanding that a certain margin of flexibility should be allowed, depending on the workload of each subsidiary bodies.

Proposal 5 (use of ad hoc task forces)**Proposal 6 (consideration of merging or dissolving existing committees)****Proposal 7 (next comprehensive review)**

156. Due to time constraints, the Commission agreed to request the 60th Session of the Executive Committee to further consider the three proposals above.

Proposal 8 (conversion of regional standards into world-wide standards)

157. The Commission, taking into account the extensive discussion held and recommendations made at the 59th Session of the Executive Committee on Proposal 8, **endorsed** the amended Proposal 8, on a temporary basis, as follows:

“a) The commodity work of coordinating committees should concentrate on the development of regional standards, in compliance with their terms of reference. Conversion of a regional standard into a worldwide standard should, in principle, be considered after its adoption at Step 8, at the request of Codex members or a coordinating committee or at the recommendation of the commodity committee concerned, substantiated by a project document to be reviewed by the Executive Committee in the framework of the critical review, taking into account the programme of work of commodity committees concerned.

b) The proposal for new work for commodities having international trade potential should preferably be submitted through a worldwide commodity committee if such committee exists and is active, or in other cases, to the Commission through the Executive Committee.”

158. The Commission further noted that the 60th Session of the Executive Committee (December 2007) would review the outcome of a study to be undertaken by the bureau of the Commission to identify a set of draft procedures and criteria for use by the Executive Committee in its critical review process and eventually

⁶³ ALINORM 07/30/9A para. 6

by the Commission which would, amongst others, assist the Commission in streamlining its work on development of regional standards as opposed to worldwide standards and their conversion into worldwide standards.

159. The Delegation of Portugal, speaking on behalf of the Member States of the European Community, expressed the view that regional standards should not routinely be converted into world-wide standards after adoption at Step 8 and that such decision should be made on a case-by-case basis.

160. The Delegation of Cameroon stated that the principles adopted on a temporary basis should not constitute unnecessary obstacles to conversion of regional standards into world-wide standards and stressed that the standards development process by developing countries should be facilitated and encouraged as a way of enhancing their participation in the work of Codex.

Proposal 9 (relation between committees)

Proposal 10 (tasks related to nutrition)

Proposal 11 (role of private standards)

161. Due to time constraints, the Commission agreed to request the 60th Session of the Executive Committee to further consider the three proposals above.

MATTERS ARISING FROM REPORTS OF THE COMMISSION, CODEX COMMITTEES AND TASK FORCES (Agenda Item 13)⁶⁴

162. The Commission noted several matters arising from the reports of Codex Committees, including those matters arising from the previous session of the Commission, as contained in working documents ALINORM 07/30/9D and ALINORM 07/30/9D-Add.1.

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

29th Session of the Codex Alimentarius Commission

Revision of WHO Guidelines for Drinking Water Quality⁶⁵

164. The Commission recalled that the completion of the revision of the WHO Guidelines for Drinking Water Quality (Third Edition, 2004) resulted in discrepancies of the values of certain health related substances between the Codex Standard for Natural Mineral Waters (CODEX STAN 108-1981) and the above WHO Guidelines. The Commission also recalled that an in-session working group chaired by Switzerland, acting as host country for the Committee on Natural Mineral Waters, had met during its present session to review the written comments received and provide recommendations to the Commission on whether the amendment to the Codex Standard on Natural Mineral Waters was necessary and, in the affirmative, how to proceed.

165. The Commission **endorsed** the conclusions of the working group presented in document CAC/30 LIM/19 that:

- the health-related limits for certain substances in the Codex Standard on Natural Mineral Waters should be reviewed and amended as necessary;
- this review and amendment should consider substances listed in the Annex to the Codex Circular Letter CL 2006/13-NMW on a case-by-case basis; and

⁶⁴ ALINORM 07/30/9D; ALINORM 07/30/9D-Add.1; CAC/30 LIM/06 (comments of Ghana); CAC/30 LIM/10 (comments of Malaysia); CAC/30 LIM/13 (comments of Brazil, European Community and Vietnam); CAC/30 LIM/18 (comments of Honduras)

⁶⁵ CL 2006/13-NMW; ALINORM 07/30/9D (comments of Australia, Brazil, Canada, Costa Rica, European Community, Norway, Paraguay, Peru, United States, Vietnam, ICBA, ICBWA); ALINORM 07/30/9D-Add.1 (comments of Mexico); LIM 19 (Report of an intrasessional working group of the Codex Alimentarius Commission on the Need to for Amendment of Health Related Substances in the Standard for Natural Mineral Waters)

- due to the complexity of issues involved, it would be difficult to reach agreement on the alignment of certain health related substances in the Codex Standard for Natural Mineral Waters working by an electronic working group or by correspondence.

166. The Commission therefore **agreed** that:

- work should be initiated through a Circular Letter, seeking further comments on each of the substances listed in the Annex of CL 2006/13-NMW including new discrepancies between the health-related limits for certain substances in the Codex Standard and the current version of the WHO guideline values for chemicals of health significance in drinking water;
- the Committee on Natural Mineral Waters (CCNMW) should be reactivated with a scope necessary to the review and amendment outlined above, in the light of comments already received and comments to be received in reply to the new Circular Letter; and
- the CCNMW should complete this task in no more than two sessions, and should propose a revised Section 3.2, "Health-related limits for certain substances" of the Codex Standard for Natural Mineral Waters for final adoption by the Commission at its Session in 2009.

167. The Delegation of Switzerland informed the Commission that a session of the CCNMW could be convened in Switzerland, in February 2008, with the exact dates and venue to be determined by the Host Government and the Codex Secretariat in due course.

Committee on Food Hygiene

The Use of the Lactoperoxidase System for Milk and Milk Products in International Trade⁶⁶

168. The Commission recalled that, during the adoption of the Code of Practice for Milk and Milk Products at its 27th Session, it had added as footnote 9 that the use of the lactoperoxidase system for milk and milk products would be examined by the Committee on Food Hygiene following the completion of an expert review by FAO and WHO of available data and considering the FAO Lactoperoxidase Expert Group Report about potential risks and benefits of lactoperoxidase.

169. The Commission was informed that the Committee on Food Hygiene had examined the issue as requested, based on the conclusions and recommendations of the FAO/WHO Technical Meeting on the Benefits and Potential Risks of the Lactoperoxidase System of Raw Milk Preservation (Rome, Italy, 28 November – 2 December 2005), but that it could not reach consensus because of the divergent views held by members on the recommendation for the removal of the restriction on the use of the lactoperoxidase system in milk and milk products intended for international trade as agreed to by the 19th Session of the Commission.

170. The Delegation of Cuba, supported by several other delegations, requested the removal of the restriction since the FAO/WHO Technical Meeting on the Benefits and Potential Risks of the Lactoperoxidase System of Raw Milk Preservation mandated by the Commission had taken place and had concluded that the lactoperoxidase system was safe if used in accordance with the *Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System* (CAC/GL 13-1991) and had recommended that this restriction be lifted.

171. The Delegation of the United States of America opposed the removal of the restriction and raised their concern that the technical meeting had mainly based their decisions on toxicological data, but had not considered literature that suggested that reduced rates of acid production might result in the possibility of outgrowth of pathogens, particularly acid-resistant strains of pathogens.

172. The Delegation of Singapore questioned the addition of chemicals to raw milk as this could constitute an adulteration of milk and questioned the safety of the chemicals used to activate the lactoperoxidase system in milk.

173. The Representatives of WHO and FAO emphasized the recommendations of the technical meeting, based on assessment of all available data, that the lactoperoxidase system was safe for use if used in accordance with CAC/GL 13-1991 and that there was a scientific basis for Codex to consider the removal of

⁶⁶ ALINORM 07/30/13, paras 29-32 and 188-195

the restriction on the international trade of milk and milk products treated with the lactoperoxidase system. It was further explained that the technical meeting had considered the issue of the lactoperoxidase system not only from a human health and nutrition perspective, but also from microbiological, processing and economic perspectives.

174. The FAO JECFA Secretariat further clarified that the 29th and 35th Sessions of JECFA had evaluated hydrogen peroxide and thiocyanate used to activate the lactoperoxidase system and had concluded that at the levels used, these chemicals did not pose a hazard to human health, but that thiocyanate could have a toxicological effect if iodine intake was not adequate and that the reports of these sessions of JECFA had been taken into account by the FAO/WHO technical meeting.

175. In view of the diversity of views and lack of consensus, the Commission **agreed** to refer the matter back to the Committee on Food Hygiene and to request, by Circular Letter, government comments that would facilitate the identification of additional information regarding the potential risks in respect of the lactoperoxidase system, for consideration by the Committee on Food Hygiene. The Committee on Food Hygiene would then evaluate all available evidence regarding the safety of the lactoperoxidase system when used in accordance with the *Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System* (CAC/GL13). The Committee should take into account the report of the FAO/WHO technical meeting and all other information submitted in response to the Circular Letter. The Commission agreed to remove footnote 9 from the Code of Hygienic Practice in Milk and Milk Products in view of the discussions that had taken place in the Committee on Food Hygiene.

176. The Delegations of Cuba, Colombia, Costa Rica and Burundi expressed their reservations on the decision to refer the matter back to the CCFH, observing that there was sufficient scientific evidence allowing the Commission to take a decision on the removal of the restriction.

177. The Commission also noted the concern of the Delegation of Cuba that the Delegation had not been able to attend the last session of the Committee on Food Hygiene held in the United States of America and that this matter was being addressed through channels outside Codex.

Committee on Sugars

Codex Standard for Sugars: Consideration of Method for determination of Colour in Plantation and Mill White Sugar⁶⁷

178. The Commission recalled that, while adopting a change of the method for determination of colour in the Codex Standard for Sugars (CODEX STAN 212-1999), the 24th Session of the Commission had requested the Committee on Sugars to examine whether a change in the method of analysis for the determination of colour might require a change in the specification of colour for plantation and mill white sugar. The Commission also recalled that, following the ICUMSA review of the methodology for colour determination and subsequent analysis of comments received in response to the CL 2006/32-CCS, the Committee on Sugars proposed to change the method of determination of colour for all sugars including plantation or mill white sugar without making a change to the colour specification for plantation and mill white sugar.

179. The Delegation of Brazil referred to its comments in CAC/30 LIM/13 and reiterated its concern with the recommendation of the Committee on Sugars to exclude the method GS2/3-9 currently extensively applied in Brazil.

180. After some discussion, the Commission **agreed** to forward the recommendations of the Committee on Sugars contained in document ALINORM 07/30/9D and the written comments submitted on this matter in CAC/30 LIM/13 to the Committee on Methods of Analysis and Sampling for their consideration and endorsement of methods of colour determination for all sugars, with a view to adopting it by the 31st Session of the Commission in 2008.

⁶⁷ ALINORM 07/30/9D, paras 9-14; CL 2006/32-CCS; CAC/30 LIM/13 (comments of Brazil and European Community)

Committees on Nutrition and Foods for Special Dietary Uses and on Food Labelling

*WHO Global Strategy on Diet, Physical Activity and Health: actions that could be taken by Codex*⁶⁸

181. The Commission recalled that the background to the consideration of the Global Strategy was as follows. WHA Resolution 57.17 endorsing the Global Strategy requested the Codex Alimentarius Commission “to continue to give full consideration within the framework of its operational mandate, to measures which it might take to contribute towards the improvement of health standards of foods consistent with the aims and objectives of the Global Strategy.”

182. The 28th Session of the Commission agreed to ask WHO, in cooperation with FAO, to prepare a document focused on actions that could be taken by Codex including specific proposals for new work for consideration by the Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) and the Committee on Food Labelling (CCFL).

183. The 29th Session of the Commission considered a progress report on the consideration of the Global Strategy and agreed that WHO and FAO would complete a document containing concrete proposals for possible actions by Codex that would be circulated for comments and consideration by the CCNFSDU and CCFL.

184. The Representative of WHO recalled that the document on the implementation of the Global Strategy contained a series of proposed actions related to nutrition labelling, certain nutrition claims, quantitative declaration of ingredients, modification of standardized foods and production and processing standards regarding nutritional quality and safety of foods. The Representative thanked the members who had provided comments and participated in the work of the two Committees concerned for their active contribution and indicated that WHO and FAO planned to strengthen their interaction with the Committees concerned as regards the implementation of the Global Strategy. The Representative indicated that WHO and FAO would make every effort to inform these Committees of the scientific advice currently being produced by WHO and FAO and of any plans for relevant scientific work which may affect the implementation of the Global Strategy, including the planned FAO/WHO Expert Consultation on Fats and Oils in Human Nutrition.

185. The Representative of FAO expressed his appreciation for the work carried out so far and looked forward to further consideration of the Global Strategy in the relevant Codex Committees, while recalling the ongoing cooperation with WHO in this area.

186. The Delegation of Germany, speaking as Chair of the CCNFSDU, stressed the importance of the Global Strategy to address public health issues related to non communicable diseases and indicated that the Committee had agreed to proceed with the consideration of the revision of the Nutrient Reference Values (NRVs) for vitamins and minerals and to ask the advice of the Committee on Food Labelling concerning the revision and extension of the list of NRVs in the Guidelines for Nutrition Labelling to other nutrients associated with increased and decreased risk of non communicable diseases. The Committee had agreed that if this reply was positive it would consider new work on the revision and extension of the list to relevant nutrients at its next session. The Delegation noted that there was no support in the Committee to initiate work on claims for trans fatty acids and restrictions on saturated and trans fatty acids in the conditions for comparative claims.

187. The Delegation of Canada, speaking as Chair of the Committee on Food Labelling, recalled that the Committee had discussed extensively the proposals for action related to labelling issues, with the following result: there was no support for the amendment of the Purpose of the *Guidelines on Nutrition Labelling*, no conclusion on the need to amend the *Guidelines* to require mandatory nutrient declaration, on the revision of the current list of nutrients that should always be declared, and on the development of additional criteria for nutrient presentation. There was no support to undertake new work on nutrition claims for trans fatty acids. The Committee had agreed with the proposal of the CCNFSDU to revise the list of vitamins and minerals but had not reached a conclusion on the extension of the list to other nutrients. The Delegation further advised that a working group would be held immediately prior to the next session of the Committee in May 2008 to consider all issues relevant to the draft action plan.

⁶⁸ ALINORM 07/30/26, paras. 144-147, ALINORM 07/30/22, paras. 20-64, CAC/30 INF/13 (Progress Report on the Implementation of the WHO Global Strategy on Diet, Physical Activity and Health as related to Codex)

188. The Commission **agreed** that it would defer further consideration of the implementation of the Global Strategy to its next session in order to consider the outcome of the Committee on Food Labelling to be held in May 2008.

Committee on Methods of Analysis and Sampling

Reference to the IUPAC/ISO/AOAC Protocols and Guidelines⁶⁹

189. The Commission noted the reply of the Committee on Methods of Analysis to the request for clarification at its 29th Session as to whether the above Protocols and Guidelines should be identified separately. The Commission therefore **agreed** to replace the current single reference to *Food Control Laboratory Management Recommendations* (CAC/GL 28-1995) with individual references to the following texts:

- International Harmonised Protocol for the Proficiency Testing of (Chemical) Analytical Laboratories (1995, revised 2006)
- Protocol for the Design, Conduct and Interpretation of Method Performance Studies (1997)
- Harmonised Guidelines for Internal Quality Control in Analytical Chemistry Laboratories (1997)

Committee on Fats and Oils

Linolenic Acid Level for the Standard for Olive Oils and Olive Pomace Oils⁷⁰

190. The Commission recalled that its 26th Session had adopted the Standard for Olive Oils and Olive Pomace Oils without a level for linolenic acid and with a footnote stating “Pending the result of the IOOC survey and further consideration by the Committee on Fats and Oils, national limits may remain in place”. The Commission was informed that the Committee had considered the above survey and agreed to circulate a Proposed Draft Linolenic Acid Level in Section 3.9 of the Standard with a footnote, as a proposed draft amendment to the Standard at Step 3. The Commission noted the Committee had resumed its work on the Standard for Olive Oils and Olive Pomace Oils and encouraged the Committee to solve the issue of the level of linolenic acid.

Committee on Contaminants in Foods

Amendments to Schedule I of the General Standards for Contaminants and Toxins in Foods⁷¹

191. The Commission **adopted** the following amendments to Schedule I: i) deletion of references ‘CS 248-2005’ and their replacement by the adoption year ‘2005’; ii) reorganization of contaminants into the following four categories: metals, mycotoxins, other chemicals and radionuclides, as proposed by the Committee.

Guideline levels for Methylmercury in Fish

192. The Commission recalled that its 29th Session⁷² had requested FAO and WHO for scientific advice on the health risks associated with methylmercury and dioxins and dioxin-like PCBs in fish and the health benefits of fish consumption. The Representative of FAO, speaking on behalf of FAO and WHO, informed the Commission that a step-wise preparatory process was being taken, given the complex nature of the issue and the need for innovative principles and methodology. The Representative indicated that, possibly at a first stage, FAO and WHO would consider conducting qualitative risk-benefit assessment of fish consumption, specifically addressing issues related to the impact of methylmercury exposure on women of child-bearing age and at a later stage, conducting quantitative assessment including the intake of dioxin and dioxin-like PCBs, taking into account consumption of fatty fish, considered as a significant source of beneficial fatty acids.

⁶⁹ ALINORM 07/30/23, paras 16-17, ALINORM 06/29/41, paras 197-198

⁷⁰ ALINORM 03/30/17, para. 107, Appendix VII

⁷¹ ALINORM 07/30/41, para. 46

⁷² ALINORM 06/29/41 para.195

Committee on General Principles

*Proposed Draft Code of Ethics for International Trade in Food*⁷³

193. The Commission recalled that during the ongoing revision work of the existing Code, the Committee on General Principles (CCGP) had requested the Committee on Food Import and Export Inspection and Certification Systems (CCFICS) to evaluate if part of the elements of the present Code were covered by existing texts in the Codex Alimentarius developed by the CCFICS or if these texts could be expanded accordingly. The CCFICS had found that some of the elements were covered by the existing texts and had additionally forwarded three recommendations to the CCGP. When deciding to circulate the Proposed Draft Revised Code of Ethics for International Trade in Food for comments at Step 3, the CCGP at its last session also decided to forward the recommendations from the CCFICS to the Commission for endorsement.

194. The Commission, bearing in mind the difficulties encountered by member countries with insufficient capacity for food import and export control, **decided** to:

- encourage member countries to further implement the provisions in existing Codex guidelines on food import and export inspection and certification systems related to the subsequent export of food, whether imported or produced domestically, that had been found to be unsafe or unsuitable;
- encourage FAO, WHO and other international organizations to give priority to providing technical assistance to member countries with insufficient capacity for establishing and implementing food import and export control systems; and
- encourage those member countries with insufficient control systems to give priority in their capacity building/technical assistance needs assessments to the issue of import control systems.

195. The Commission noted an intervention from the Representative of WHO that bilateral donor agencies should also be encouraged to provide technical assistance for establishing and implementing food import and export control systems.

*Procedures for the Elaboration of Codex Standards and Related Texts*⁷⁴

196. The Commission recalled that at its 27th Session it had referred a number of comments from India on the *Procedures for Elaboration of Codex Standards and Related Texts* to the CCGP. The CCGP at its 22nd Session agreed that the Delegation of India would prepare a discussion paper providing the objectives and rationale for the proposed changes to the Elaboration Procedure. At its 23rd Session, the CCGP briefly discussed the paper but considered that it was yet premature to request approval of the Commission to initiate new work on these subjects. The 24th Session of the Committee held an in-depth discussion on the basis of document CX/GP 06/23/6 Part-I and agreed to forward the content of the discussion on the Procedure for the Elaboration of Codex Standards and Related Texts to the Commission for further advice on how this work could be pursued and in which forum.

197. The Commission considered the proposals contained in the above-mentioned document one by one, as follows.

Reference to decisions taken by consensus in the Elaboration Procedure, including a definition of that term

198. The Commission noted that the definition of consensus and how the concept was handled in practice in Codex was considered an important issue by many members, to be further discussed as a matter of priority within the CCGP.

199. After some discussion as to how best to prepare for discussions at the forthcoming session of the CCGP in 2009 with due input from the Chairpersons of Codex subsidiary bodies, while ensuring transparency and inclusiveness, the Commission **agreed** that:

⁷³ ALINORM 07/30/33, paras 106-107

⁷⁴ ALINORM 07/30/33, paras 116-130

- The issue be discussed by the 60th Session of the Executive Committee (December 2007), including how to request chairpersons of Codex subsidiary bodies to provide their input on the matter and especially their experiences with the application of the *Measures to Facilitate Consensus*;
- The Secretariat compile the replies from the chairpersons into a discussion paper and circulate it to members and observers at the earliest possible time in the second half of 2008, in order to allow for ample time for reflection and the preparation of comments and proposals by Codex members for discussion of the issue at the 25th Session of the CCGP in April 2009.

200. The Commission noted that this process would not prevent the matter from being discussed at the 61st Session of the Executive Committee and the 31st Session of the Commission if the members so wished.

Elaboration of provisions on how to take into account the situation of developing countries within the Critical Review

201. The Commission confirmed that the special needs of developing countries had already been taken in the current Elaboration Procedure, particularly its Part 2 “Critical Review” and in the *Criteria for the Establishment of Work Priorities* and that no new work was necessary on this matter.

Scope of the Critical Review including the basis of the decision to entrust work to a Committee other than the one to which it had originally been entrusted

202. The Commission confirmed that as per the explanation of the Secretariat provided at the 24th Session of the CCGP⁷⁵, no further discussion on this matter was necessary.

Committee on Food Additives

Codex General Standard for Food Additives – Food Category 02.2.1.2

203. The Commission noted that the new work on the revision of the Food Category System (FCS) of the Codex General Standard for Food Additives (see Appendix VII) addressed the need to ensure better correspondence of the FCS and the products covered by the adopted Standard for Fat Spreads and Blended Spreads (see Appendix IV). In view of the revocation of the Codex Standard for Margarine (see Appendix VI), which had covered the products that were now included in the newly adopted Standard, the Commission agreed to delete food category 02.2.1.2 “Margarine and similar products” from the Annex to Table 3 of the General Standard for Food Additives.

Codex General Standard for Food Additives – Food Category 02.1.1

204. The Commission agreed to adopt the amendment to food category 2.1.1 “Butter oil, anhydrous milkfat and ghee” of the Codex General Standard for Food Additives, as proposed by the Committee on Food Additives.

Committee on Pesticide Residues

Enforcement of Codex MRLs at National Level⁷⁶

205. The Commission recalled that the issue of enforcement of Codex MRLs at national level had been discussed by the Committee on Pesticide Residues where many member governments expressed their concerns that some countries were imposing stricter MRLs than those in the Codex Alimentarius without sufficient scientific justification and that this impeded trade for developing countries.

206. The Secretariat confirmed that the enforcement of Codex standards including MRLs was an issue outside the mandate of the Commission and indicated that possible venues for considering this issue were the FAO/WHO Regional Coordinating Committees, where this matter could be considered under the standing agenda item “Information on Use of Codex Standards at National and Regional Level”, or the WTO SPS Committee that regularly monitored the use or non use of international standards including Codex standards and related texts.

⁷⁵ ALINORM 07/30/33, para. 129

⁷⁶ ALINORM 07/30/24, paras 204-211; ALINORM 07/30/3 para.80; CAC/30 LIM/13 (comments of European Community)

207. The Observer from WTO, referring to the relevant provisions of the SPS Agreement in this area, in particular, Article 3 and Article 12, pointed out that the SPS Agreement strongly encouraged the use of international standards by WTO members and that the SPS Committee had developed a procedure to monitor the use of international standards, in accordance with Article 12.4.

208. Some delegations stressed the importance of further consideration of this matter, expressing the view that technical assistance was necessary for developing countries to overcome this problem.

209. The Commission noted that the lack of capacity to generate scientific data by developing countries, especially with regard to pesticide MRLs, had been discussed at the 59th Session of the Executive Committee which had noted a proposal made by the Member for Latin America and the Caribbean to include an additional activity which would address the strengthening of scientific advisory groups, to improve their efficiency as well as to equip them with necessary resources, particularly in the area of pesticide residues. The Commission noted that the concerns expressed in relation to this proposal were related amongst others to the lack of capacity to generate scientific data in developing countries and that some of these concerns might best be addressed outside Codex, for instance, through international FAO/WHO workshops on pesticide residues. The Commission further noted that this matter had been addressed in Activity 1.7 under Goal 1 of the Strategic Plan 2008 -2013.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 14)

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS (Agenda Item 14a)⁷⁷

Relation between Codex and the World Organisation for Animal Health (OIE)

210. The Commission was reminded that at its 28th Session it had endorsed the recommendations of the 55th Session of the Executive Committee related to the collaboration between Codex and OIE and that the effectiveness of cooperative arrangements between Codex and OIE in accordance with the recommendations should be reviewed by the 30th Session of the Commission with a view to considering if further arrangements would be necessary or desirable, including those provisions mentioned in paragraph 13 of the *Guidelines on Cooperation with International Intergovernmental Organizations*.⁷⁸

211. The Observer from OIE, referring to the written submission, drew the attention of the Commission to two main points: the framework for cooperation between OIE and Codex, and the organisation of an international Conference addressing both OIE and Codex standards on traceability and their implementation at the national level.

212. With regard to the current framework for cooperation between OIE and Codex, he explained that OIE had been involved in consultations with Codex, FAO and WHO since 2001 with a view to improving the coordination of standards setting activities. He highlighted that the cooperation between OIE and Codex had produced over the present years positive results through the exchange of information and the cross-referencing between the respective international standards. He indicated that good examples of collaboration in the development of standards included texts produced by the two organizations regarding meat inspection and animal/product identification and that there was still room for further improvement.

213. The Observer stated that it would be appropriate to formalize the relationship between OIE and Codex by strengthening the legal basis for the production of international standards, including the development of joint OIE-Codex standards, where appropriate. He encouraged the Commission to recommend that OIE, FAO and WHO legal services work together with a view to eventually updating their existing mutual cooperation agreements to enable the establishment of a formal agreement between OIE and Codex.

214. On the second point, the Observer informed the Commission of the OIE's plan to hold an international Conference in 2009 in Argentina on the implementation of OIE standards on identification and traceability of live animals. He invited the Commission to consider broadening the scope of the Conference by including

⁷⁷ ALINORM 07/30/9E; CAC/30 INF/4 Rev.1 (OIE); CAC/30 INF/5 (WTO); CAC/30 INF/6 (IAEA); CAC/30 INF/7 (OIV)

⁷⁸ ALINORM 05/28/41, paras 201-203

Codex standards thus covering the entire food chain and invited FAO and WHO to work together with OIE to organise the event.

215. The Representative of the Legal Counsel of FAO, in presenting the common view of the Legal Offices of FAO and WHO, stated that Codex, despite its functional autonomy, was a statutory body of the parent organizations FAO and WHO and could only act through its parent organizations as regard its relations with external organizations. He informed the Commission that Codex had no legal capacity to conclude agreements and to be, in its own right, directly a party to any agreement or any contractual arrangement and that any agreement concerning Codex, if the need would arise, would necessarily be between FAO and WHO, on the one hand, and OIE, on the other hand. The Representative further stated that OIE was currently a party to agreements with both FAO and WHO and that these agreements provided a broad framework under which a wide range of cooperation activities could be carried out. He indicated the need to identify all practical issues that deserve special and specific treatment and clearly identify problems that hindered practical collaboration between Codex and OIE, with due consideration being paid to the status of FAO and WHO as organizations of the United Nations System.

216. Many delegations expressed their support for further strengthening the collaboration between Codex and OIE. Views expressed included: that there was a need for more consistency between Codex and OIE texts in order to ensure a coordinated approach to food safety throughout the food chain; that collaboration between veterinary and public health services needed to be strengthened to enhance food safety; that bilateral agreements between OIE and FAO/WHO currently in place needed to be modified to foster more systematic collaboration between Codex and OIE; that there were many areas of common interest for Codex and OIE including traceability, salmonellosis, certification, antimicrobial resistance; that there was a need to ensure more consistency in the decision-making process and standards between Codex and OIE; that collaboration between Codex and OIE needed to be strengthened also at national and regional level; and that the *Guidelines on Cooperation with International Intergovernmental Organizations* provided adequate guidance to ensure good collaboration between Codex and OIE and there was no need to review the current arrangements for cooperation.

217. In response to the statement made by the Representative of the Legal Counsel of FAO, the Observer from OIE indicated the lack of a specific reference to Codex in the WHO-OIE Agreement as one of the problems to be addressed to further strengthen the collaboration between Codex and OIE.

218. The Commission concluded its discussion by noting the ongoing substantial cooperation between Codex and OIE and recognised the need to further strengthen this collaboration on substantive matters.

219. The Commission **recommended** that FAO and WHO study the possibility of reviewing or updating FAO and WHO Agreements with OIE, as might be required. It also **requested** the Codex Secretariat to identify, in cooperation with the Legal Offices of FAO and WHO, any practical problems affecting the cooperation between Codex and OIE that might need to be addressed in a pragmatic manner, and taking into account all relevant circumstances.

220. With regard to the planned OIE Conference on traceability, the Commission noted that such event could best be organised in collaboration with FAO and WHO. It was also noted that the experts having Codex background could usefully participate in the planned Conference to keep informed the Commission and its subsidiary bodies on relevant development in order to facilitate the participation of those interested at this important event.

World Trade Organization (WTO)

221. In addition to the information provided in CAC/30 INF/5 on the work of the World Trade Organisation (WTO), the Observer from WTO informed the Commission of a number of other issues, especially those from the SPS Committee which had met just prior to this session of the Commission. The Observer highlighted four areas related to transparency, private standards, the second review of the implementation of the SPS Agreement, and technical assistance.

222. In particular, the Commission was informed that a workshop on transparency was scheduled for 15 October 2007 and that members were invited to submit proposals regarding possible modification to the Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement for consideration at the workshop and at subsequent Committee meetings and that one proposal already under discussion suggested that WTO members notify all new or modified sanitary and phytosanitary measures of trade significance, whether or not they conformed to international standards. In addition, the Commission noted that there were ongoing discussions on private standards in the SPS Committee, that an information

session had been held on 25 June 2007 on this matter and that the presentations were available on the WTO webpage (www.wto.org).

223. The Commission also noted that the SPS Committee, in the context of the second review of the implementation of the SPS Agreement, decided to give priority to the consideration of two issues: the use of *ad hoc* consultations and the relationship between the SPS Committee and Codex, OIE and IPPC.

224. With regard to technical assistance, the Commission noted the expression of thanks to the Codex Secretariat for their participation in and contribution to WTO regional workshops on the SPS and TBT Agreements as well as specialised courses on the SPS Agreement.

225. The Delegation of Chile emphasized the importance of the coordination between Codex and WTO in particular to cooperate in the monitoring use of international standards in relation to harmonization. The Delegation requested that Codex should continue its contacts with NGOs, considering that a number of private standards had a bearing on Codex standards.

International Atomic Energy Agency (IAEA)

226. The Commission noted the information provided in CAC/30 INF/6 and thanked the IAEA for the information.

The International Organisation of Vine and Wine (OIV)

227. The Observer from OIV, referring to the information provided in CAC/30 INF/7, highlighted the cooperation of OIV with Codex on a number of issues. These included work on the Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Wine and the Standard for Table Grapes, both adopted at this session of the Commission.

228. The Commission also noted that the OIV at its General Assembly in June 2007 had taken into account different principles established by the Commission through the Committee on Food Import and Export Inspection and Certification Systems in the elaboration of the OIV draft resolution related to traceability guidelines in the vitiviniculture sector.

229. The Commission **expressed** its thanks to the Observers of the intergovernmental organizations for the useful information provided in the present session and their continued cooperation with the Codex Alimentarius Commission.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS (Agenda Item 14b)⁷⁹

230. In accordance with section 6, paragraph 4 of the *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission*, the Secretariat reported to the Commission on the relations between the Commission and international non-governmental organizations.

Relations with the International Organization for Standardization (ISO)

231. The Commission noted the detailed information provided in document CAC/30 INF/8 on the work of ISO relevant to Codex work as well as the ongoing contacts for information exchange between the Codex and ISO Secretariats.

232. The Observer from ISO expressed the hope that through ongoing coordination and cooperation, Codex and ISO standards could remain complementary. The Observer informed the Commission of the recent creation of ISO/TC 234, "Fisheries and Aquaculture" and the publication of a joint ISO/ITC handbook on ISO 22000 to assist small businesses, especially in developing countries and transition economies, in their effort to improve their market share of food and agricultural products in the global market.

233. Several delegations stressed the importance of maintaining and strengthening coordination and cooperation between Codex and ISO both at the secretariat level as well as between Codex Contact Points

⁷⁹ ALINORM 07/30/9E, CAC/30 INF/2 (International non-governmental organization in observer status with the Codex Alimentarius Commission); CAC/30 INF/8 (Communication from ISO – Report of Activities Relevant to Codex)

and national member bodies of ISO in order to ensure the complementarity of the work carried out and to avoid duplication of work or contradiction in the standards. One delegation suggested that the cooperation should not be limited to the technical committees but also apply to the policy committees of ISO such as the Committee on Conformity Assessment (CASCO).

234. The Commission **supported** continued cooperation and coordination with ISO and agreed that the Codex Secretariat should maintain its contacts with ISO and continue to report regularly to the Commission on ISO activities of relevance to Codex work. The Commission also **supported** increased coordination and cooperation between the focal points of Codex and ISO at the national level.

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 15)⁸⁰

235. The Representative of WHO, on behalf of FAO and WHO, expressed their appreciation to the generous contribution from donor countries to the Trust Fund and drew the attention of the Commission to the additional study carried out in 2007 focusing on the impact of the Trust Fund on enhanced trade opportunity and the strengthening of national food safety institutions. The Representative noted that the study also contained several recommendations to improve the effectiveness of the Trust Fund, including the more support to activities at national level, which could lead to enhanced participation in Codex meetings and better implementation of Codex standards and related texts at national level.

236. Many delegations stated that the increased participation in Codex meetings achieved thanks to the Trust Fund had had various positive impacts in their countries, which could be further amplified if paralleled with capacity building activities to strengthen food safety legislation and enforcement. In this regard, the Commission noted that capacity building activities provided through the Trust Fund were restricted to those for the purpose of better participation in Codex meetings and that capacity building in the area of food safety in general would better be sought by other means, including through bilateral technical assistance and the Standards and Trade Development Facility.

237. The Delegation of Cameroon suggested that a midterm review of the Trust Fund should be considered to follow up on the matters identified in the first biennial review and that two-thirds of the funds should be targeted at the capacity building.

238. Some delegations expressed concern on the current criteria for the classification of eligible countries because they believed that the current classification primarily based on economic indicators did not correctly reflect the need and capacity of each country. The Representative of WHO responded that the selection criteria were under review while the basic principle would continue to be giving higher support to countries with larger difficulties in participating in the Codex process.

239. The Commission expressed its appreciations to the effort being made by FAO and WHO and to the donors making financial contribution. The Commission encouraged current donors to continue to provide funds to the Trust Fund and invited other countries to consider contributing to the Fund in order to ensure its sustainability, welcoming the move of Brazil and Malaysia to make contributions to the Fund.

OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 16)⁸¹

Part I: Outcomes of Recent FAO/WHO Expert Meetings

240. The Representative of FAO, on behalf of FAO and WHO, informed the Commission of the major outcomes of the FAO and WHO expert meetings and related activities carried out since the last Session of the Commission and future meetings to be held in 2007, including those of JECFA, JMPR and JEMRA. The Representative noted that in view of increasing workload and requests for scientific advice, alternative ways were being sought to mobilize the necessary resources to provide such advice.

241. The Delegations of Paraguay and Brazil requested information on the outcomes of the recently held 68th meeting of JECFA, especially with regard to evaluation of steviol glycosides. The FAO Secretariat of JECFA informed the Commission that the JECFA meeting considered that the newly examined data did not

⁸⁰ ALINORM 07/30/9F Rev

⁸¹ ALINORM 07/30/9G, ALINORM 07/30/9G Add.1

raise additional safety concerns, but that the results of some ongoing clinical studies, which had been specifically requested at the sixty-third meeting of JECFA, needed to be provided to complete full evaluation. Therefore JECFA had agreed to maintain the temporary ADI, expressed as steviol, pending submission of the results of ongoing studies. The Commission further noted that this matter would be considered by the next session of JECFA in June 2008, that a summary report of the 68th meeting would be available on the website in two weeks time, and that a full report would be published by WHO early 2008. The Delegation of Paraguay, while expressing the great interest for steviol glycosides for their country, expressed its concern with the results of the evaluation and the decision taken by JECFA.

Part II: Report of Conclusions of the FAO/WHO Consultative Process on Provision of Scientific Advice to Codex and Member Countries

242. The Representative of FAO, speaking on behalf of FAO and WHO, informed the Commission of the final conclusions to the FAO/WHO Consultative Process initiated at the request of the 24th Session of the Commission (2001) and highlighted some of the main points, as follows.

- The FAO/WHO Framework on the Provision of Scientific Advice was developed to document the principles, practices and procedures currently applied by FAO and WHO for the provision of scientific advice in order to continue strengthening the independence, transparency and quality of scientific advice.
- FAO and WHO jointly continued to prioritise Codex requests for scientific advice, taking in consideration the criteria proposed by Codex (ALINORM 05/28/3, para. 75) as well as the requests of advice from member countries and the availability of resources. The status of requests for scientific advice was presented annually to the Commission.
- The FAO/WHO meeting on “*Enhancing Developing Country Participation in FAO/WHO Scientific Advice Activities*” (Belgrade, 12-15 December 2005) provided a range of recommendations to FAO and WHO in three main areas: greater inclusion of data from developing countries; enhancement of the potential for experts from developing countries; and means to enhance the enabling environment at national, regional and international levels.

Part III: Status of Requests for FAO/WHO Scientific Advice

243. The Representative of WHO, speaking on behalf of FAO and WHO, highlighted that recent increase in requests from Codex subsidiary bodies and member states of FAO and WHO for scientific advice related to food safety required more resources to be mobilized so as to facilitate the provision of scientific evidence in a timely and appropriate manner, particularly among others, in the area of risk assessment of microbial hazards in fresh foods including viruses. The Representative stated that priority had also been given to emerging issues in food production related to human health (e.g. antimicrobial resistance, biotechnology and nanotechnology) as well as to areas requiring innovative approach such as risk-benefit assessment (e.g. active chlorine, consumption of fish associated with methylmercury) .

Part IV: Other Matters from FAO and WHO

244. The Representative of WHO informed the Commission that the International Health Regulations (IHR (2005)), which were legally binding to Member States of WHO and covered serious health hazards in foods in international trade, had come into force in June 2007. The Representative also indicated that the International Food Safety Authorities Network (INFOSAN) was an effective tool to communicate emergency information related to food safety and manage food safety related events which required notification under the IHR, and urged that relevant food safety authorities register their contact point for INFOSAN.

Part V: FAO/WHO Capacity Building Activities in Food Safety and Quality

245. The Commission was informed of the FAO/WHO activities in capacity building in the field of food safety and quality as provided in ALINORM 07/30/9G Add.1. The Commission was informed that capacity building activities were conducted at national, regional and global level and took the form of field projects, training activities and development of tools such as manuals and training packages. Several key activities were highlighted: the programme for improving the quality and safety of fresh fruits and vegetables; strengthening the capacity of national food control systems: guidelines to assess capacity building needs; risk analysis and support to national Codex work, amongst others.

246. The Commission noted that FAO and WHO were trying to keep up with member country demands and were improving effectiveness with new training modalities and approaches such as the e-learning courses and the use of indicators for the impact evaluation of capacity building activities.

APPOINTMENT OF REGIONAL COORDINATORS (Agenda Item 17)⁸²

247. In accordance with Rule IV.2 of the Commission's Rules of Procedure, and on the basis of the nominations made by the Coordinating Committees, the following Members of the Commission were **appointed** as Coordinators to hold office from the end of the Thirtieth Session of the Commission until the end of the regular session of the Commission held in 2009.

Africa: Ghana
 Asia: Indonesia
 Europe: Switzerland
 Latin America & the Caribbean: Mexico
 Near East: Tunisia
 North America & South-West Pacific: Tonga

ELECTION OF OFFICERS OF THE COMMISSION AND ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE (Agenda Item 18)⁸³

248. The Commission **elected**, by general consent, the following persons to hold office as Chairperson and Vice-Chairpersons of the Codex Alimentarius Commission from the end of its present Session to the end of the next regular session of the Commission.

Chairperson: Dr Claude J.S. MOSHA (United Republic of Tanzania)

Vice-Chairpersons: Dr Karen HULEBAK (United States of America)

Ms NORAINI Mohd. Othman (Malaysia)

Dr Wim VAN ECK (The Netherlands)

249. The following Members of the Executive Committee were **elected** on a geographic basis for the period from the end of the current session to the end of the second succeeding regular session of the Commission:

Africa: Mali
 Asia: Japan
 Europe: United Kingdom
 Latin America & the Caribbean: Argentina
 Near East: Jordan
 North America: Canada
 South-West Pacific: New Zealand

⁸² ALINORM 07/30/2, paras 33–34; ALINORM 07/30/15, paras 142–145; ALINORM 07/30/19, paras 54–55; ALINORM 07/30/28, paras 61–62; ALINORM 07/30/32, para. 78; ALINORM 07/30/36, para. 124; ALINORM 07/30/40, para. 82

⁸³ ALINORM 07/30/2

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSON OF CODEX COMMITTEES AND AD HOC TASK FORCES (Agenda Item 19)⁸⁴

250. The Commission **confirmed** the designation of the Host Governments as listed in the Appendix X to this report.

251. In arriving at its decision, the Commission noted that United Kingdom no longer sought to host the Committee on Fats and Oils and noted the willingness of Malaysia and Argentina to serve as host government for this Committee. The Commission proceeded with a secret ballot and designated Malaysia as the host government for the Committee.

252. The Delegation of Malaysia indicated its commitment to ensure effective operation of this Committee. The Delegation of Argentina congratulated Malaysia on their designation and wished them every success.

OTHER BUSINESS (Agenda Item 20)

253. Due to time constraints, the Commission did not discuss the necessity of circulating Codex documents simultaneously in all working languages, which had been proposed for discussion under this agenda item by the Delegation of Columbia (*see* para. 6).

254. The Commission noted that its 31st Session would be held in Geneva, Switzerland, from 30 June to 5 July 2008, subject to further confirmation.