

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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Agenda Item 11

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX ALIMENTARIUS COMMISSION

#### *Twenty-ninth Session*

*International Conference Centre, Geneva, Switzerland, 3 – 7 July 2006*

### MATTERS ARISING FROM REPORTS OF THE COMMISSION, CODEX COMMITTEES AND TASK FORCES

#### Matters Arising by 17 April 2006

#### THE 28<sup>TH</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION

##### **Future Work on Antimicrobial Resistance in Codex**

1. The 28<sup>th</sup> Session of the Commission recalled that antimicrobial resistance had been a subject of discussion within Codex for some time and reaffirmed the importance and urgency for Codex to start work on antimicrobial resistance related to non-human use of antimicrobials. The Commission recalled that, upon its request, two joint FAO/OIE/WHO Expert Workshops had been held in 2003 and 2004.
2. The Commission noted that other international organisations had already been working on the issue of antimicrobial resistance, in particular: WHO for aspects related to the clinical and non-clinical use of antimicrobials and human health, and OIE for aspects related to animal health. It was also noted that the Commission had adopted the Code of Practice to Minimise and Contain Antimicrobial Resistance at the present session.
3. The Commission reaffirmed that any Codex work on antimicrobial resistance should stay in the remit of the Commission's mandate, should be based on sound science and follow risk analysis principles, should take full account of the work of other organisations to avoid duplication of work, and should recognise the importance of a holistic approach to solving the question at hand.
4. The Commission took note of a summary of an "Informal sharing of ideas regarding proposed terms of reference for future Codex work on antimicrobial resistance", as contained in CAC/28 LIM. 32. The Commission supported the proposal in general, which was considered as providing a good basis for determining future Codex work on antimicrobial resistance. It was however suggested that Codex future work should have a clear focus on public health and ensure a holistic approach to solving the question at hand, should address antimicrobials in general so as to cover the use of pesticides and additives and not be restricted solely to antimicrobial drugs, should also include animal feed. The scope should take into account ongoing work in other international organisations, in particular OIE and should adhere to the Working Principles for Risk Analysis in the Framework of the Codex Alimentarius.

5. The Commission noted that, according to the “Criteria for the Establishment of Subsidiary Bodies of the Codex Alimentarius Commission”, before the Commission could establish a Task Force, the Commission needed: to agree upon a name of the Task Force; to define the terms of reference that should be limited to the immediate task at hand and clearly state the objective(s) to be achieved with the indication of either (i) the number of sessions to be convened, or (ii) the date (year) by which the work was expected to be completed.

6. The Commission agreed, in principle, to the establishment of an ad hoc Intergovernmental Task Force to deal with the issue related to antimicrobial resistance. It was agreed that a final decision as to its establishment would be taken at its 29th Session. In order to facilitate this decision, the Commission agreed that the Codex Secretariat in collaboration with FAO and WHO would prepare a Circular Letter, in order to request comments on what should be the specific terms of reference of such a Task Force.<sup>1</sup>

7. The Commission is therefore invited to consider comments submitted in reply to CL 2005/33-CAC, Part A as presented in ALINORM 06/29/9C-Add.1 and provide guidance or decisions, as appropriate, on this matter.

### **Future Work on Animal Feeding in Codex**

8. The 27<sup>th</sup> Session of the Commission, while confirming the dissolution of the Ad Hoc Intergovernmental Task Force on Animal Feeding, which had completed its work, endorsed the recommendations of the 54<sup>th</sup> Session of the Executive Committee that a Circular Letter be prepared to request the views of governments on the areas where future work would be desirable so that the Commission at its next Session could determine whether additional work should be required by Codex on animal feeding and if so what mechanisms would be most appropriate.<sup>2</sup>

9. The 28<sup>th</sup> Session of the Commission recognised in general the value for Codex to continue work on animal feeding due to its importance for the protection of consumers’ health. However, it could not come to an agreement as to the recommendation of the 55<sup>th</sup> Session of the Executive Committee to postpone consideration of new work until 2008.

10. The Commission noted the willingness of the Government of Denmark to host the Task Force again, if it was re-established and the proposal of the Delegation of Switzerland to start work on the application of HACCP system for feed and feed ingredients. The Commission also noted that the OIE was prepared to collaborate with Codex on future work in this area.

11. The Commission could not come to a conclusion on when to start future work on animal feeding. It agreed to defer consideration of this matter until its 29<sup>th</sup> Session.<sup>3</sup> The Commission is hereby invited to provide guidance or decisions, as appropriate, on this matter.

### **Implementation of the WHO Global Strategy on Diet, Physical Activity and Health**

12. The Representative of WHO drew the attention of the 28<sup>th</sup> Session of the Commission to the fact that the Global Strategy on Diet, Physical Activity and Health had been developed at the request of Member States of WHO to reduce morbidity and mortality due to non-communicable disease and that the paper LIM-6 had been prepared at the request of the 55<sup>th</sup> Session of the Executive Committee. The Representative pointed out that the World Health Assembly (WHA) Resolution 57.17 endorsed the above strategy and called upon the Codex Alimentarius Commission “to continue to give full consideration, within the framework of its operational mandate, to evidence-based action it might take to improve the health standards of foods consistent with the aims and objectives of the strategy”. The Representative of WHO referred to the potential work to be undertaken by the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses and emphasized that coordinated work was needed to implement the Global Strategy.

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<sup>1</sup> ALINORM 04/28/41 paras 177-186

<sup>2</sup> ALINORM 04/27/10D Add.1 para.8; ALINORM 04/27/41 paras 128 and 171

<sup>3</sup> ALINORM 05/28/41 paras 162-166

13. The Commission noted that the potential areas for action by Codex identified in the LIM paper was mainly relevant for the work of the Committee on Food Labelling and the Committee on Nutrition and Foods for Special Dietary Uses and after some discussion agreed with the recommendation of the 56<sup>th</sup> Session of the Executive Committee to ask the WHO, in cooperation with FAO, to produce a more focused document for consideration by these Committees, including specific proposals for new work. The Commission agreed that its next (29<sup>th</sup>) session would consider further the implementation of the Global Strategy, taking into account the views and proposals put forward by these committees.<sup>4</sup>

#### THE 27<sup>TH</sup> SESSION OF THE CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES (CCNFSDU)

##### *Matters for information of the Commission*

##### **Implementation of the WHO Global Strategy on Diet, Physical Activity and Health: Action that could be taken by Codex**

14. The Committee recognised that it was very important to provide their views to WHO/FAO so that they could draft a more focussed document for implementing DPAS within the Codex. The Committee agreed to inform the 29<sup>th</sup> Session of the Commission that due to time constraints no further discussion was possible.<sup>5</sup>

#### THE 7<sup>TH</sup> SESSION OF THE CODEX COMMITTEE ON MILK AND MILK PRODUCTS (CCMMP)

15. The Committee requested the 29<sup>th</sup> Session of the Commission to amend the Standard for Whey Powders (CODEX STAN A-15-1995, Rev.1-2003) to include the provision for benzoyl peroxide.<sup>6</sup>

16. The Committee requested the Commission to amend the Codex General Standard for Cheese (CODEX STAN A-6-1978, Rev.1-1999) and other relevant texts as appropriate (see list attached) to specifically refer to the Codex Code of Hygienic Practice for Milk and Milk Products (CAC/RCP 57-2004) and to delete the provisions contained in Section 6.2 as already covered by the new Code.<sup>7</sup>

17. The following text is proposed for replacing the Section on Hygiene of the Standards listed in Annex 1:

“It is recommended that the products covered by the provisions of this standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice – General Principles of Food Hygiene (CAC/RCP 1-1969), the Code of Hygienic Practice for Milk and Milk Products (CAC/RCP 57-2004) and other relevant Codex texts such as Codes of Hygienic Practice and Codes of Practice. The products should comply with any microbiological criteria established in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21-1997).”

18. The 7<sup>th</sup> Session of CCMMP was informed of the discussion/decision of the 27<sup>th</sup> CCNFSDU regarding the draft Revised Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants and in particular of the decision of the Committee regarding the nitrogen conversion factor for the Standard (CX/MMP 06/7/2, paras 27-28). The Committee reiterated its position that there is a need for a consistent application of the conversion factor used for the calculation of milk protein throughout Codex and continued to support the nitrogen conversion factor of 6.38 as scientifically justified. Given that CCNFSDU was discussing the applications of a different factor in the elaboration of a standard for infant formula, the Committee recommended that the issue of consistency be recognized by the Commission, with referral of the following question to CCMAS: what is the appropriate factor to be used when converting nitrogen content to protein content when analysing milk protein in the context of current methods of analysis.<sup>8</sup>

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<sup>4</sup> ALINORM 05/28/41 paras 229-234

<sup>5</sup> ALINORM 06/29/26 paras 153-159

<sup>6</sup> ALINORM 06/29/11 para. 21

<sup>7</sup> ALINORM 06/29/11 paras 36-37

<sup>8</sup> ALINORM 06/29/11 paras 17-18

## THE 38<sup>TH</sup> SESSION OF THE CODEX COMMITTEE ON PESTICIDE RESIDUES (CCPR)

### *Matters for information of the Commission*

#### **Pilot Project for Estimation of National MRLs as Interim Codex MRLs for Safer Replacement Pesticides**

19. The Committee agreed to discontinue the Pilot Project for Estimation of National MRLs as Interim Codex MRLs for Safer Replacement Pesticides with the understanding that it would use Steps 5/8 for new JMPR MRL proposals, for which there would be no intake concerns identified by the JMPR, and on a condition that relevant JMPR reports were available by early February. In view of this, there was no need to amend the Codex MRL Elaboration Procedure approved as new work by the 28<sup>th</sup> Session of the Commission, Job Code N11-2005.<sup>9</sup>

## THE 14<sup>TH</sup> SESSION OF THE CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS (CCFICS)

### *Matters for information of the Commission*

20. The Committee agreed to return the proposed draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification to Step 2 for redrafting by a physical Working Group, led by the United States. The Committee agreed to progress work on all five appendices at the same time in a single appendix and to inform the 29<sup>th</sup> Session of the Commission through the Executive Committee of this decision.<sup>10</sup>

## THE 23<sup>RD</sup> SESSION OF THE CODEX COMMITTEE ON GENERAL PRINCIPLES (CCGP)

### **Use of the term “interim”**

21. The Committee on General Principles considered the term “interim” as relates to the adoption of Codex standards and related texts on the basis of document CX/GP 06/23/8. The document recalled that, at its 27<sup>th</sup> Session, the Commission decided to request the CCGP to clarify the interpretation of the “adoption on an interim basis” and noted again, at its 28<sup>th</sup> Session, that the CCGP would examine the matter.

22. The Committee endorsed the suggested course of action set out in paragraph 42 of the document CX/GP 06/23/8 and recommended its approval by the Commission, as follows:<sup>11</sup>

- The Commission should not adopt any food safety standards at Step 8, whether they are called temporary or interim, that are not substantiated by the scientific advice of expert bodies and consultations recognized by the Commission, in accordance with the Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius.
- Where draft standards are based on international risk assessments as mentioned above, the Commission might still wish to adopt them and at the same time commit itself to revisiting the matter in the near future; in this case, the Commission should generally refrain from using the term “interim” or “temporary”, which could introduce ambiguity as to their status, including from a legal standpoint.
- The Commission should be very cautious in adopting standards having a limited lifetime; should the Commission choose to do so, then the time period for “automatic” expiration must be clearly defined, since all standards adopted by the Commission would be presumed to remain in force until they are revoked or replaced by new or revised standards adopted by the Commission.

### **Reference to Codex Standards**

23. While considering the structure and presentation of the Procedural Manual, the Committee supported the proposal made in the working document to delete the year of revision or amendment in the reference to Codex standards and related texts, as it had not been applied consistently to all texts and created some confusion, while noting that this information was available on the website for reference purposes. The Committee therefore

<sup>9</sup> ALINORM 06/29/24 paras 198-202 and 203-210

<sup>10</sup> ALINORM 06/29/31 para. 15

<sup>11</sup> ALINORM 06/29/33 paras 137-148

agreed to ask the Commission to endorse the simplification in the presentation of all Codex standards and related texts whereby the year of revision or amendment would be deleted.<sup>12</sup>

## ANNEX 1

<i>Standards</i>	<i>Title</i>
CODEX STAN 207_1999	<i>Milk Powders and Cream Powder</i>
CODEX STAN 208_1999	<i>Cheeses in Brine (Group Standard)</i>
CODEX STAN 221_2001	<i>Group Standard for Unripened Cheese including Fresh Cheese</i>
CODEX STAN 243_2003	<i>Standard for Fermented Milk Products</i>
CODEX STAN A-1_1971	<i>Standard for Butter</i>
CODEX STAN A-2_1973	<i>Standard for Milkfat Products</i>
CODEX STAN A-3_1971	<i>Evaporated Milks</i>
CODEX STAN A-4_1971	<i>Sweetened Condensed Milks</i>
CODEX STAN A-7_1971*	<i>Whey Cheeses</i>
CODEX STAN A-9_1976	<i>Standard for Cream and Prepared Creams</i>
CODEX STAN A-15_1995	<i>Standard for Whey Powders</i>
CODEX STAN A-18_1995	<i>Edible Casein Products</i>
CODEX STAN C-1_1966*	<i>Cheddar</i>
CODEX STAN C-3_1966*	<i>Danbo</i>
CODEX STAN C-4_1966*	<i>Edam</i>
CODEX STAN C-5_1966*	<i>Gouda</i>
CODEX STAN C-6_1966*	<i>Havarti</i>
CODEX STAN C-7_1966*	<i>Samsøe</i>
CODEX STAN C-9_1967*	<i>Emmentaler</i>
CODEX STAN C-11_1968*	<i>Tilsiter</i>
CODEX STAN C-13_1968*	<i>Saint Paulin</i>
CODEX STAN C-15_1968*	<i>Provolone</i>
CODEX STAN C-16_1968*	<i>Cottage Cheese incl. Creamed Cottage Cheese</i>
CODEX STAN C-18_1969*	<i>Coulommiers</i>
CODEX STAN C-31_1973*	<i>Cream Cheese</i>
CODEX STAN C-33_1973*	<i>Camembert</i>
CODEX STAN C-34_1973*	<i>Brie</i>
CODEX STAN C-35_1978	<i>Extra Hard Grating Cheese</i>

\* Note: the 7<sup>th</sup> CCMP has submitted a revised version of this Standard to the 29<sup>th</sup> CAC for adoption.

<sup>12</sup> ALINORM 06/29/33 para. 174