



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON SPICES AND CULINARY HERBS**

Sixth Session

26 - 30 September 2022 and 3 October 2022

MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND/OR ITS SUBSIDIARY BODIES

Matters arising from the 44th Session of the Codex Alimentarius Commission (CAC44)

Adoption of standards¹

1. CAC44 adopted:
 - a) at Step 8, the Standards for dried oregano; dried roots, rhizomes and bulbs - dried or dehydrated ginger with the food additive provisions as amended and endorsed by the Codex Committee on Food Additives (CCFA); dried floral parts – dried cloves and dried leaves – dried basil.
 - b) at Step 5, the draft standard for dried seeds – nutmeg and extended the timeline for completion of the work to CCSCH06.

Approval of new work²

2. CAC44 approved as new work the elaboration of a standard for small cardamom, a standard for turmeric, and a group standard for spices in the form of dried fruits and berries (all spice, juniper berry, star anise and vanilla).

Codex and the pandemic³

3. CAC44 recommended that Rule XI (7) and (8) continue to be interpreted in a manner that includes a virtual setting with respect to sessions of Codex Subsidiary Bodies including CCEXEC and that application of this should take into consideration the criteria outlined by CCEXEC80.

Application of the Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the extent to which other factors are taken into account (SoP)⁴

4. The importance of this work was highlighted by several Members who with reference to their written comments emphasized the value of completing the guidance to Chairpersons and Members of Codex to ensure the scientific basis of Codex standards development and decision making, and the extent to which other factors are taken into account to facilitate consensus in standards setting.

5. CAC44 welcomed the ongoing work on guidance for Chairpersons and Members on the operationalization and the consistent application of the Statements of Principle and encouraged CCEXEC to complete this work in an expeditious manner.

60th Anniversary of the Codex Alimentarius Commission (1963-2023)⁵

6. CAC44 agreed that the celebration of the Codex 60th Anniversary would be a wonderful occasion to raise awareness about food safety and quality; and encouraged all Members and Observers to use the opportunity of the Codex 60th Anniversary to plan and implement activities to build awareness of Codex and to engage high-level political support for Codex work.

¹ REP21/CAC, paragraphs 38 - 40 and App. III

² REP21/CAC, paragraph 41 and App. VI

³ REP21/CAC, paragraph 12 (iii)

⁴ REP21/CAC, paragraphs 13 and 14

⁵ REP21/CAC, paragraph 150 (ii) and (iii)

Adoption of the General Standard for the Labelling of Non-retail Containers of Foods and consequential amendments to the Procedural Manual⁶

7. CAC44 adopted:

- the *General Standard for the Labelling of Non-retail Containers of Foods* at Step 8⁷; and
- the consequential amendment to the Procedural Manual i.e., the Format for Codex Commodity Standards, section on labelling (Annex I).

8. CAC44 requested Commodity Committees to review the labelling provisions for non-retail containers in existing and draft standards in light of the new standard for the labelling of non-retail containers. In the case of adjourned Committees, the Codex Secretariat will undertake the review.

MATTERS ARISING FROM SUBSIDIARY BODIES

Executive Committee of the Codex Alimentarius Commission (CCEXEC81 and CCEXEC82)

Codex and the Pandemic⁸

9. CCEXEC81 commended the huge efforts of the Codex family to deliver the 2021 work programme and in moving forward, CCEXEC recommended that Chairpersons and Host Secretariats collaborate closely with the Codex Secretariat in their efforts to establish a meeting schedule that is realistic to implement and ensures adequate time between meetings and that the Codex Secretariat together with Chairpersons and the larger membership further consider how EWGs and/or other inclusive and transparent mechanisms can continue to be strengthened, playing an even more fundamental role in Codex as a flexible mechanism to prepare work and ensure that discussions in subsidiary bodies is only held when there is a need for guidance or the work it is ready for progression in the step process.

A model for future Codex work

10. CCEXEC81 agreed to establish and lead a process to develop the blueprint for the future of Codex for consideration by CAC on its 60th anniversary in 2023. The process should include communication and outreach to Members and Observers to collect general views on what a future Codex should look like.

11. CCEXEC82 agreed to establish a sub-committee to develop in collaboration with the Codex Secretariat a report including a proposed blueprint for the future of Codex for CCEXEC84.

Application of the Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the extent to which other factors are taken into account (SoP)⁹

12. CCEXEC81 agreed to re-establish the CCEXEC sub-committee on the application of SoP to continue the development of practical guidance for Codex Subsidiary Bodies and their Chairpersons and Members on the operationalization of the SoP to allow Codex to set standards that are needed by Members and are based on science, while acknowledging different situations in different areas of the world and to complement the guidance provided in the Measures to Facilitate Consensus.

13. CCEXEC82 agreed to re-establish the sub-committee to develop practical guidance to support operationalization of the SoP, and to present the proposed practical guidance and, if appropriate, revisions to the draft flow chart, to CCEXEC83.

60th Anniversary of the Codex Alimentarius Commission: 1963-2023¹⁰

14. CCEXEC82 expressed commitment to advocacy at all levels to ensure the widest possible participation and promotion of the anniversary, and encouraged Members and Observers to fully engage in early planning to identify their own contributions.

New food sources and production systems: need for Codex attention and guidance¹¹

15. CCEXEC81 agreed to establish a sub-committee to investigate potential mechanisms to address crosscutting, overarching and emerging issues in Codex such as new food sources in the context of food

⁶ REP21/CAC, paragraphs 83(i) and 86

⁷ The standard reference is CXS 346-2021

⁸ REP21/EXEC2, paragraphs 84 (ii) and (iv), 85 and REP22/EXEC1, paragraph 100

⁹ REP21/EXEC2, paragraph 99 and REP22/EXEC1, paragraph 69

¹⁰ REP22/EXEC1, paragraph 129

¹¹ REP21/EXEC2, paragraph 110(ii) and REP22/EXEC1, paragraph 85

safety, food quality and labelling and the state of related science, the needs and priorities of members as well as any other considerations as identified.

16. CCEXEC82 recognised that ongoing work by CCEXEC on “new food sources” did not preclude committees from undertaking new work falling within their respective mandates.

17. CCEXEC82 agreed that the sub-committee should continue its stepwise consideration of the issues, informed by an analysis of the information collected through the CL, CRDs and report of CCEXEC82.

Monitoring the use and impact of Codex standards^{12,13}

18. CCEXEC81 noted that, in line with Goal 3 of the Codex Strategic Plan 2020-2025 (Increase recognition and use of Codex Standards), the Codex Secretariat in consultation with the FAO and WHO Evaluation Offices has initiated a project to identify, and in due course implement, an approach to monitor the use and impact of Codex standards.

19. CCEXEC82 discussed the draft mechanism to monitor the use and impact of Codex texts (Goal 3 - “increase impact through the recognition and use of Codex Standards”) and further:

- Recognized the benefits and challenges in monitoring the use and impact of Codex texts, and the importance of engagement as the process evolved and of periodic review;
- Endorsed the proposed approach for building the Codex monitoring and evaluation (M&E) framework, noting that 2022 would be a pilot year for the re-designed survey approach and that the preliminary results would be reported at CCEXEC83 and CAC45; and
- Encouraged Members and Observers to identify potential resources to support data gathering for this work, particularly through case studies which should be selected according to a set of pre-defined criteria and be clear in terms of scope and context.

52nd Session of the Codex Committee on Food Additives (CCFA52)¹⁴

20. CCFA52 agreed to:

- (i) Publish on the Codex website the document entitled “Guideline on avoiding future divergence of food additive provisions in the GSFA with Commodity Standards” as an information document and inform the corresponding Commodity Committees of this document; and
- (ii) Update the alignment future work plan contained in the Information Document titled “Guidance to Commodity Committees on the Alignment of Food Additive Provisions”.

41st Session of the Codex Committee on Methods of Analysis and Sampling (CCMAS41)¹⁵

Methods of analysis in standards for dried oregano, dried roots, rhizomes and bulb – dried or dehydrated ginger, dried floral parts – cloves, dried basil, and dried seeds (nutmeg)

21. CCMAS41:

- a. endorsed the methods for provisions in dried oregano and noted that the working group (WG) on endorsement will consider the other methods submitted by CCSCH (CX/MAS 21/41/3 Add.1) at CCMAS42.
- b. confirmed its continued liaison with other Codex committees on the use of the *General Standard on Methods of Analysis and Sampling* (XCS 234-1999) as the single reference for methods of analysis and sampling as requested by CCEXEC77.
- c. informed other relevant Codex Committees of the ongoing work on the revision of the *General Guidelines on Sampling* and invite any comments as relevant.

46th Session of the Codex Committee on Food Labelling¹⁶ (CCFL46)

22. CCFL46 endorsed the labelling provisions in the Standards for: dried Oregano; Dried Roots, Rhizomes and Bulbs – Dried or Dehydrated Ginger; Dried Floral Parts – Cloves; Dried Basil and Dried Seeds – Nutmeg.

¹² REP21/EXEC2, paragraph 90

¹³ REP22/EXEC1, paragraph 121

¹⁴ REP21/FA, paragraph 107 (i) and (ii) and App. XII-XIII

¹⁵ REP21/MAS, paragraphs 6, 21, and 110 (iv)

¹⁶ REP21/FL, paragraph 42

Issues outstanding from CCSCH5

Endorsement of labelling provisions for sections 8.3, 8.3.1 and 8.5 in the Standard for dried or dehydrated garlic

23. The proposed draft standard for dried or dehydrated garlic was adopted by CAC42 (2019) and the provisions on food additives, labelling and methods of analysis in the proposed draft standard were forwarded for endorsement by the relevant Committees.

24. CCFL45¹⁷ (2019) agreed to endorse all the labelling provisions in the six (6) proposed draft standards (i.e., dried oregano; dried or dehydrated ginger; dried/dehydrated garlic; dried basil; dried cloves, and saffron) except for sections 8.3, 8.3.1 and 8.5, which were referred to CCSCH for further consideration.

25. CCSCH5¹⁸ (2021) considered the concerns of CCFL45 with respect to sections 8.3, 8.3.1 and 8.5, for the above-mentioned commodities and agreed:

- i. To keep both provisions 8.3 and 8.3.1 in the standards.
- ii. To split “Country of Origin/Country of Harvest” into two independent and clear provisions, i.e., a provision on “Country of Origin” being mandatory and a provision on “Country of Harvest” being optional; and that these provisions would be reconsidered in individual standards, should the need arise.
- iii. To inform CCFL on the above decision.

26. For Section 8.5 “Inspection mark (optional)”, CCSCH5 agreed that the provision be expunged from CCSCH standards. However, it could be considered under individual draft standards should there be a need.

27. CCFL46¹⁹ (2021) endorsed the outstanding labelling provisions in the draft standard for dried Oregano, the draft standard for dried Roots, Rhizomes and Bulbs – dried or dehydrated Ginger, the draft standard for dried Floral Parts – Cloves, the draft standard for dried Basil, and the proposed draft standard for dried seeds – Nutmeg.

28. At CCSCH5, the conclusions regarding sections 8.3, 8.3.1 and 8.5 in the *Standard for dried or dehydrated garlic* (CXS 347-2019) were inadvertently omitted from the Committee Report. Due to this lack of clarity, the *Standard for dried or dehydrated garlic* was not included in the endorsement paper for CCFL46 (2021), and thus these outstanding provisions in this standard were not endorsed.

29. Despite the abovementioned omission, the Codex Secretariat has revised the provisions based on the decisions at CCSCH5 and published the standard while awaiting the formal notification to CCFL.

Recommendations for endorsement by CCSCH

30. CCSCH6 is invited to:

- a. **Note** the information provided in paragraphs 1 – 27.
- b. **Encourage** Members and Observers, in case of the 60th anniversary, to plan and implement activities to build awareness of Codex and to engage high level political support for Codex work.
- c. **Encourage** Members and Observers to actively engage in opportunities to contribute to the discussions in CCEXEC (i.e. the operationalization of the SoP; the future of Codex; new food sources and production systems, and monitoring the use of Codex standards) through their Regional Coordinators and/or by providing replies to relevant circular letters in this regard.
- d. **Consider** the request from CAC44 as contained in paragraph 8 and agree on an approach for updating the relevant section in current CCSCH standards listed in Annex II (Labelling provisions for non-retail containers in the standards (including the Template) for spices and culinary herbs).
- e. **Confirm** that the decision outlined in paragraphs 23 and 24 above related to section 8.3, 8.3.1 and 8.5 on labelling provisions also apply to the *Standard for dried or dehydrated garlic*; and **forward** the revised labelling provisions of the *Standard for dried or dehydrated garlic* to CCFL for endorsement as indicated in the Annex III Part II.

¹⁷ REP19/FL, paragraph 23

¹⁸ REP21/SCH, paragraphs 19-21

¹⁹ REP21/FL, paragraph 42

Amendment to the Procedural Manual**Section II - Elaboration of Codex Standards and Related Texts: Format for Codex Commodity Standards: Section on labelling**Replace the following text:

Where the scope of the Standard is not limited to pre-packaged goods, a provision for labelling of non-retail containers may be included:

In such cases the provision may specify that:

“Information on¹² shall be given either on the container or in accompanying documents, except that the name of product, lot identification, and the name and address of the manufacturer or packer shall appear on the container.¹³

However, lot identification, and the name and address of the manufacturer or packer may be replaced by an identification mark provided that such a mark is clearly identifiable with the accompanying documents.”

¹²Codex Committees should decide which provisions are to be included

¹³Codex Committees may decide that further information is required on the container. In this regard, special attention should be given to the need for storage instructions to be included on the container.

With the following text:

Where the scope of the Standard is not limited to prepackaged foods, a provision for the labelling of non-retail containers may be included as follows:

“The labelling of non-retail containers should be in accordance with the General Standard for the Labelling of Non-Retail Containers of Foods.”

The section may also contain provisions which are exemptions from, additions to, or which are necessary for the interpretation of the General Standard in respect of the product concerned provided that these can be justified fully.

ANNEX II

Labelling provisions for non-retail containers in the standards (including the Template) for spices and culinary herbs

	Title	Reference number	Section	Current section
1	<i>Standard for Black, White and Green peppers</i>	CXS 326-2017	8.3	<p>Labelling of Non-Retail Containers Information for non-retail containers shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer, packer, distributor or importer, as well as storage instructions, shall appear on the container. However, lot identification, and the name and address of the manufacturer, packer, distributor or importer may be replaced by an identification mark, provided that such a mark is clearly identifiable with the accompanying documents.</p>
2	<i>Standard for Cumin</i>	CXS 327-2017	8.3	
3	<i>Standard for dried Thyme</i>	CXS 328-2017	8.3	
4	<i>Standard for dried Oregano</i>	CXS 342-2021	8.5	
5	<i>Standard for dried Roots, Rhizomes and Bulbs: dried or dehydrated Ginger</i>	CXS 343-2021	8.4	
6	<i>Standard for dried Floral Parts: Cloves</i>	CXS 344-2021	8.4	
7	<i>Standard for dried Basil</i>	CXS 345-2021	8.4	
8	SCH Template		8.6	

ANNEX III

Part I: Provisions in the proposed draft standard for dried or dehydrated garlic as contained in REP19/SCH Appendix IV (not endorsed by CCFL45 (2019))

8.3 Country of origin/country of harvest

8.3.1 Country of origin/country of harvest shall be indicated, and the region of production maybe indicated.

8.3.2 Year of harvest may be indicated.

8.5 Inspection mark (optional)

Part II: Provisions in the *Standard for dried or dehydrated garlic* as amended by CCSC5 (2021) and in line with the proposal from CCFL45

8.3 Country of origin and country of harvest

8.3.1 Country of origin shall be declared

8.3.2 Country of harvest (optional)

8.3.3 Region of harvest and year of harvest (optional)