

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

Agenda Item 9

CX/NASWP 02/9
September 2002

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

**COORDINATING COMMITTEE FOR NORTH AMERICA AND
THE SOUTH-WEST PACIFIC**

Seventh Session

Vancouver, Canada, 29 October – 1 November 2002

**CONSUMER PARTICIPATION IN FOOD STANDARDS
SETTING AT THE CODEX AND NATIONAL LEVEL**
(Comments submitted in response to CL 2002/33-NASWP)

AUSTRALIA

COMMENTS ON MEASURABLE OBJECTIVES AND CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT THE CODEX AND NATIONAL LEVEL

1. Through increasing stakeholders' knowledge and understanding of Codex procedures, Australia's participation in Codex has been enhanced. Initiatives already set in place at the time of the last report to improve Australia's effectiveness in the work of Codex have continued. This encompasses issues such as priority setting for Australia's input to Codex, final development and introduction of a specific Codex website and in encouraging a whole-of-government response to Codex issues.

Commonwealth Codex Policy Committee (CCPC)

2. The Commonwealth Codex Policy Committee (CCPC), first met in October 2000, and continues to meet twice yearly. The CCPC consists of key federal government agencies, the responsibilities of which have direct relevance to the work of Codex. CCPC membership is made up of the following departments: Agriculture Fisheries and Forestry – Australia (Chair), Foreign Affairs and Trade, Health and Ageing, and Food Standards Australia New Zealand (previously known as the Australia New Zealand Food Authority).

3. The work of this Committee is complementary to other national consultative processes including the National Codex Committee and Codex Advisory Panels. Its specific mandate is to provide high-level policy advice on cross-cutting Codex issues, determine whole-of-government positions and policy on complex issues – both current and potential, provide direction on contentious issues, oversee Australia's input to the Medium-Term Plan, endorse lead agencies for Australia's work in Codex, oversight Australia's host-government responsibilities, and to endorse priorities for Australia's work in Codex.

National Codex Committee

4. The National Codex Committee (NCC) is an integral part of the Codex program in Australia. At present, the functions and objectives of NCC are to review and provide policy advice on the coordination of Australia's role in the UN Joint FAO/WHO Food Standards Programme, and to provide a mechanism through which all stakeholders can provide their diverse views, enabling these to be taken into account in Australia's work in Codex. NCC membership encompasses federal government representatives, together with a broad group of industry bodies, tertiary and research institutions and consumer representatives.

5. The NCC is currently considering expanding its role particularly in terms of utilising NCC meetings to provide a forum for discussion of more strategic and policy issues, rather than focussing on information sharing and reporting. NCC members are currently providing their views on this proposal to Codex Australia, for further discussion and development at the next NCC meeting.

6. NCC terms of reference ensure that:

- strategic objectives for Australia's interests in Codex are regularly revised and implemented by all stakeholders;
- priorities for Codex work within Australia are identified;
- Australia's ability to respond to Codex issues is monitored; and
- Codex outcomes with implications for Australia's national interests are identified and brought to the attention of the relevant agencies.

7. Consumer bodies, non-government organisations, industry, consultants and other stakeholder representatives in Australia are actively encouraged to play a role in Codex matters and are, as a matter of course, invited to participate in the consultative process by attending meetings of the NCC, Codex Advisory Panels and to nominate representatives to attend Codex meetings as part of the Australian delegation.

8. Due to the increasing importance of Codex to world trade, there has been much expansion to the client/stakeholder base. The NCC is currently developing criteria to identify truly representative stakeholders for membership of Codex Advisory Panels and members of Australian delegations.

9. The NCC has initiated and supported the development of a handbook for Australian delegations – providing information on the roles and responsibilities of the Delegation Leader, and members of the Delegation in their participation in Codex. The handbook, to be presented in a loose-leaf folder, will be provided to all delegation leaders and members, particularly to those new to the Codex process. As a follow on from this initiative, Codex Australia is developing the format for a workshop aimed to familiarise newcomers to the Codex process.

Priority Setting for Australia's Input to Codex

10. Australia's input into Codex is determined by the National Codex Committee who maintains a priority setting framework, based on business risk principles. This process assists in Australia's ongoing work within the Codex program and can be summarised as:

- defining the recommended management and monitoring of Codex issues and identify the most relevant agency to undertake the work.
- assess the risks of a particular decision, and manage the consequences; and
- identify the best method to communicate with stakeholders.

11. All stakeholders in Codex work including government, industry, consumer and public interest groups have the opportunity to participate in this process.

Website

12. Codex Australia has developed and introduced a website (<http://www.affa.gov.au/codex>) which provides information on the structure, functions and activities of the Codex Alimentarius Commission (CAC) and Codex Australia. The site contains a detailed description of the Committees and Task Forces that undertake the work of the CAC, with particular emphasis on the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS).

13. Content and structure of the website is as follows:

What is Codex Alimentarius and Codex Australia

14. This section provides an introduction to Codex, outlines the mandate of the Codex Alimentarius Commission (CAC), the role of the Department of Agriculture Fisheries and Forestry – Australia (AFFA) in Codex, and the functions of Codex Australia. Links to the document “Understanding Codex” and to the websites of CAC, Food and Agriculture Organization of the United Nations (FAO), World Health Organization (WHO), World Trade Organisation (WTO), Office International Des Epizooties (OIE), and the International Plant Protection Convention (IPPC) are also available at this point.

Codex Committees

15. This area outlines the structure of Codex Committees and Task Forces that undertake the work of CAC and provides a description for each of the General Subject Committees, Commodity Committees and Ad hoc Intergovernmental Task Forces, together with information on the issues under consideration at each meeting. Links to the appropriate volume of the Codex Alimentarius for the Standards and/or Guidelines adopted by the CAC for most Committees are included.

Timetable of Codex Sessions

16. Provides a direct link to the CAC’s ‘Timetable of Codex Sessions’.

National Consultative Mechanism

17. Contains information on the consultative process followed by Codex Australia and outlines the structure and purpose of the Commonwealth Codex Policy Committee (CCPC), National Codex Committee (NCC), and Codex Advisory Panels.

Codex Committee on Food Import and Export Certification and Inspection Systems

18. Provides a detailed description of the functions, terms of reference, achievements and current work of the Committee.

Codex Standards

19. Provides a direct link to the collection of Codex Alimentarius Commission Standards.

Contacts and Related Links

20. This page provides contact details for Codex Australia and links to the Codex Contact points of Canada, New Zealand and the United States. Links are also provided for CAC, FAO, WHO and WTO, as well as other food related sites within Australia including the Department of Foreign Affairs and Trade, Australia, Food Standards Australia New Zealand, the National Registration Authority, the Australian Government Analytical Laboratory and the Department of Health and Ageing.

Strategic Objectives for work in Codex

21. In 1998, Australia introduced a strategic planning approach to its work in Codex. The National Codex Committee monitors the implementation of these strategic objectives. The National Codex Committee will review the Strategic Objectives for Australia’s interests in Codex to bring them more into line with the Commission’s Strategic Framework and Medium Term Plan.

RESPONSE TO THE CHECKLIST OF MEASURABLE OBJECTIVES

- a) Australia has established a national Codex Contact Point.
- b) Australia has established a National Codex Committee.
- c) Australia holds public consultations when developing national positions for Codex meetings.¹
- d) Australia has identified independent consumer non-government organisations (NGOs) and invites these organisations to participate in the development of national positions for Codex meetings
- e) Three consumer NGOs participate in the Codex process at the national level. Of these, one is an organisation, while the remaining two are advocates.

CANADA

CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT THE CODEX AND NATIONAL LEVEL

1. Canada continues to encourage its non-governmental organizations, including consumers, to participate in the Codex process. It is Canada's opinion that input from a broad spectrum of civil society permits the development of positions for Codex meetings which are more balanced and which have strong domestic support.

2. The current approach used by Canada in managing and coordinating Codex activities is through the Office of the Codex Contact Point for Canada (OCCPC) and an interdepartmental committee established to review and endorse Canadian participation on Codex initiatives. The OCCPC acts as the main focal point for ensuring transparency and encouraging broad participation of federal and provincial/territorial governments, consumers, industry and special interest groups in the development of the Codex programme.

COMMENTS ON MEASURABLE OBJECTIVES ON CONSUMER PARTICIPATION IN CODEX

3. With respect to the "Checklist of Measurable Objectives to Assess Consumer Participation in Codex"² and in line with the recommendations of the 49th Session of the CCEXEC, Canada offers the following comments:

- a) Canada has a National Codex Contact Point located in the Food Directorate, Health Canada.
- b) The management of Canada's Codex program is conducted through an Interdepartmental Committee for Codex which consists of senior officials representing Health Canada, the Canadian Food Inspection Agency, the Department of Foreign Affairs and International Trade, Agriculture and Agri-Food Canada and Industry Canada.
- c) Canada holds broad consultations when developing national positions for Codex meetings. In developing positions for some Codex meetings, such as the Codex Committee on Food Labelling which is hosted by Canada, these consultations can include a public meeting for discussion and direct input into Canada's position on agenda items.
- d) Canada has an established list of NGOs which it actively engages in the Codex Consultation process of Circular Letters, Alinorm reports, and background papers for relevant Codex Committees of interest to Canada. The list includes approximately 34 consumer groups/individuals who have expressed to the Canadian Codex Contact Point an interest in being consulted/informed on issues under elaboration/development by the Codex Alimentarius.
- e) Consumer groups in Canada are active in providing input to assist in the development of Canadian positions for Codex meetings.

¹ Public consultation is through Codex Advisory Panels. Members of these include government (Commonwealth and State), industry and consumer groups.

² ALINORM 03/3, paragraph 36

f) As indicated in (d) above, there are a number of consumer groups/individuals who are involved in the Codex process at the national level. However, with the exception of the CCFL, which normally takes place in Canada, participation of consumer groups on delegations at Codex meetings is rare. Although all consumer groups have the opportunity to contribute to the development of Canadian positions, attendance at Codex meetings outside of Canada is often beyond the financial capabilities of most consumer groups/individuals.

4. The Government of Canada has initiated a "Government on Line" project which is intended to facilitate public participation in government decision-making. This has led to a re-organization of the Health Canada website which has subsequently impacted on the Codex Canada Website. Plans to modify the Codex Canada Website to enhance its use as a working tool have been put on hold until after December 31st, 2002 which is the date by which changes to the Departmental Website are scheduled to be finalized and implemented.

REFERENCE WEBSITES

Health Canada, Food Program: www.hc-sc.gc.ca/food-aliment/e_index.html

Canadian Food Inspection Agency (food safety): www.inspection.gc.ca/english/index/fssae.shtml

Codex Canada: www.hc-sc.gc.ca/food-aliment/fr/ia-ra/ii-ip/pi/codex/e_index.html

Agriculture and Agri-Food Canada: http://www.agr.gc.ca/cb/apf/agreement5_e.html

Royal Society Report of the Expert Panel on the Future of Biotechnology in Canada:
www.rsc.ca/foodbiotechnology/indexEN.html

NEW ZEALAND

CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT THE CODEX AND NATIONAL LEVEL

1. The New Zealand Codex Contact Point is located within the New Zealand Food Safety Authority and is responsible for carrying out all of the functions set out in the Codex Procedural Manual.

2. New Zealand does not have a National Codex Committee and instead has well established processes for consultation and communication with other government agencies, consumers, industry and stakeholders generally. The process involves:

- Dissemination of Codex documents to organizations and persons known to be interested in or affected by the work of CAC and its various committees;
- Holding of public pre-meeting consultations and post-meeting debriefings with interested groups for all relevant Codex Committees and Ad Hoc Task Forces;
- Additional public consultations in main centres on matters of significant public interest(e.g. the Codex work on foods derived from biotechnology);
- Use of the internet to publicise and disseminate information on Codex activities and interests(New Zealand Codex website address is as follows: www.nzfsa.govt.nz/policy-law/codex/ ;
- Invitations to representative New Zealand consumer organizations, industry and other public interest groups to attend Codex meetings as observers

3. New Zealand has taken a proactive approach to promoting consultation with interest groups on Codex matters. In addition to taking active steps to encourage interest groups to participate in consultative processes, New Zealand has given particular priority to promoting greater involvement of Maori and Pacific peoples in Codex processes at the national level with a view to informing and seeking input on issues of particular interest to these communities.

4. In addition to the above processes, New Zealand has a published strategy that sets out our strategic priorities in Codex. This policy document, which was released in June 2001, was developed through extensive consultation with all interested groups and provides a sound framework for policy development and advocacy of New Zealand interests in Codex.

5. In addition to the structures and processes in place for dealing with consultation requirements on Codex matters, New Zealand has also recently established a Consumer Forum to provide a mechanism for engaging consumers and government agencies in a two way dialogue on food safety and related issues. The forum is open to participation by all representative consumer organizations. The most recent meeting of the forum was held in July 2002 to consider strategic issues and approach for the NZFSA in the future.

COMMENTS ON MEASURABLE OBJECTIVES ON CONSUMER PARTICIPATION IN CODEX

- a) New Zealand has a National Codex Contact Point
- b) New Zealand does not have a National Codex Committee;
- c) New Zealand holds public consultations when developing national positions for Codex meetings;
- d) New Zealand has identified independent consumer NGOs and invited them to participate in Codex meetings and to submit written comments;
- e) New Zealand has involved independent consumer NGOs in developing positions for Codex meetings;
- f) New Zealand has some six consumer NGOs that participate in Codex processes at various times.

UNITED STATES

CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT THE CODEX AND NATIONAL LEVEL

1. The United States encourages broad participation of its non-governmental organizations, including consumers, to participate in the Codex process.
2. The United States' Codex activities are coordinated and managed through the U.S. Codex Office and an interagency policy and technical steering committee to endorse and guide U.S. participation in Codex. The U.S. Codex Office is committed to ensuring transparency and encouraging participation of federal government, consumers, industry and special interest groups in the development of U.S. comments to the Codex Programme.

MEASURABLE OBJECTIVES ON CONSUMER PARTICIPATION IN CODEX

- a) The U.S. Codex Office is located in the U.S. Department of Agriculture under the Office of the Under-Secretary for Food Safety.
- b) The Codex Steering Committee consists of senior federal officials representing the U.S. Department of Agriculture, the Food and Drug Administration, the Environmental Protection Agency, the Department of State and the Department of Commerce.
- c) The U.S. holds broad consultations when developing positions for the various Codex sessions. The consultations include delegation meetings and in most cases public meetings for discussion and direct input from industry and consumers.
- d) The U.S. has an established list of NGOs, which actively engage in the Codex consultation process of developing U.S. positions. The list includes approximately ten consumer groups/individuals being informed on issues under elaboration/development by the Codex Alimentarius.
- e) Consumer groups in the U.S. are actively engaged in the Codex process and provide input at the national level.
- f) The participation of consumer groups on U.S. delegations is mostly limited to the horizontal committees.

CONSUMERS INTERNATIONAL

CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT THE CODEX AND NATIONAL LEVEL

1. Consumers International welcomes this agenda item on the participation of consumers in food standards setting at the national level and at Codex, and looks forward to a full discussion and exchange of information on the issue. This exchange is important to identify and overcome barriers to consumer participation in food standards setting, and to measure progress.

2. With Codex's increasing influence as the global food standards setting body, consumer participation in the Codex process becomes even more important. Codex committees and national standard-setting bodies will certainly benefit from the participation of consumer organizations, as this participation should result in improved standards, will further legitimize these bodies, and will help to safeguard consumer interests. Consumers of course can benefit from participating in Codex through the adoption of strong standards that protect consumer health and fair practices in trade for consumers.
3. For many years, CI has stressed the importance of well-functioning National Codex Contact Points (NCCPs) and either National Codex Committees (NCCs) or comparable structure to solicit public input in developing Codex positions. Such structures play a vital role in enabling active consumer participation in the Codex process. The 'Core Functions of National Codex Contact Points' in the Procedural Manual sets out clearly the role and responsibilities of the national Codex Contact Points. However, the experience of our members has shown that in a number of countries, these are not functioning effectively.
4. In preparation for the sixth session of the CCNASWP, Consumers International carried out a survey of its membership in the region on the level of consumer participation in Codex activities at the national and international level. The survey found that the main barriers to consumer participation at the national level were lack of resources within consumer organizations in terms of time, personnel and sometimes expertise on the specific subjects.
5. Since 1999 Consumers International has provided capacity building and training globally to its consumer organization members in developing and transition economy countries, to strengthen their understanding of how Codex operates, expertise in technical subject areas, available avenues for consumer participation and skills for campaigning. CI has promoted the establishment and functioning of Codex Contact Points and National Codex Committees.
6. In response to the request by Codex in Circular letter CL 2002/3-NASWP on consumer participation in food standards setting at the Codex and national level, Consumers International's Regional Office for Asia and its Regional Office for Developed and Transition Economies carried out another survey of its membership in the CCNASWP region to determine their current level of involvement in national Codex processes in their countries. As of this writing, responses have been received from 5 consumer organizations in 4 countries in the region, and additional information was provided for 2 other countries by CI's Food Officer in the Asian Regional Office. CI does not have members in 5 countries in the region, and responses are currently lacking from CI consumer organization members in 2 countries. We will provide any additional results we receive at the meeting.

KEY FINDINGS OF 2002 SURVEY

7. The survey results contained both positive and negative findings about consumer participation in Codex at the national level. First, the positive findings:
 - All respondents were aware that there was a NCCP in their country (an improvement since the previous survey)
 - 4 respondents said there was a NCC or comparable structure in their country
 - 4 respondents had been contacted by their NCCP and invited to participate in Codex meetings or to submit written comments
 - 5 respondents had participated in developing national positions for Codex meetings (an improvement since the previous survey)
8. In addition, information was provided indicating that CI members in Fiji and Papua New Guinea had played an important role in the establishment of the NCCs in their respective countries.

9. However, a number of specific problem areas were identified by our member organizations:
- Three of five respondents rated the level of consumer participation in Codex in their country as Poor (the others rated it as Good). No respondents rated the level of consumer participation as “non-existent”, as was the case in the previous survey.
 - Only two of five respondents reported that public consultations were held to assist in developing national positions for Codex meetings.
 - Except for Fiji and Papua New Guinea, no other Pacific Island country has a National Codex Committee, and NCCs in Fiji and Papua New Guinea are not very active due to lack of resources.
 - Only 1 respondent thought the situation regarding consumer participation had improved in the last 2 years (although this respondent still rated the level of consumer participation as Poor. The others reported it had stayed the same)
 - One respondent who participated on the NCC reported a hostile attitude toward consumer input
 - Three respondents (all from developed countries!) specifically mentioned lack of funding as a major barrier to current and/or future consumer participation in Codex work
10. Clearly, concrete steps are needed to improve consumer participation in Codex work in countries in the Region, particularly to facilitate the establishment and effective activity of NCCs in the Pacific Island countries.

RECOMMENDATIONS

11. In the light of these findings CI proposes the following suggestions that would facilitate improving the participation of consumer organizations in Codex decisions.
- Member governments in the region that do not yet have a NCC or other process to obtain public input in developing positions for Codex should commit themselves to doing so, within an agreed time-frame, and report on their progress at the next session of CCNASWP. (Information about consumer organisations who are members of Consumers International can be obtained (by country) from the Consumers International website, www.consumersinternational.org).
 - CI strongly encourages member governments to take stock of their current procedures and track record for consumer participation, and to take steps to improve them. For example, governments should consider undertaking the following activities if they have not already:
 - identify national consumer organizations interested in food safety.
 - contact them (form a mailing list or e-mail list)
 - invite them to participate in the NCC and public meetings/consultations regarding Codex and national food standards
 - distribute Codex documents, including Circular letters, as early as possible to facilitate participation
 - undertake capacity-building activities to increase the level of consumer participation in food standard setting activities (this may be accomplished in developing countries by utilizing monies from the Trust Fund which is anticipated to be established to increase participation in Codex)
 - help identify funding sources for consumer participation if funding is an impediment.
 - NCCPs should hold briefings or provide written feedback to national consumer organizations and other interested parties on the role their delegation has played at international Codex committee meetings. This should be in addition to the official Codex report. It is important for national consumer groups to know what position their official delegation took in the discussions and to what extent their views have been represented.
 - Member governments should consider the need for consumer input on their national delegations and where possible and needed, funding consumer organization representatives to participate as part of their delegation to international Codex committee meetings.

- CCNASWP should consider forming a drafting group to develop guidelines, identify “best practices,” and/or models appropriate for countries in the Region, particularly developing countries in the Southwest Pacific, for enhancing consumer participation in Codex and food standards work at the national and international level. Members of the drafting group could draw in particular on the work and experiences from FAO, WHO, and countries in the region which have had success in involving consumers as well as countries which face considerable obstacles to consumer participation. Consumers International would be pleased to participate in such an effort. We note that the Commission recommended that such work be undertaken by FAO and WHO, and look forward to an update of FAO/WHO work in this regard.
- CCNASWP should compile information on the measurable objectives for consumer participation in the region, so that the results can be compared with the results from future sessions of the Committee, to determine the amount of progress being made. In addition, the information on measurable objectives should be forwarded to the Secretariat, and the Committee should emphasize the importance of having the combined information from all regions available for discussion at the next Commission meeting. Trend analyses for the region and Codex-wide should be undertaken to examine progress over time.
- FAO/WHO and member governments should implement the recommendations of the 1999 Commission and take steps to overcome obstacles to consumer participation the development of national food standards, such as:
 - training consumers to participate more effectively in national and international standard setting activities
 - sponsoring technical workings and seminars relating to the assessment, management and communication of food safety risks, and other issues of importance to national and international food standard setting activities, to which consumer organizations are invited and involved
 - training NCCPs and NCCCs on the value of consumer participation and in reaching out to and involving consumer organizations
 - funding consumer representatives to attend NCCC and Codex meetings and related activities

12. The implementation of these recommendations by all member governments would go a long way towards ensuring that meaningful consumer participation in Codex at the national level becomes a reality.