

May 2006

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 9

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

*Fifty-eighth Session, WHO Headquarters
Geneva (Switzerland), 28 June – 1 July 2006*

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS

APPLICATIONS FOR OBSERVER STATUS IN CODEX

1. The 28th Session of the Codex Alimentarius Commission (July 2005) adopted amendments to the Rule concerning Observers (current Rule IX.4, 5 and 6) of the Rules of Procedure of the Commission as well as the revised Principles concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission. Under these Rules and Principles in force, the advice of the Executive Committee is to be sought by the Directors-General of FAO and WHO when handling the relations between the Commission and international non-governmental organizations.
2. The Executive Committee is hereby **invited**, in accordance with Rule IX.6 of the Rules of Procedure and the above-mentioned Principles, to provide advice regarding the applications for observer status from two international non-governmental organizations neither having status with FAO nor official relations with WHO, as included in Annexes. Other relevant information received from the applicant organization will be made available to the Executive Committee in a separate document.
3. The Directors-General of FAO and WHO will decide whether the applicant organizations are to be granted observer status, taking into account all relevant information received from the applicant and the advice of the Executive Committee.

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ANNEX 1: APPLICATION FOR OBSERVER STATUS

(Original: English)

(a) *Official name of the organization in different languages (with initials)*

BEUC
The European Consumers' Organisation
Bureau Européen des Unions de Consommateurs

(b) *Full postal address, Telephone, Facsimile and Email, as well as Telex and website addresses as appropriate*

Avenue de Tervueren 36/4
B-1040 Brussels
Tel: 003227431590
Fax: 00 32 2 740 28 02
food@beuc.org

(c) *Aims and subject fields (mandate) of organization, and methods of operation (Enclose charter, constitution, by-laws, rules of procedures, etc.); Date of establishment*

The objective of BEUC is to act on behalf of its 37 national member organisations to seek to influence in the consumer interest the evolution of EU policy. BEUC was founded in 1962.

See annex 1 (Statutes)¹

(d) *Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country. If the organization is of a federal nature and has international non-governmental organizations as members, please indicate whether any of those members already enjoy observer status with the Codex Alimentarius Commission)*

Membership of BEUC is open to independent national consumer organisation from any European country. Full or voting membership is confined to organisations from EU/EEA member states.

See annex 3 (List of BEUC members)²

(e) *Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.)*

The primary governing body of BEUC is the General Assembly of all members, which normally meets twice a year. Between General Assemblies the organisation is supervised by an Executive Committee and managed by the director and secretariat. The secretariat currently consists of 24 employees.

Governing body: Executive (see annex 2, BEUC Annual Report 2003, p.45)

Secretariat: (see annex 2, pp. 46-47)³

(f) *Indication of source of funding (e.g. membership contributions, direct funding, external contributions, or grants)*

Over 50% of BEUC income comes in the form of membership contributions from member organisations — based on 0.45% of their annual turnover. We also receive an annual subsidy from the European Commission in the range of 43-47% of our total budget. Our ordinary budget (excluding once-off projects) is about 2,3 million euros

¹ See EXEC/58 CRD/1

² See EXEC/58 CRD/1

³ See EXEC/58 CRD/1

(g) *Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission's field of activity*

The General Assembly meets twice a year and the Executive meets about 6 times a year. Position papers are normally agreed by written consultation based on a secretariat draft.

The following is a list of position papers on food published in 2003:

- BEUC/X/050/2003 Letter to Mr José Manuel Silva Rodríguez, European Commission - Water added to chicken through the addition of hydrolysed protein**
- BEUC/X/046/2003 BEUC Position Paper on Co-existence**
- BEUC/X/044/2003 BEUC Position Paper Comments on the proposal for a Regulation of the European Parliament and the Council on nutrition and health claims**
- BEUC/X/041/2003 Consultation paper on Ochratoxin A - Discussion on maximum levels for aflatoxin B1, aflatoxin M1 and ochratoxin A in foods for infants**
- BEUC/X/040/2003 BEUC Final Position Paper Comments on the proposal for a Regulation of the European Parliament and the Council on official feed and food controls**
- BEUC/X/034/2003 Food Claims - What do consumers expect?**
- BEUC/X/031/2003 The role of Society in the Management of Crisis**
- BEUC/X/029/2003 Acrylamide - A Consumer Perspective**
- BEUC/X/016/2003 BEUC Comments Towards a European Action Plan for organic food and farming - Consultation of the European Commission, DG Agriculture**
- BEUC/X/014/2003 BEUC comments on the Request for information in view of the revision of Council Directive on Nutrition Labelling**
- BEUC/X/013/2003 BEUC comments on the Commission Discussion Paper on a Strategy for Setting Microbiological Criteria for Foodstuffs**
- BEUC/X/012/2003 General thoughts on Fortification of Food - BEUC's consideration for the stakeholder meeting on 24 February**
- BEUC/X/010/2003 BEUC Position Paper - The European Food Safety Authority - ensuring a transparent and consumer-focused approach**
- BEUC/X/002/2003 Pesticides - Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee "Towards a Thematic Strategy on the Sustainable Use of Pesticides" - BEUC comments**
- BEUC/X/001/2003 Risk assessment of GMO-plants and derived food and feed - BEUC comments**

(h) *Relations with other international organizations:*

- *UN and its organs (indicate consultative status or other relationship, if any)*

No special relationship; occasional contact.

- *Other international organizations (document substantive activities)*

We work closely with our sister organisation Consumers International on food and other issues, and will continue to do so.

We work with our US partners in the Transatlantic Consumer Dialogue.

As a European Consumer Organisation we are entitled to one seat on the European Commission's European Consumers Consultative Group and we have numerous contacts on a daily basis with all the key institutions of the EU.

(i) *Expected contribution to the Joint FAO/WHO Food Standards Programme*

Our contribution would be to reflect the consensus views of our members on consumer issues in different Codex committees. Given the adhesion of the European Commission and the fact that many European industry associations already have observer status we wish to add the voice of European consumer organisations to the work of CODEX.

(j) *Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees for at least the last three years preceding the application)*

BEUC has contributed so far via CI on the following issues:

- Pesticides - Codex Committee on Pesticide Residues;
- Hygiene - Codex Committee on Food Hygiene;
- Claims/labelling - Codex Committee on Food Labelling and Codex Committee on Nutrition and Foods for Special Dietary Uses;
- Regular consideration or contribution to Codex Alimentarius Task Force on Foods Derived from Biotechnology.

(k) *Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the formation of such a single organization is not feasible, the application should explain why this is so.*

The Codex Committee on General Principles and the Codex Committee on Food Additives and Contaminates are particularly important for us.

There have been a number of previous contacts with the regional European committee. In September this year, BEUC food advisor Beate Kettlitz was the only representative in the CI delegation.

While reflecting the concerns of our members in Europe, BEUC will continue to work closely with Consumers International and continue to share the task of articulating the consumer voice in our work with CODEX.

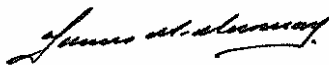
(l) *Languages (English, French or Spanish) in which documentation should be sent to the international non-governmental organization*

Preferably in English; if possible also in French

(m) *Name, Function and address of the person providing the information*

Jim Murray
Director
Avenue de Tervueren 36/4
B-1040 Brussels

(n) *Signature and date*



(Application dated 11 October 2004; received 25 October 2004; complemented 9 May 2006)

Annex to BEUC Submission for Observer Status with CODEX

This annex is added to clarify the working relation between BEUC and Consumers International (CI) in relation to Codex.

- 1 BEUC does not seek separate or parallel representation specifically in relation to the CODEX Commission or any subsidiary body as such.
- 2 Consumers international, with the full support of BEUC, will have the lead role in relation to consumer representation at CODEX.
- 3 There are three sets of circumstances in which BEUC may wish to have separate or parallel representation – to the extent that this is permitted under the relevant CODEX rules:
 - When BEUC is acting with or on behalf of CI, and at the request of CI.
 - At a meeting in which BEUC has a specific interest and at which CI is not represented.
 - At a meeting at which CI is represented, but on an agenda item of specific interest to BEUC but not to CI. There may, for example, be issues that have a specific regional (European), but not global, impact. In relation to such items, only BEUC would intervene. In practice there may be few such occasions but the possibility cannot be excluded.

Should our application be accepted we would like to avail of the above three forms of separate or parallel representation, but subject of course to any limitations that may be imposed by CODEX rules.

END

(Received from BEUC on 2 May 2006)

ANNEX 2: APPLICATION FOR OBSERVER STATUS

(Original: English)

(a) *Official name of the organization in different languages (with initials)*

Natural Solutions Foundation (NSF)

(b) *Full postal address, Telephone, Facsimile and Email, as well as Telex and website addresses as appropriate*

Email: naturalsolutions@optonline.net
 88 Batten Road, Croton on Hudson NY 10520 USA
 914-271-6792
 914-730-9805 fax
 www.HealthFreedomUSA.org
 www.EatSafeEatSmart.com

(c) *Aims and subject fields (mandate) of organization, and methods of operation (Enclose charter, constitution, by-laws, rules of procedures, etc.); Date of establishment*

Mandate: To Preserve, Protect and Defend Health and Health Freedom in the US and Globally, Supporting Developing County Participation.

Methods of Operation: Public and Targeted Educational activities through dissemination of information and information pertaining to public policy and consumer choice at public meetings and through the Internet.

Bylaws: Nevada USA not for profit corporation. Bylaws below.⁴

Date of establishment: February 4, 2004

(d) *Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country. If the organization is of a federal nature and has international non-governmental organizations as members, please indicate whether any of those members already enjoy observer status with the Codex Alimentarius Commission)*

The Natural Solutions Foundation is not a membership organization, but does accept individuals and organizations as affiliates, none of which already enjoy observer status. The affiliate list of the organization is private and confidential.

The Trustees and Advisor: Major A. N. General Stubblebine (US Army, Ret), Rima Laibow, MD, John L. Wilson, MD, Sgt. Major Robert Mawson (UK Army Ret.), Ralph Fucetola JD, Lawrence Plume, MD, James Coy, MD, James Willoughby, MD, Steven M. Singer, Thomas Lawler, Michael D. Ostrolenk, Gianfranco Lombardi (Italy), Zied Ben Salah (Tunisia), Susan Benoit, Camilla Rees and James Gormley.

The core activist group of the Foundation consists of about a dozen individuals, including several attorneys at law, doctors, nutritionists and a retired major general. These individuals live mostly in the United States but also include several Europeans and Africans. The wider support base of the organization includes 10,000+ individuals and organizations who have opted to be included in the organization's email contact list. This support group includes mostly United States persons, but also includes individuals from the European Union, several African countries, including the Republic of South Africa and Southeast Asia.

(e) *Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.)*

Major General Albert N. Stubblebine III (US Army, Ret) is the President of the Foundation. Rima Laibow, MD is the Medical Director.

The President and other operating Officers of the Natural Solutions Foundation receive input from a Board of Advisors (the key supporters of the organization) and act as needed, as Trustees of the organization through annual and periodic meetings, including telephone conferences.

⁴ See EXEC/58 CRD/1

(f) *Indication of source of funding (e.g. membership contributions, direct funding, external contributions, or grants)*

Funding is entirely through direct funding resulting from private donations. No grants have been applied for or received.

(g) *Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission's field of activity*

The Natural Solutions Foundation operates through regular (generally weekly) telephone conference calls among its key supporters and has an annual affiliate meeting scheduled for mid-Summer. Formal Trustee meetings are held annually at that time.

(h) *Relations with other international organizations:*

- *UN and its organs (indicate consultative status or other relationship, if any)*

The Natural Solutions Foundation has not yet consummated any relationships with any UN body or organ.

- *Other international organizations (document substantive activities)*

The Natural Solutions Foundation has not yet completed consummation of relationships with international organizations, but has attended a number of international meetings, including a meeting of Developing Countries in Africa this past February, as an Observer.

The Natural Solutions Foundation was invited to attend the meeting of the Ministers of Health of 42 African countries and their top aides. NSF was admitted to the meeting as an Observer that did not yet have formal credentials with the Regional African Organization (although NSF is working on becoming credentialed participants). When the discussion turned to what the NSF Medical Director, Rima Laibow, MD, felt to be inaccurate Avian Flu information, its prevention and treatment, the just elected President of the organization asked Dr. Laibow to address the meeting, which she did.

The Foundation has also made presentations to the US Food and Drug Administration and has submitted a Citizens' Petition to the FDA regarding the application of US law to the Codex process.

(i) *Expected contribution to the Joint FAO/WHO Food Standards Programme*

The Natural Solutions Foundation anticipates making salient contributions to the Joint FAO/WHO Food Standards Programme by submitting commentary and suggestions to this body on issues which touch on consumer well being, crafted by affiliated attorneys at law and physicians.

(j) *Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees for at least the last three years preceding the application)*

The Natural Solutions Foundation has attended, as private observers, the Codex Alimentarius Commission 2005 meeting (Rome, Italy) and the 2005 CCNFSDU meeting (Bonn, Germany) and anticipates further attendance at these and other Codex Committees (including but not limited to:

1. The Codex Committee on Food Labeling May 1-5, 2006 Ottawa, Canada
2. Codex Alimentarius Commission July 3-7, 2006, Geneva, Switzerland
3. Codex Committee on Nutrition and Foods for Special Dietary Uses October 30 -November 3, 2006 Chiang Mai, Thailand
4. Codex Committee on Food Labeling April 30-May 4, 2007
5. Codex Alimentarius Commission July 2-7, 2007 Rome, Italy
7. Codex Committee on Nutrition and Foods for Special Dietary Uses Nov. 12-16, 2007

(k) *Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the formation of such a single organization is not feasible, the application should explain why this is so.*

Area of Participation: Codex Alimentarius Commission, Committees of particular interest to consumers, workshops and task force meetings on these issues, regional organization meetings and similar activities related to consumer choice and well-being, as set forth in the introductory paragraphs, above.

(l) *Previous applications for observer status with the Codex Alimentarius Commission, including those made by a member organization of the applicant organization. If successful, please indicate why and when observer status was terminated. If unsuccessful, please indicate the reasons you were given.*

The Natural Solutions Foundation has not made any previous applications for observer status to the Codex Alimentarius Commission.

(m) *Languages (English, French or Spanish) in which documentation should be sent to the international non-governmental organization*

English

(n) *Name, Function and address of the person providing the information*

Maj. Gen. Albert N. Stubblebine III (US Army, Ret.)
President, Natural Solutions Foundation
88 Batten Road
Croton on Hudson NY 10520
USA

By: Ralph Fucetola JD – Foundation Counsel
58 Plotts Road, Newton, NJ 07806 USA

(o) *Signature and date*

// Maj. Gen. Albert N. Stubblebine III (US Army, Ret.)
President, Natural Solutions Foundation//
March 17, 2006 – rev. 03/31/06

Supplementary Information on NSF included in the Cover Letter of the Application

“The Natural Solutions Foundation (NSF) is an international, non-governmental, nonprofit corporation in the United States with a unique educational program to support and enhance participation by Developing Countries in the Codex process (details below). The Foundation is sufficiently different from other consumer or health advocacy groups that are currently Observers that it should be included as an Observer in its own behalf.”

(Date: March 17, 2006 - Revised March 31, 2006)