

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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**REP21/EXEC1**

## **JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

### **CODEX ALIMENTARIUS COMMISSION**

**Forty-fourth Session**

**8-13 November 2021**

### **REPORT OF THE EIGHTIETH SESSION OF THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION**

Virtual, 13 - 21 January 2021

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## INTRODUCTION

1. The Executive Committee of the Codex Alimentarius Commission held its Eightieth Session (CCEXEC80) online, from 13 to 21 January 2021. The Chairperson of the Codex Alimentarius Commission (CAC), Guilherme da Costa Junior (Brazil), opened the meeting. The Deputy Director-General of the Food and Agriculture Organization of the United Nations (FAO), Maria Helena Semedo and the Assistant Director-General Universal Health Coverage/Healthier Populations of the World Health Organization (WHO), Naoko Yamamoto also welcomed participants on behalf of the parent organizations.

## ADOPTION OF THE AGENDA (Agenda item 1)<sup>1</sup>

2. The Chairperson noted that the agenda would be deliberated in a revised order as indicated in the meeting schedule available on the CCEXEC80 webpage.
3. CCEXEC80 adopted the agenda with the addition, under agenda item 8 (Other Business), of a discussion on webcasting of CCEXEC sessions (proposed by the Member for Europe).
4. With reference to the Chairperson's request during CCEXEC78<sup>2</sup>, the Member for Europe informed the CCEXEC that while a discussion paper on the geographical representation of CCEXEC in light of Article 6 of the Statutes of CAC had been prepared, this would be presented at a future session when the current priority of managing the Codex work programme during the pandemic had passed.
5. The Member for North America reminded CCEXEC80 that the issue of the presence of the European Union (EU) as advisor to the Member for Europe was pending and that this would be discussed at a future date based on a paper to be provided by the FAO and WHO Legal Offices.<sup>3</sup>

## CODEX STRATEGIC PLAN 2014-2019: FINAL REPORT - UPDATE (Agenda item 2)<sup>4</sup>

6. The Codex Secretariat introduced the document noting that the final implementation report for the Codex Strategic Plan 2014-2019 would be published on the Codex website.
7. The Codex Secretariat drew attention to a number of achievements during implementation, including the good progress on standards setting work; introduction of new digital systems leading to improved participation in Codex work; innovative communication and awareness raising initiatives; revitalization of the FAO/WHO Coordinating Committees; and the establishment of World Food Safety Day. The forward-looking work during this six-year period had allowed Codex to be more resilient to the 2020 COVID-19 pandemic and had enabled work continuity.
8. The Secretariat further noted that the implementation of the Codex Strategic Plan 2014-2019 had been monitored on a yearly basis with annual progress reports to the CCEXEC and underlined that the new Codex Strategic Plan for the period 2020-2025 had been informed by the experiences gained.

### *Discussion*

9. Members generally appreciated the achievements of the Codex community, including the efforts of the Codex Secretariat, during the implementation period. They noted that the findings in the report would contribute to discussion in the subcommittee on the Codex Strategic Plan 2020-2025.
10. The late distribution of the final implementation report, which had prevented Members from preparing comments on the publication, was noted.
11. The Codex Secretariat clarified that the report was not intended for a detailed review by CCEXEC, but that observations could rather feed into the work on the implementation of, and reporting on the Codex Strategic Plan 2020-2025.
12. Some of the key achievements of the Codex Strategic Plan 2014-19 highlighted during the discussions included:
  - The establishment of World Food Safety Day and its important role in helping Members to raise awareness about Codex work.
  - The work on identifying emerging issues, noting that this information should also inform the work under the current Codex Strategic Plan.

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<sup>1</sup> CX/EXEC 21/80/1

<sup>2</sup> REP20/EXEC1, para 53

<sup>3</sup> REP20/EXEC2, para 8

<sup>4</sup> CX/EXEC 21/80/2

- The monitoring of participation in Codex work and the potential for further analysis of data regarding participation in written consultations and physical as well as virtual meetings; and
- The progress made on co-hosting of Codex Sessions, while emphasizing the need for further improvement to facilitate participation of developing countries in the standard-setting activities of Codex.

### **Conclusion**

13. CCEXEC80:
- i. noted the development and forthcoming publication of the “Codex Strategic Plan 2014-2019: Implementation Report”;
  - ii. acknowledged the achievements by the Codex community during the period 2014-2019;
  - iii. noted the importance of the Codex Strategic Plan 2014-2019 and its implementation in paving the path for the Codex Strategic Plan 2020-2025; and
  - iv. agreed that CCEXEC members would provide input to the ongoing subcommittee on the Codex Strategic Plan 2020-2025 based on their review of the implementation report of the Codex Strategic Plan 2014-2019.

### **REPORT OF THE CCEXEC SUB-COMMITTEE ON CODEX AND THE PANDEMIC - STRATEGIC CHALLENGES AND OPPORTUNITIES (Agenda item 3)<sup>5</sup>**

14. The Chairperson of the sub-committee highlighted the extensive collaboration that had enabled its work to be completed in a limited time and expressed her gratitude to all involved.

#### ***General discussion***

15. There was general appreciation and support for the sub-committee report and the pragmatic approach taken therein.
16. The approaches taken in Codex to date in response to the challenges posed by the pandemic were positively viewed. In particular some of the new practices such as webinars on meeting etiquette and raising awareness on important issues for Committees to facilitate preparation of Members for virtual sessions, and provision of session timetables were appreciated and encouraged. A reminder on the importance of timely translation of documents for virtual meetings was also made.
17. Given the importance of this topic to the progression of Codex work during the ongoing COVID-19 pandemic, some areas of particular concern or priority were raised as follows.

#### ***Barriers to participation***

18. Ensuring Members have the technology and capacity to participate in virtual meetings was considered very important to the success of virtual Codex sessions in 2021. In this context, it was suggested that an assessment of the barriers to participation be undertaken as a matter of urgency so that measures could be put in place to mitigate any impediments and ensure equitable participation.
19. The Codex Secretary noted that a post CAC43 survey had been a first step to collecting such information and that informal virtual meetings with the regions had also been useful in identifying challenges. The role of the Regional Coordinators in outreach to Members and identification of barriers was recognized and collaboration between the Codex Secretariat and the Coordinators on this issue was considered essential.

#### ***Guidance for virtual meetings***

20. Reflecting on the guidance for participants of virtual meetings, the Codex Secretariat was reminded to consider the information collated from consultations during the work of the sub-committee in updating this guidance. Responding to a proposal that the guidance be returned to the CCEXEC for endorsement, the Codex Secretary recalled the informal and living nature of the document, noting that the intent was to update it regularly based on the experience of the meetings of the Codex subsidiary bodies and tailor it to the different sessions.

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<sup>5</sup> CX/EXEC 21/80/3

**Codex calendar**

21. It was noted that the pandemic had led to a shift of focus and reduced capacity for Codex work in many Member countries. To participate in Codex work, Members would need predictability regarding the Codex schedule, noting that extended or partitioned meetings should be avoided to the extent possible to ensure that the workload for Members would not increase.
22. The Codex Secretary recognized the challenges and confirmed that every effort was being made to retain scheduled dates, keep committee sessions to within a week, and communicate any changes through the Codex website as early as possible. However, he noted that planning also needed to take into consideration the challenges facing host countries and Chairpersons, and sometimes changes were unavoidable.

**Longer-term resilience of Codex to external factors**

23. It was noted that within Codex there was currently a range of good tools to facilitate virtual work and that experience with virtual meetings continued to grow and would be further enriched in 2021 through the experiences of working virtually at the subsidiary body level. These tools and experiences would serve Codex well in the longer term.
24. The flexibility within Codex for 2021 to interpret place of a meeting in the rules of procedure as being a virtual place if needed, had been a big step in resilience building based on the interim report of the Sub-Committee<sup>6</sup>.
25. Differing views were expressed in terms of formally consolidating these gains, with some highlighting that it was not necessary to change the Procedural Manual (PM) to implement virtual meetings now or in the future, while others considered it important to agree to a procedure for circumstances where physical meetings are not possible.
26. The Codex Secretary in confirming the procedural flexibility for 2021 indicated that there would be further discussions with the FAO and WHO Legal Offices on how that flexibility could be maintained in the future, but also acknowledged that there was more to learn in 2021.

**Working hours and scheduling**

27. Scheduling of formal and informal Codex meetings to date have mainly favored the host country and Chairpersons and were considered to have not been very convenient for Members in other parts of the world. It was proposed to look at how other organizations were addressing scheduling and find a means, such as rotation, to ensure that the same countries were not always disadvantaged.
28. Recognizing the challenge, the Codex Secretary noted that to date the approach had been to try to schedule meetings at a time that avoided the worst time-slots for a maximum number of Member countries and which was convenient for the Chairperson. He acknowledged that further discussion was needed to find a more equitable solution, taking to account what is being done by other international organizations in this regard.

**Preparedness for elections**

29. Preparedness for elections in the absence of physical meetings of CAC was emphasized as a priority for Members.
30. The Codex Secretary and the FAO Legal Office noted that the need for such a system had been requested by many committees in FAO and work was underway to develop procedures for electronic voting and elections in a coordinated manner with other UN bodies. In terms of timing, it was indicated that such a procedure might need to be considered and approved by the relevant FAO Governing Bodies. As the situation was evolving, it was difficult to provide CCEXEC80 with a timeframe for this work. Updates could be provided as more information was available.

**Hybrid meetings**

31. A number of concerns were expressed with regard to the idea of hybrid Codex meetings, highlighting the difficulty of ensuring equitable participation in such meetings, the lack of access of virtual participants to informal discussions, and the future impact such meetings may have on budget allocations in Member countries to participate physically in Codex meetings. Further, the nature of a hybrid meeting made it very difficult to ensure the Codex core values of inclusiveness and transparency could be adhered to and therefore there should be further discussion by CCEXEC before any decision on such meetings could be taken.
32. While fully recognizing the difficulties that hybrid meetings present, the Codex Secretary also noted that there might be situations when they were useful, such as late travel cancellations, but he acknowledged that any move in this direction required very careful consideration.

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<sup>6</sup> [CX/CAC 20/43/2](#)

**Benefits of virtual meetings**

33. A Member expressed a concern that the sub-committee report suggested that virtual meetings were second-class meetings compared to physical meetings, noting that this did not reflect the current reality in many sectors where virtual meetings were considered to have advantages over physical meetings, for example in terms of ease of participation and reduced cost, and in some areas virtual meetings were becoming the rule rather than the exception.
34. In this context, the Member was of the opinion that there was a need to also consider the benefits and advantages of virtual meetings for Codex. Other Members confirmed a return to physical meetings as their preferred option.

**Conclusion**

35. CCEXEC80 confirmed their general support for the report and reviewed the proposed recommendations of the sub-committee in light of their discussions and:
- i. recognized the progress made by Codex in 2020, despite the challenges posed by the pandemic, as an indicator of the resilience of Codex and its Members.
  - ii. strongly encouraged the maintenance of a pragmatic and engaged approach moving forward with Codex work in 2021.
  - iii. recognized that CAC43 had agreed on the possibility of holding virtual meetings in 2021 and endorsed the proposals from the sub-committee to operationalize this decision, noting that this did not at present require any change to formal Codex procedures.
  - iv. recommended that FAO, WHO, the Codex Secretariat and host countries pay particular attention to the following criteria in arriving at decisions on whether to convene virtual Codex sessions:
    - any UN declared global emergency situation;
    - the extent of travel restrictions or changes/expected changes in travel restrictions;
    - priority of the matters scheduled for the relevant Codex session;
    - information from Codex Members concerning their inability to participate in physical meetings; and
    - security concerns (global, regional or local as appropriate to the meeting of interest).
  - v. recommended that for 2021, the alternative to physical sessions was virtual sessions together with the use of online written discussions and supporting informal mechanisms. These ways of working were likely to be robust in the face of a range of future challenges.
  - vi. recommended that the Codex Secretariat and Host Country Secretariats facilitate equitable participation when planning a virtual Codex session taking into account that the technical platform, including its ability to support interpretation, duration, scheduling and agenda all serve as the basis for this.
  - vii. recommended that when planning the agenda of Codex sessions to be convened virtually in 2021:
    - pre-meeting planning and preparations were optimized in order to distill key issues for consideration by Codex subsidiary bodies and that this was communicated in a transparent manner; and
    - the Chairpersons together with the host and Codex secretariats were adequately prepared for the sessions and how to deal with agenda items in recognition of the challenges associated with conducting a virtual session.
36. CCEXEC80 further recommended that the Codex Secretariat:
- i. update its informal guidance on how to participate in a virtual Codex session taking into consideration the ideas collated by the sub-committee over the course of its consultations as well as input from the post-CAC43 survey, and experiences from future Codex meetings and other international organizations.
  - ii. provide updates about the working mechanisms applied and tools adopted in virtual Sessions of committees in 2021 and the lessons learnt from the experiences during the pandemic.

- iii. in cooperation with the Regional Coordinators, reach out to all Members to inform an assessment of both the benefits of participation in virtual meetings, and any barriers to participation and changes that may mitigate them, paying particular attention to those Members who were unable to participate in virtual committee sessions because of those barriers.
- iv. ensure predictability of the Codex meeting schedule to facilitate planning and participation by Members and explore opportunities for cooperation to strengthen related capacities.
- v. deliver webinars in the lead up to committee meetings in order to remind Members of virtual participation etiquette and protocol in the Codex context.
- vi. consistent with the conclusion of CAC43<sup>7</sup>, explore with the FAO and WHO Legal Offices how elections in the absence of physical meetings will be organized and inform CCEXEC and the Codex membership as early as possible, ideally by 31 May 2021, on progress made and any steps to be taken.

**CCEXEC SUB-COMMITTEE ON THE APPLICATION OF THE STATEMENTS OF PRINCIPLE CONCERNING THE ROLE OF SCIENCE - UPDATE (Agenda item 4)<sup>8</sup>**

37. Following the introduction by the Chairperson of the sub-committee and the update by the Codex Secretary, CCEXEC80 noted the exceptional and unprecedented challenges that prevented the progress of this work, confirmed its ongoing importance, recalling also the strong interest of Codex Members in this work<sup>9</sup>, and supported the extension of the mandate of the sub-committee until CCEXEC81 to facilitate completion of the work.
38. Members noted the approach to the development of the guidance presented by the Codex Secretary based on discussions held with Codex subsidiary body Chairpersons. In the absence of a draft guidance document, the following views were expressed by Members:
  - The practical guidance should be a simple/concise text and/or in the form of a flow chart or decision tree and could be included in the Codex Chairperson's Handbook.
  - The guidance should be concise, i.e. brief, but comprehensive.
  - There was sufficient guidance in the PM and operationalization of the Statements of Principle (SoP) should not be overcomplicated.
  - Chairpersons needed to ensure that Codex work remained within its mandate and the Codex Chairperson's Handbook already provided an important resource.
  - The guidance should reiterate that decisions in Codex need to be based on science and consistent with the criteria for consideration of other factors in the PM.
  - Moving forward the work should adhere to the mandate provided to the Secretariat and the sub-committee by CCEXEC78.
  - This work should not lead to any changes in the text on the SoP in the PM.
  - The guidance should include options available to Chairpersons in case of disagreements/difficulties finding consensus in the standards development process, and provide examples of their use in order to raise awareness of the available options and their utility, noting that these options were outlined in the paper on "History and implications of the fourth paragraph of the statements of principle"<sup>10</sup> presented to CCEXEC77.
  - Different views were expressed on the matter of the use of footnotes in Codex standards and while some considered it relevant for the further development of the guidance, others were of the opinion that this was not relevant to the operationalization of the SoP.
  - The suggested development of a registry of reservations caused some concern and that it could lead to misunderstanding as this could give more weight to reservations than currently afforded and thus undermine Codex standards.

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<sup>7</sup> REP20/CAC, para 20, iv)

<sup>8</sup> CX/EXEC 21/80/4

<sup>9</sup> CX/EURO 19/31/CRD 9; REP19/CAC

<sup>10</sup> CX/EXEC 19/77/10

- Guidance on reservations should be provided as the PM currently does not cover criteria for reservations.
  - Countries have a good understanding of reservations and their use in Codex and other international organizations and this was not part of the charge to the sub-committee.
  - Reservations did not necessarily need to be a part of application of the SoP.
  - Reservations are commonly used in reports of committees and CAC together with their justification, and CCEXEC78 had already requested the Chairpersons of subsidiary bodies to include the technical basis of reservations in meeting reports so no further guidance was needed.
  - The terms used in the SoP were sufficiently clear and the Chairpersons of subsidiary bodies had indicated their comfort with the text, so no further clarification was needed.
  - The work of the sub-committee should not re-open discussions on or interpret the terms in the SoP.
  - The guidance should be relevant to Codex Members as well as the Chairpersons of Codex subsidiary bodies, in particular new Chairpersons, to enhance their understanding and facilitate Members' participation in Codex meetings, particularly with regard to the use of reservations and application of the SoP.
39. Noting the range of comments expressed, the Codex Secretary indicated that this provided the Codex Secretariat with a better sense of views within CCEXEC. These would be carefully considered in developing a first draft of the practical guidance.
40. In response to a request about providing information on this topic in the margins of CCGP32, the Secretary noted that this would not be possible since the draft guidance was yet to be developed. However, given the experience with virtual meetings, he suggested that the subcommittee could assess virtual options for engagement with the Codex membership once the guidance had been drafted.
41. Acknowledging the views not to overcomplicate the guidance, the Secretary noted however that understanding the SoP required an extensive knowledge of Codex, hence the guidance may need to bridge that knowledge gap for many Members.
42. The Chairperson of the sub-committee confirmed that in moving forward the mandate of the sub-committee remained the same and noted that CCEXEC had already agreed that there would be no changes to the PM.

### **Conclusion**

43. CCEXEC80 agreed:
- i. to extend the mandate of the sub-committee to CCEXEC81;
  - ii. that, as mandated by CCEXEC78, the Codex Secretariat, in cooperation with FAO and WHO, will develop the first draft of the practical guidance for presentation to the sub-committee, taking into account the comments made at CCEXEC80; and
  - iii. that the sub-committee should consider how to ensure the engagement of the wider Codex membership in the development of the guidance.

### **WORK PLAN FOR THE IMPLEMENTATION OF THE STRATEGIC PLAN 2020-2025 – UPDATE (Agenda item 5)<sup>11</sup>**

44. The Chairperson of the strategic planning sub-committee, introduced the item, including CRD1, which proposed revised Terms of Reference for a fourth Strategic Planning Sub-committee of CCEXEC, and the basis thereof. He emphasized that the COVID-19 pandemic had precipitated rapid transformation in response to an immense challenge – variously described as an opportunity to reset, or to “build back better” and that Codex was no different. The Codex Strategic Plan reflected the shared ambition of the Codex family and the need for aligning the activities of all Codex actors towards this shared and common purpose was underlined. The way monitoring and evaluation was to be approached should recognise that the Strategic Plan should be central to Codex’s work and a shared endeavour, rather than ancillary to it and that ownership of the plan and responsibility for delivery and evaluation was shared, and not just vested in the Secretariat. Furthermore, the

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<sup>11</sup> CX/EXEC 21/80/5; CRD1



Plan should be a living document that, in the words of the PM, was to be renewed on a biennial basis to ensure its continuing relevance.

### ***Progress report***

45. The progress report was welcomed by CCEXEC80 with no additional comments.

### ***Terms of Reference for the fourth strategic planning sub-committee***

46. The proposed re-establishment of the sub-committee on strategic planning and the proposed revised terms of reference (CRD1) were generally welcomed by CCEXEC Members. The following points were made in the discussion on the proposed scope of the work of the sub-committee:
- No proactive inputs into the Strategic Plan should be requested from Codex Members and observers, noting that such information could be added on a voluntary basis in line with the agreement reached at CCEXEC78<sup>12</sup>.
  - It should be clear that the contribution of Codex to the achievement of the Sustainable Development Goals (SDGs) takes place through Codex Member countries as the SDGs were for achievement by countries, rather than by international organizations.
  - It was appreciated that a reference to the UN Food Systems Summit (FSS) had been included and suggested to give attention to aligning the timing of the sub-committee work to that of the FSS and its preparatory meeting to allow Codex to contribute effectively to the FSS.
  - Reporting against the implementation of the 2020-2021 work plan could: take due consideration of budgetary matters, particularly regarding possible savings and reallocation of resources; include inputs from Codex regional and other relevant committees; and consider the indicators developed to monitor progress against the Codex Strategic Plan for 2020-2025.
47. Regarding reporting against Strategic Goal 3, available case studies and the lessons learned from carrying out such studies<sup>13</sup> could be used to inform the monitoring and evaluation work.

### **Conclusion**

48. CCEXEC agreed:
- i. that a report should be developed for discussion at CCEXEC81 and CAC44; and
  - ii. to reconvene the strategic planning sub-committee with terms of reference as set out in Appendix II.

### **APPLICATIONS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS FOR OBSERVER STATUS IN CODEX (Agenda item 6)<sup>14</sup>**

49. The Codex Secretariat introduced the document containing one application for observer status, which had been examined by the Legal Offices of FAO and WHO and found to be complete and receivable.

### **Conclusion**

50. CCEXEC80 recommended that the Directors-General of FAO and WHO grant observer status to the European Federation of the Associations of Dietitians (EFAD).

### **MATTERS ARISING FROM FAO AND WHO (Agenda item 7)<sup>15</sup>**

51. The Representatives of FAO and WHO introduced the topic and provided information in addition to what was contained in the documents.

### ***COVID-19 related aspects***

52. The Representative of FAO noted that the joint FAO/WHO guidance documents on COVID-19 and food safety were in the process of being updated. He emphasized the impact of the pandemic on the food supply and noted that FAO was responding by mobilizing country support to stabilise food supplies and minimize increases in hunger.

<sup>12</sup> REP20/EXEC1; para 81

<sup>13</sup> Understanding International Harmonization of Pesticide Maximum Residue Limits with Codex Standards: A case study on rice; 2020. FAO. Available at: [www.fao.org/documents/card/en/c/cb0463en](http://www.fao.org/documents/card/en/c/cb0463en)

<sup>14</sup> CX/EXEC 21/80/6

<sup>15</sup> CX/EXEC 21/80/7; CX/EXEC 21/80/7 Add.1

53. The Representative of WHO noted some of the recent nutrition and food safety related activities on addressing COVID-19, including a mission to China to work on the origin of the pandemic, a document on food safety and traditional markets developed in cooperation with other organizations that was nearing completion, and an evidence review on obesity as an independent risk factor for the severity of COVID-19. He also highlighted the new One Health Initiative, which aims to strengthen science, country support and surveillance for achieving optimal health outcomes through addressing the interactions between human, animals and the environment in collaboration with other relevant organizations and Member States.
54. It was noted that while international food trade had shown resilience during the pandemic and there had been extensive efforts by FAO and WHO to help limit its negative impact, the pandemic had nevertheless highlighted weaknesses in food control and certification systems and in that context, the Codex standards and guidelines play an important role.

#### ***Scientific advice***

55. Responding to a request on the status of the scientific advice activities in the context of the pandemic, both organizations emphasized that though there had been challenges, most work had been delivered. The Representatives expressed gratitude to the experts for their important contributions and relentless efforts.

#### ***Use of Codex standards***

56. The recent FAO publication on a case-study on harmonisation of pesticide MRLs for rice with Codex standards<sup>16</sup> was considered of interest to the implementation of Goal 3 of the Codex Strategic Plan 2020-2025 and could be further discussed in the context of strategic plan implementation. It was also suggested that FAO consider presenting this study to relevant Codex committees, e.g., CCPR or CCGP.
57. Concerns were expressed that some international organizations were making recommendations, for example on food labelling, without consideration of Codex standards or ongoing work within Codex. The continuing importance of collaboration between international organizations on use of and reference to food standards and active reference to Codex standards was underlined.

#### ***UN Food Systems Summit***

58. The Representative of FAO highlighted that the FSS would not issue a final negotiated declaration by Member States but will rather focus on a set of actions that will dramatically transform food systems at the global, regional and national levels. FAO and WHO are the UN Anchor Organizations for action tracks 1 (Ensure Safe and Nutritious Food for All) and 2 (Shift to Sustainable and Healthy Consumption Patterns), respectively. Codex work on food standards was relevant to both of these action tracks. In addition, a series of dialogues at country level to explore options for the future of local and national food systems as well as global dialogues to explore interconnections of food systems with other global actions, were being held. These dialogues would provide an opportunity for food safety organizations to be engaged. The Representative of WHO highlighted that the FSS represented a unique opportunity to ambitiously change food systems and that WHO was working together with other UN Agencies to identify game-changing solutions and provide necessary tools and data.
59. The need to connect the implementation of the Codex Strategic Plan with the FSS work was highlighted. All Codex actors, including the Codex Secretariat and the Chairperson and Vice-chairpersons of the CAC were encouraged to be actively involved in the FSS work to raise awareness of the role of Codex. CCEXEC expressed appreciation to FAO/WHO for the information on the FSS.
60. Following a question on the involvement of the Codex Secretariat in the work on preparing the FSS, consistent with article 1b in the PM, that Codex promote coordination of all food standards work undertaken by international governmental and non-governmental organizations, the Representative of FAO clarified that relevant UN Agencies would become increasingly involved as the process moves towards the operationalization of the game-changing solutions identified through the Action Tracks. He noted that the membership in the different working groups was limited but that the Codex Secretariat would be involved by FAO and WHO as appropriate when relevant topics were discussed.
61. The Codex Secretary confirmed that there was regular contact with the relevant officers in FAO and WHO, which would facilitate input from Codex into the FSS process.

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<sup>16</sup> [www.fao.org/documents/card/en/c/cb0463en](http://www.fao.org/documents/card/en/c/cb0463en)

**World Food Safety Day**

62. The importance of World Food Safety Day (WFSD) and the opportunities it represented in promoting food safety in general, as well as in relation to the pandemic, and the relevance of Codex standards to sustainable food systems was emphasized.

**Conclusion**

63. CCEXEC80:
- i. expressed appreciation for the ongoing work of FAO and WHO on food safety during the COVID-19 pandemic and for maintaining the output of the scientific advice program despite the challenging circumstances;
  - ii. acknowledged the remarkable efforts made by all those involved in Codex and in particular the experts to ensure the continuation of the scientific advice output during the pandemic and encouraged their employers to support and respect these efforts and resource their participation to this important international work;
  - iii. noted the recent publication by FAO of a report on harmonisation of pesticide MRLs for rice with Codex standards, and encouraged further work demonstrating use and impact of Codex standards, consistent with the objective and implementation efforts towards achievement of Codex Strategic Goal 3;
  - iv. highlighted the role of Codex Standards in the context of maintaining food safety during the pandemic and the importance of using opportunities such as WFSD to re-energise commitment to food safety following the pandemic;
  - v. highlighted the continuing importance of collaboration between international organizations on food standards, recalling the mandate of Codex to promote coordination of all food standards work undertaken by IGOs and NGOs;
  - vi. encouraged Codex Members to engage in the country dialogues on the FSS and encouraged FAO and WHO to engage the Codex Secretariat, and the Chairperson and Vice-chairpersons as appropriate in the discussions leading up to the summit;
  - vii. highlighted the importance of advocacy on the FSS by all Codex actors and proposed that relevant opportunities be used to highlight the relevance of Codex standards to sustainable food systems such as WFSD2021; and
  - viii. noted the importance of linking activities planned for the implementation of the Codex Strategic Plan 2020-2025 to the FSS.

**OTHER BUSINESS (Agenda item 8)****Webcasting CCEXEC Sessions**

64. The Member for Europe introduced the item stating that there should be a presumption of openness and that webcasting CCEXEC sessions would help to enhance the transparency of the work of the Committee, which is acting on behalf of CAC between sessions, noting that sessions of CAC were already being webcast.
65. The Codex Secretariat recalled that increasing the transparency of CCEXEC work had been previously discussed by CCGP and CAC<sup>17</sup>. As a consequence, following the decision of the Commission, audio-recordings of the CCEXEC proceedings had been posted on the Codex website since 2005.
66. Some Members supported webcasting CCEXEC sessions noting that this would facilitate transparency and better understanding of CCEXEC recommendations; help Regional Coordinators in their tasks of engaging Members in their region; and that webcasting of CCEXEC to Members only on a trial basis could be a feasible next step.
67. Other Members affirmed that CCEXEC meetings had a restricted Membership and that its Members acted in the proceedings on behalf of the Commission within their specific roles. Opening up the proceedings to many observers might lead Members to come under pressure from different groups. The Regional Coordinators in their role already ensured input from and feedback to the wider Codex Membership.
68. The Legal Representative of FAO, speaking on behalf of the Legal Offices of FAO and WHO, stated that CCEXEC is a committee of restrictive membership as outlined in Rule V of the Codex Rules of Procedure and

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<sup>17</sup> ALINORM 04/27/33; ALINORM 05/28/33; REP15/GP; ALINORM 05/28/41; ALINORM 07/30/REP

that unlike for the Commission, the rules do not provide that CCEXEC meetings are public. In the absence of any specific rule in the PM, she referred to the FAO General Rules of the Organization (GROs), which provide that meetings of the General Committee, acting as the bureau of the Conference, shall be held in private, unless otherwise determined by the Conference (Rule X (I) refers).

69. In light of the procedures outlined in the GROs, the Legal Representative of FAO stated that, due to the bureau-like nature of CCEXEC, the sessions of the Committee should be held in private, unless the Codex Alimentarius Commission decided to authorize CCEXEC's meetings to be webcasted on an *ad hoc* basis. She emphasized that transparency and consultation processes were duly ensured through the participation of Members and Regional Coordinators, the reports of the Committee, as well as the practice of audio recording that had been developed.
70. The Legal Representative of FAO concluded that the above reflected the preliminary views of the FAO and WHO Legal Offices and that if there was an actual desire by Members to take this further, the Legal Offices would need to review the matter as it raises a fundamental question relating to the rules of procedure.

### **Conclusion**

71. CCEXEC80 noted:
- i. that CCEXEC was at the forefront of transparent practice among committees of restricted membership in already making available audio recordings of its meetings, and
  - ii. the different views on this matter and that any proposal from Members for webcasting of CCEXEC sessions would be a matter for the Commission to decide.

### Including delegate contact information in Codex reports<sup>18</sup>

72. The Member for North America recalled the discussion held at CCEXEC78 and stressed the importance of contact information for attending delegates that had until recently been provided in all Codex meeting reports. The Member recalled that different options had been discussed at CCEXEC78 such as an opt-in preference for sharing contact details to be expressed by individual delegates during meeting registration or a solution where such data would be available in a 'Members only' area of the Codex website.
73. The Legal Representative of FAO stated that FAO was elaborating principles on personal data protection and that any determination regarding sharing personal information should be formulated accordingly.
74. The Codex Secretariat confirmed that it would work with the FAO Legal office to seek a solution to make contact information available and would inform the CAC membership accordingly.

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<sup>18</sup> REP20/EXEC1; CCEXEC78 CRD1

**APPENDIX I****LIST OF PARTICIPANTS**  
LISTE DES PARTICIPANTS  
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PRESIDENTE

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Food Safety Expert Ministry of Agriculture, Livestock  
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VICE-PRÉSIDENTS  
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**MEMBERS ELECTED ON A GEOGRAPHIC BASIS**  
**MEMBRES ÉLUS SUR UNE BASE GÉOGRAPHIQUE**  
**MIEMBROS ELEGIDOS SOBRE UNA BASE GEOGRÁFICA**

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**APPENDIX II****TERMS OF REFERENCE FOR THE FOURTH STRATEGIC PLANNING SUB-COMMITTEE OF CCEXEC****Scope of work:**

The sub-committee will prepare a report for CCEXEC81 that highlights the achievements, lessons learned and opportunities for redirection and invigoration of Codex work in response to the ongoing global crisis.

In doing so the sub-committee will:

- consider the progress made on implementation of the regional work plans as well as the activities undertaken by other subsidiary bodies and the Codex Secretariat;
- review the relevant linkages to the work programmes of FAO and WHO, including the Codex Trust Fund, and in particular the relationship to the FAO and WHO food safety strategies currently under development;
- take into consideration how Codex can contribute to and achieve recognition for its key food standards work in the actions of its Members in relation to global and UN initiatives such as the 2030 Agenda for Sustainable Development and the UN Food Systems Summit; and
- work closely with the Codex Secretariat to consider how to approach monitoring and evaluation in a manner that reflects the fundamental purpose of the Codex Strategic Plan, taking into account budgetary constraints or limitations.

**Timetable and deliverables:**

The sub-committee will start work on 25 January 2021. It will consolidate the elements set out in the scope of work into a single document, to be circulated to Members of CCEXEC at least one month in advance of its meeting prior to CAC44.

**Membership and ways of working:**

The sub-committee will be chaired by Vice-chairperson Steve Wearne of the Codex Alimentarius Commission and co-chaired by the other two Vice-chairpersons.

The sub-committee will primarily work electronically using the online platform. All Members of CCEXEC will be able to register and participate. Virtual meetings may be convened if necessary.

The sub-committee will work in English only.