

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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CODEX ALIMENTARIUS COMMISSION

Twenty-third Session

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REPORT OF THE FIFTH SESSION OF THE CODEX COORDINATING COMMITTEE FOR NORTH AMERICA AND THE SOUTH WEST PACIFIC

Seattle, Washington (USA), 6-9 October 1998

SUMMARY AND CONCLUSIONS

The fifth Session of the Codex Coordinating Committee for North America and the South West Pacific reached the following conclusions:

MATTERS FOR CONSIDERATION BY THE CODEX ALIMENTARIUS COMMISSION:

- Strongly supported the establishment of a scientific advisory body on the **microbiological aspects of food safety**, particularly on microbiological risk assessments (para. 13);
- Recommended that the Commission, through the Secretariat, request the WTO Secretariat to indicate the availability of information or data which could be of utility to Codex in **analyzing the status of the use or acceptance** of Codex standards (para. 19);
- Recommended that the Commission appoint a representative to be named by the Government of Australia as the **Coordinator for North America and the South West Pacific** (para. 74) and;
- Supported a proposal to address the food safety and nutrition issues surrounding foods **developed through biotechnology**, and that the nature of such advice should be through the development of a general Standard (para. 77).

MATTERS OF INTEREST TO THE COMMISSION:

- Suggested that definitive, clear and concise **definitions for risk analysis** should be decided upon as soon as possible, and stressed a critical need for the elaboration of an introductory **narrative on risk analysis** in the Codex system (para. 9);
- Urged considerable caution in relation to the inclusion of reference to the application of the **“precautionary principle”** in Codex (para. 10);
- Noted that the current Codex **acceptance procedures** were not often applied in practice and were probably irrelevant in light of the relevant WTO Agreements (para. 18);
- Noted that all eligible FAO **members of the region** were now Members of the Commission (para. 40);
- Generally endorsed the recommendations of the **Workshop on the Administration of National Codex Committees for the Pacific Island Countries** (para. 47);
- Supported the idea of the development of a statement of “Core Functions” of national **Codex Contact Points** by the Codex Committee on General Principles (para. 66);
- Noted that the contribution of **International Non-Governmental Organizations** was extremely valuable, including the contributions from consumer, industry and professionals and scientific organizations (para. 73) and;
- Noted the observations made at the conclusion of the **Workshop on Risk Analysis Relative to Codex in the Region** (para. 86).

TABLE OF CONTENTS

	<u>Paragraphs</u>
INTRODUCTION	1 - 3
ADOPTION OF THE AGENDA	4
MATTERS OF INTEREST ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES	5 – 6
REPORT ON ACTIVITIES RELATED TO RISK ANALYSIS IN CODEX AND OTHER BODIES ...	7 – 15
REVIEW AND PROMOTION OF ACCEPTANCES OF CODEX STANDARDS AND CODEX MAXIMUM RESIDUE LIMITS FOR PESTICIDES BY COUNTRIES IN THE REGION	16 – 20
INFORMATION AND REPORTS ON FOOD SAFETY, FOOD CONTROL AND FOOD STANDARDS ISSUES IN THE REGION	21 – 38
PROMOTION OF CODEX ACTIVITIES, INCLUDING MEMBERSHIP, IN THE REGION	39 – 49
ACTIVITIES OF CODEX CONTACT POINTS AND NATIONAL CODEX COMMITTEES IN THE REGION	50 – 66
CONSUMER PARTICIPATION IN THE WORK OF CODEX AND RELATED MATTERS	67 – 73
NOMINATION OF COORDINATOR	74 - 75
 OTHER BUSINESS AND FUTURE WORK	
General Standard on Foods Produced through Biotechnology	76 – 78
Consideration of Food Control Problems of Small Island Developing Countries In the Region	79
Report of an FAO Workshop on Risk Analysis Relative to Codex In the Region	80 – 86
DATE AND PLACE OF NEXT SESSION	87

LIST OF APPENDICES

	<u>Pages</u>
APPENDIX 1: LIST OF PARTICIPANTS	18 - 21

INTRODUCTION

1. The Fifth Session of the Codex Coordinating Committee for North America and the South-West Pacific (CCNASWP) was held from 6-9 October 1998 in Seattle, Washington at the kind invitation of the government of the United States of America. The Session was chaired by the Coordinator for the Region, Mr. Thomas Billy, Administrator, Food Safety and Inspection Service, United States Department of Agriculture and Vice-Chairman of the Commission and by Dr. F. Edward Scarbrough, Interim Coordinator and US Manager for Codex, for certain items of the Agenda.

2. Representatives of Australia, Canada, Cook Islands, Fiji, New Zealand, Samoa, Solomon Islands, Tonga and the United States attended the Session. Observers from FAO, Consumers International and the Council for Responsible Nutrition also attended the meeting.

3. The Session was opened by Dr. Scarbrough on behalf of Dr. Catherine Woteki, Undersecretary for Food Safety, US Department of Agriculture. Dr. Scarbrough conveyed Dr. Woteki's satisfaction concerning the increased participation of several South Pacific island nations in the work of the Committee, and emphasized the increasing importance of Codex in the protection of consumers and the facilitation of international trade. Dr. Woteki conveyed her best wishes for a successful meeting.

ADOPTION OF THE AGENDA¹ (Agenda Item 1)

4. The Committee adopted the Provisional Agenda as proposed, with the addition of three additional items from the Supplementary List under Other Business and Future Work (see Agenda Item 10). The Committee withdrew from consideration the issue of "Criteria and Judgements for the Management of Microbiological and Chemical Hazards in Foods" in view of related discussions in other Codex Committees².

MATTERS OF INTEREST ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES³ (Agenda Item 2)

5. The Committee noted general matters of interest arising from the Codex Alimentarius Commission and other Codex committees related to the Election of Officers of the Commission, the Appointment of Regional Coordinators and the Review and Acceptance of Codex Texts under the World Trade Organization (WTO) Agreements on Sanitary and Phytosanitary Measures (SPS) and on Technical Barriers to Trade (TBT).

6. The Codex Secretariat also informed the Committee of the following specific matters of interest to the CCNASWP arising from the 13th Session (September 1998) of the Codex Committee on General Principles (CCGP) related to the Review of the Status and Objectives of Codex Texts (ALINORM 99/33, paras. 50-58):

- The Codex Secretariat had been requested to prepare, together with the Secretariat of the Committee on Technical Barriers to Trade, an analysis of the status of Codex standards with respect to that Agreement.

¹ CX/NASWP 98/1 and Supplementary List (CX/NASWP 98/1-Addendum)

² See also ALINORM 99/3, paras. 35-36

³ CX/NASWP 98/2

- The CCGP had accepted the offer of Australia to prepare a paper on its experiences in applying such advisory material through voluntary industry/government/consumer codes of practice.

REPORT ON ACTIVITIES RELATED TO RISK ANALYSIS IN CODEX AND OTHER BODIES⁴ (Agenda Item 3)

7. The Committee noted the following decisions taken by the 22nd Session of the Codex Alimentarius Commission (July 1997) concerning Risk Analysis⁵:

- The Commission adopted Statements of Principle Relating to the Role of Food Safety Risk Assessment for inclusion into a new Appendix to the Procedural Manual⁶, with the understanding that the Codex Committee on General Principles would further consider issues related to equivalence and food safety objectives.
- The Commission adopted Definitions for Risk Analysis Terms Related to Food Safety for inclusion into the Definitions section of the Procedural Manual⁷. These definitions would be subject to regular review and Member countries would have the opportunity to provide comments for further consideration by the Codex Committee on General Principles.
- The Commission made specific recommendations concerning the Action Plan for Codex Wide Development and Application of Risk Analysis Principles and Guidelines for consideration by other Codex Committees.⁸ This included a request to the Codex Committee on General Principles to elaborate integrated principles for risk management and risk assessment policy setting, risk communication and documentation for inclusion into the Procedural Manual.

8. The Committee was further informed of the following discussions concerning risk analysis arising from the 13th Session (September 1998) of the CCGP⁹:

- The CCGP proposed a revised definition for *Risk Assessment Policy* and agreed that it should be circulated for comment; the CCGP also agreed that the current Codex definitions for *Risk Management* and *Risk Communication* should be circulated for comment with a view to their revision (see CL 1998/33-GP).
- The CCGP agreed that there was no need for a definition of *Risk Profile* and therefore, dropped the term from consideration.
- The proposed draft Working Principles for Risk Analysis were returned to Step 2 for re-drafting by the Secretariat, especially in regard to the scope and definition of the “precautionary principle”, realistic estimates of intake exposure and the economic implications of risk management decisions.

⁴ CX/NASWP 98/3

⁵ ALINORM 97/37, paras. 26-30

⁶ Codex Alimentarius Procedural Manual, Tenth Edition, page 147

⁷ Codex Alimentarius Procedural Manual, Tenth Edition, pages 44-45

⁸ ALINORM 97/37, paras. 160-167

⁹ ALINORM 99/33, paras. 13-23

9. The Committee noted that some confusion existed over several terms related to risk analysis and suggested that definitive, clear and concise definitions should be decided upon as soon as possible. The Committee also stressed a critical need for the elaboration of an introductory narrative on risk analysis in the Codex system as had been agreed to by the Commission¹⁰ to provide for adequate explanatory material concerning risk analysis and to allow for the orderly progression of the Commission's action plan. The Committee supported the input of developing countries in the elaboration of the Working Principles, as well as technical assistance in the application of such principles.

10. The Committee urged considerable caution in relation to the inclusion of reference to the application of the "precautionary principle" in Codex (including a definition of the principle). It suggested that such a reference may not, in fact, be required due to the manner in which the Commission and its expert advisory bodies already handle the question of uncertainty in risk analysis. The Committee suggested that this matter might be best approached in an holistic way taking into account the work of CCGP in relation to the development of improved procedures for the development and adoption of standards.

REPORT ON ACTIVITIES RELATED TO RISK ANALYSIS ARISING FROM OTHER BODIES

11. The Committee noted the reports of the following expert consultations:

- Joint FAO/WHO Expert Consultation on the Application of Risk Management to Food Safety Matters (Rome, 27-31 January 1997);
- Joint FAO/WHO Expert Consultation on Food Consumption and Exposure Assessment of Chemicals (Geneva, 10-14 February 1997)
- Joint FAO/WHO Expert Consultation on the Application of Risk Communication to Food Standards and Safety Matters (Rome, 2-6 February 1998).

12. The representative of Consumers International (CI) thanked FAO and WHO for the participation of an expert nominated by CI in the Joint FAO/WHO Expert Consultation on the Application of Risk Communication to Food Standards and Safety Matters, and welcomed such openness and transparency in the future. The representative also noted the development of a clear general policy of other legitimate factors was recommended by two of the expert consultations as being important to transparency in Codex deliberations.

13. The Committee was also informed of discussions held at the 45th Session of the Executive Committee¹¹ concerning the potential establishment of a scientific advisory body on the microbiological aspects of food safety, particularly on microbiological risk assessments. It noted that discussions were underway between FAO and WHO on the possible establishment of such a body. The Committee strongly supported the establishment of such a body. It was suggested that consideration might also be given to specific recommendations for food safety objectives in the context of equivalence in addition to those general requirements regarding microbiological risk assessments requested by the Codex Committee on Food Hygiene.

14. The Secretariat also reported that a Joint FAO/WHO Task Force had been established to prepare for future activities in relation to the establishment of advice on good practice and control in the non-medical use of antibiotics, particularly the use of antimicrobials in food and agriculture.

¹⁰ ALINORM 97/37, para. 164(iv)

¹¹ ALINORM 99/3, para. 22

15. The Committee was also informed that in follow-up to discussions held at the 45th Session of the Executive Committee¹², the 53rd Meeting (June 1999) of the Joint FAO/WHO Expert Committee on Food Additives would be considering the question of food allergies and intolerances in detail.

REVIEW AND PROMOTION OF ACCEPTANCES OF CODEX STANDARDS AND CODEX MAXIMUM RESIDUE LIMITS FOR PESTICIDES BY COUNTRIES IN THE REGION¹³ (Agenda Item 4)

16. The Committee noted that subsequent to the 4th Session of CCNASWP (May 1996), the governments of Canada and New Zealand had reported on the status of their acceptances of Codex standards and Codex maximum residue limits for pesticides. No other notifications of acceptance had been indicated.

17. It was noted that the 13th Session of the CCGP had had extensive discussions on the revision of the Codex acceptance procedures. It had been agreed that a revised document should be prepared by the Secretariat in light of these discussions in order to establish a simplified system of notification for consideration by the next CCGP session¹⁴.

18. The Committee noted that the current Codex acceptance procedures were not often applied in practice and were probably irrelevant in light of the relevant WTO Agreements. The element of transparency that these procedures were intended to provide in the Codex process had been incorporated to a large degree into these Agreements. The Committee also noted that governments had been notifying the WTO Secretariat of those cases where national standards differed from Codex texts as required by provisions of the SPS and TBT Agreements and therefore, transparency was an integral part of these activities.

19. The Committee noted a comment to the effect that the Acceptance Procedure could also be used as a measure of the relevance of Codex standards or as a means of determining if and when an adopted standard required revision or amendment. In this regard, the Acceptance Procedure could be seen as a means of quality assurance. The Committee suggested however, that other means of quality assurance were available to the Commission and recommended that it was the responsibility of individual Codex committees and/or Codex member governments to ensure the appropriateness and currency of specific provisions in Codex standards and related texts. It was also noted that WTO SPS procedures concerning the monitoring of international standardization activities (Article 12.4) had yet to be determined. The Committee recommended that the Commission, through the Secretariat, request the WTO Secretariat to indicate the availability of information or data which could be of utility to Codex in analyzing the status of the use or acceptance of Codex standards.

20. Consumers International noted the importance to consumers of reducing reliance on, and thus risks from, pesticides, and of incorporating recent science into Codex and national procedures regarding the special vulnerability of children to pesticides and exposure to pesticides with a common mechanism of (toxic) action, and exposures from multiple sources and pathways.

¹² ALINORM 99/3, para. 23

¹³ CX/NASWP 98/4

¹⁴ ALINORM 99/33, paras. 42-49

INFORMATION AND REPORTS ON FOOD SAFETY, FOOD CONTROL AND FOOD STANDARDS ISSUES IN THE REGION¹⁵ (Agenda Item 5)

21. The Coordinating Committee was provided with verbal reports by the delegations of Australia, Canada, Cook Islands, Fiji, New Zealand, Samoa, Solomon Islands, Tonga and the United States on recent developments in food safety, food control and food standards matters in the region. These reports are summarized below on the basis of information provided by these delegations. More complete information on these activities was provided in documents circulated as CX/NASWP 98/5 and Conference Room Document 1.

AUSTRALIA

22. The Delegation of Australia briefed the Committee of a number of activities carried out by the Australian Quarantine Inspection Service (AQIS) as regards implementation of HACCP and Quality Assurance systems in meat, dairy and fish inspection programmes. Initiatives in food irradiation, as a pre-shipment treatment for food to be exported from Australia, were also underway.

23. The Delegation informed the Committee that Australia had published its *National Strategic Objectives for Australia's Interests in Codex from 1998 to 2000*, which provided a focus for Australia's participation in the work of the Commission. It also reported that Australia would continue to place high priority on the work of WTO Committee on SPS Measures, and in this regard Australia had participated in the review of the Agreement and the development of guidelines of consistency.

24. In the field of organic produce, Australia had in place a third party accreditation programme for the export of organic produce, where AQIS conducted annual audits of AQIS-accredited industry organizations. Export Control (Organic Certification) Orders were finalized in October 1997, with the result that organic produce had become "prescribed goods" under the Export Control Act 1982. A special feature of the Orders was to enable AQIS-accredited industry organizations to issue Organic Produce Certificates for export purposes. In April 1998 the Organic Produce Advisory Committee, chaired by AQIS, published the second edition of the *National Standard for Organic and Bio-Dynamic Produce*.

25. With regard to food hygiene and food standards, the Australia New Zealand Food Authority (ANZFA) had begun a reform of Australia's food hygiene regulations. The proposed reforms consisted of three new standards in the *Food Standards Code*, infrastructure arrangements for their implementation, and reforms to State and Territory Food Acts. The *Food Standards Code* would be amended to include a new section on Food Hygiene Standards namely Food Safety Programmes and General Requirements, Food Hygiene Practices and Food Premises and Equipment.

26. As regards the review of food product standards, in July 1996 an Agreement between Australia and New Zealand came into force establishing the Authority – a system for developing joint food standards and an *Australian New Zealand Food Standards Code*. ANZFA was currently undertaking a Review of the Australian *Food Standards Code*, having regard to the objectives outlined in Section 10 of the *Australian New Zealand Food Authority Act 1991*, to be completed by the end of 1999. Thereafter the joint ANZFA Code would be implemented during the year 2000. The review was also carried out in accordance with the competition policy principles, which had been adopted by the Council of Australian Governments.

¹⁵

CANADA

27. The Delegation of Canada described a number of initiatives being carried out by Health Canada (HC) and the Canadian Food Inspection Agency (CFIA) aimed at updating the national food legislation and strengthening the food control system. In this regard, the HC had launched a fundamental review of its health protection operations. The objectives of this were:

- To update and integrate the federal health protection legislation;
- To strengthen the science that underlies decision making, ensuring its capacity to meet current and emerging public health risks;
- To improve the management of health risks, while explicitly recognizing the roles and responsibilities of all partners and participants in the process;
- To improve and modernize the Canada-wide health surveillance network; and
- To review and improve the delivery of health protection programmes.

28. Several initiatives in the field of nutrition labelling, functional and novel foods, as well as unpasteurized juices and ciders were being carried out in order to modernize and consolidate national legislation in these areas. Canada also spoke about its experiences in dealing with consumer food safety education and labelling of foods causing allergies and sensitivities in domestic and imported food. Canada is proceeding in developing a single food act consolidating legislation from five separate acts relating to food.

29. The CFIA was working in the development of principles for an industry-operated, tri-national programme between NAFTA trading partners in order to resolve commercial disputes and in the development of an Integrated Inspection System that incorporated HACCP principles. The Delegation also informed the Committee that Canada was nearing the final stages of implementation of the Quality Management Program Reengineered (QMPR) for domestic processors of fish and fish products. This would require all domestic processors to implement HACCP in their operations. In addition, CFIA has implemented a Quality Management Programme for Importers (QMPI) which placed progressively more responsibility on the importer for the safety and quality of the fish products that they imported.

COOK ISLANDS

30. The Delegation of Cook Islands informed the Committee that the Ministry of Agriculture was responsible for the Plant Protection Act and that Food Law was the responsibility of the Ministry of Health. WTO and trade issues fell under the Ministry of Foreign Affairs. The Delegation pointed out that more information on the activities of the Codex Alimentarius Commission was needed and that Cook Islands were in process of establishing its National Codex Committee which would bring together both the public and private sectors in addressing Codex issues in the country.

FIJI

31. The Committee was informed that Fiji was currently using the services of a FAO consultant to review its quarantine regulations in order to comply with international requirements. Since Fiji was a member of the World Trade Organization there was an urgent need to update food laws and regulations and in doing so to improve the country's access to external markets. A commodity development framework up to the year 2000 was a stepping stone towards meeting this urgent need.

NEW ZEALAND

32. The Delegation of New Zealand described a number of initiatives discussed more fully in Conference Room Document 1. These initiatives included the revision of all food related legislation to provide for the development of risk based food safety and product safety programmes. New Zealand also reported on the current activities related to the review of food administration in New Zealand and the possible establishment of a single agency responsible for all food regulatory activities. Information was also provided on the role of the Australia New Zealand Food Authority in New Zealand.

TONGA

33. The Delegation of Tonga informed the Committee that the responsibility for food control was shared among five ministries, being the Ministry of Agriculture responsible for import/export on the application of quarantine measures. The Delegation also informed that Tonga promoted the export of fish and produce to New Zealand, Australia, the United States and the European Union. In this regard, it expressed the interest of Tonga in HACCP aspects as the country was looking at export opportunities to other countries in the region. The Committee was also informed that Tonga will consider establishing a national Codex coordinating committee where the various ministries concerned would be reviewing the food control system. This initiative will be discussed in a national Codex workshop at the end of 1998.

SOLOMON ISLANDS

34. The Delegation of Solomon Islands informed the Committee that the responsibility for food control was shared between various Ministries in the country. The Ministry of Agriculture and Fisheries was responsible for quarantine legislation, the Ministry of Health and the Ministry of Commerce both had authority on food control. The responsibilities of the Ministry of Health were derived from the Food Act enacted in 1996 and prepared with the assistance of the WHO. A National Nutrition Policy had been adopted and Pure Food Regulations drafted so as to improve trade opportunities and ensure food quality and safety. A food advisory board is to be established to coordinate food safety activities in the country.

SAMOA

35. The Delegation of Samoa informed the Committee that there was a need to review the Samoa Food Law and regulations as they were completely out of date. Samoa was currently exporting fish and fisheries products to Japan and the United States and was looking for opportunities to expand its market to other countries in the region. The Delegation also informed the Committee that the consumers' organization in Samoa was a member of Consumers International.

UNITED STATES OF AMERICA

36. The delegation of the United States reported on a number of recent initiatives in food safety control described more completely in CX/NASWP 98/5. These initiatives included implementation of mandatory HACCP for seafood, meat and poultry and voluntary HACCP for retail establishments such as restaurants. The USA had also proposed draft guidelines for fresh and minimally processed fruits and vegetables aimed at identifying and preventing microbiological hazards that could cause food borne illness. In this regard, the US FDA had announced in May 1998 the availability of funds for research to support the reduction of the incidence of food-borne illness and develop models for assessing microbiological food safety risks.

37. The Committee was also informed of activities on consumer education, developments of FDA guidance on Ruminant Feed Rules and BSE Feed Regulation as well as the approval and establishment of tolerances and labelling requirements for a number of animal drugs. All this information has been made available through the CVM/FDA Internet Home Page.

FAO SUB-REGIONAL OFFICE FOR THE PACIFIC ISLANDS

38. Since the last session of the Committee, the FAO Sub-regional Office for the Pacific Islands (SAPA), located in Apia, Samoa had been established and was now fully staffed. A Food and Nutrition Officer had been appointed to the office in June 1998. Among other functions, this appointment was intended to contribute to the increased awareness of Codex in the region and to facilitate more targeted aid from donors and assistance from FAO. The Sub-Regional Officer on Food and Nutrition gave an oral account on activities carried out by the FAO Sub-Regional Office. Although there were not specific programmes on food quality and safety, two regional workshops on food control strategies for the region and National Codex Committees had been organized in 1997/98. The Sub-Regional Office was now preparing a work plan for 1999 and the programme of activities for the next biennium (2000-2001).

PROMOTION OF CODEX ACTIVITIES, INCLUDING MEMBERSHIP, IN THE REGION¹⁶ (Agenda Item 6)

39. The promotion of Codex activities and extending membership of Codex among countries of the Regions has been a priority of CCNASWP since its first session in 1991. The absence and limited presence of developing countries was noted at the third and fourth sessions of CCNASWP¹⁷ and it was recognized that the major problem was due to financial constraints. Travel costs alone are considerable and attendance at meetings often required travel through more than one country.

40. Since the fourth session of the Committee, membership from the Pacific region had increased substantially; Cook Islands, Solomon Islands, Tonga and Vanuatu had become members of the Codex Alimentarius Commission. It was noted that all eligible FAO members of the region were now Members of the Commission.

41. To facilitate the attendance of the Pacific island nations at the present session, a Workshop on "Risk Analysis and Food Standards" was organized on 5 October 1998 and had been attended by delegations from Cook Islands, Fiji, Samoa, Solomon Islands and Tonga (see also paras. 80-86).

42. The representative of FAO Sub-regional Office for the Pacific Islands reported on follow-up to the recommendations of the Committee's fourth session to take action to improve the national food control infrastructures of the Pacific Island Countries and to increase their involvement in the work of the Codex Alimentarius Commission.

43. A first workshop on "Food Control Strategy for the Pacific Island Countries", supported by the New Zealand government, had been held in Apia, Samoa on 27-28 October 1997. The Workshop had agreed on the urgent need to strengthen food control strategies both at national and regional level to adequately protect the health of consumers and to facilitate international food trade. The Workshop also recognized the importance of Pacific island countries becoming more involved in Codex activities and making use of food standards, recommendations and guidelines formulated by the Codex Alimentarius Commission.

44. A second workshop on "Administration of National Codex Committees for the Pacific Island Countries", had been held in Auckland on 27-28 August 1998, in conjunction with a Round Table meeting on the "Implication of the Uruguay Round Agreements on Agriculture and Fishery on the Pacific Island Countries". Senior officers from the Ministries of Agriculture and Health of these

¹⁶ CX/NASWP 98/6 and Report of the Workshop on the Administration of National Codex Committees for the Pacific Island Countries (unnumbered)

¹⁷ ALINORM 95/32, paras. 40-43 and ALINORM 97/32, paras. 66-72, respectively

countries had attended the workshop, and representatives of the Codex Contact Points in Australia and New Zealand had contributed to the workshop.

45. The principal objectives of this workshop were to:

- convene a regional forum to bring together key players in standardization who will be trained in the proper approach to set up Codex Contact Points and National Codex Committees;
- identify the structural and institutional framework and operational arrangements necessary for the establishment of a National Codex Committee; and
- establish strategies and actions to strengthen the activities of the Codex Contact Points and the National Codex Committees.

46. The Workshop made the following recommendations:

- i. Appropriate steps be taken to promote interest in and raise awareness of the importance of Codex Alimentarius thereby attracting commitment by national governments to participate in its activities;
- ii. The identification at national level constraints in terms of infrastructure (technical facilities, staff and operational resources) regarding full participation in the work of the Codex Alimentarius Commission;
- iii. The strengthening of representation by the countries of the Pacific at meetings of the Codex Alimentarius Commission and its subsidiaries;
- iv. The formulation of a regional project aimed at:
 - reviewing the adequacy of food regulations;
 - identifying constraints on full participation in Codex activities;
 - identifying ways of providing assistance with the establishment and strengthening of National Codex Committee and Codex Contact Points; and
 - identifying needs to maximize participation at country /regional level in Codex activities and prioritize them into a Plan of Action.
- v. That the eligible countries in the Pacific region join the Codex Alimentarius Commission and those ineligible seek observer status with a view to participating as fully as possible in Codex activities;
- vi. The support of Australia, New Zealand and national governments of countries in the region be sought to enable the Pacific Island Countries to adopt and implement Codex standards;
- vii. That further workshop/meetings be conducted at appropriate times to monitor and capitalize on progress made as a result of this Workshop;
- viii. That assistance be sought from appropriate international and regional organizations to strengthen food control systems to enable the Pacific Island Countries to meet international requirements associated with the domestic, import and export food trade.

47. The Committee generally endorsed the recommendations of the Workshop.

48. The Samoan delegation stressed the need for technical and financial assistance to implement these recommendations and to strengthen Codex Contact Points and National Codex Committees.

49. The delegation of New Zealand since the last CCNASWP session had provided assistance to the Pacific Island Countries. As in previous years, New Zealand noted their continuing commitment to examine specific requests and to provide technical assistance to facilitate the participation of Pacific Island Countries in the work of Codex, depending on the available resources.

ACTIVITIES OF CODEX CONTACT POINTS AND NATIONAL CODEX COMMITTEES IN THE REGION¹⁸ (Agenda Item 7)

UNITED STATES

50. The Delegation of the United States described a number of initiatives discussed more fully in document CX/NASWP 98/7. These initiatives included the development of a strategic plan addressing five critical issues, two involving Codex operations and three involving US Codex operations. These were:

- Sound science as the basis for Codex decision making,
- Improved management of Codex Alimentarius
- United States acceptance of Codex standards
- Enhanced participation of non-governmental organizations in the Codex process, and
- Management and effectiveness of US Codex

51. The Delegation of the United States complimented the Secretariat on improvements made since the last session of the Commission especially in the use of electronic dissemination of information and working documents for Codex Committee meetings. In order to enhance transparency, US Codex was establishing public forums to discuss US positions on issues before Codex sessions and how Codex standards would be evaluated in US standard-setting activities since there was a lack of information about the consequences of Codex under the WTO Agreements among industry and consumers. It noted the need for a public understanding that, while Codex standards based on sound principles of science could be utilized as a basis for developing national food regulations, national governments maintained their sovereign right to set their own levels of protection. In this connection, US Codex had been making information on Codex available through its Web Site linked to other US agencies such as Environmental Protection Agency (EPA) and FDA.

52. The US delegation also informed the Committee that a Senior Executive position for a US Manager for Codex had been established and a staff established to work in support of the Codex Manager and the US Delegations to Codex Committees. A new interagency Codex Steering Committee would work at two different levels, a policy level and a technical level to prepare US delegates and alternate delegates to attend Codex meetings.

NEW ZEALAND

53. The Delegation of New Zealand, speaking briefly to its report (CRD 2), provided information on a plan of strategic objectives for New Zealand in Codex activities relating to an open and

¹⁸ CX/NASWP 98/7 and Conference Room Document 2

transparent process for consultations. This included clear recognition of the importance of Codex standards; promotion of Codex activities; promotion of the principles and objectives of international harmonization, equivalence and mutual recognition; application of risk analysis to Codex standards and assistance to activities facilitating greater participation of developing countries of the region in Codex activities.

CANADA

54. The Delegation of Canada informed the Committee that the Canadian Codex Programme was managed by an interdepartmental committee consisting of representatives from Health Canada, Foreign Affairs and International Trade Canada, Agriculture and Agri-food Canada, and the Canadian Food Inspection Agency. The Codex Contact Point for Canada was located within the Food Directorate of Health Canada. In view of the changing role of Codex, particularly with the increased significance of Codex standards as a result of WTO Agreements, Canada was reviewing its participation in Codex in order to ensure that Canada's objectives in support of the work of Codex could continue to be met.

55. In accomplishing this aim, Canada had established an e-mail system to facilitate the distribution of Codex documents which had contributed to more timely responses to draft positions. Furthermore, an e-mail Codex address has been also established to serve as a focal point for receiving and distributing all Codex mail. Another tool that Canada was utilizing to facilitate the dissemination of Codex information was the Internet. A Codex Canada Website was being developed as part of the Health Canada, Food Programme website which provides links to related sites such as the FAO Codex Alimentarius Website in Rome.

AUSTRALIA

56. The Delegation of Australia provided the Committee with highlights of recent activities of the Codex Contact Point, especially with regard to the work of the Codex Committee on Food Import/Export and Certification Systems (CCFICS) hosted by the Government of Australia. In this regard, the delegation referred to the terms of reference of CCFICS, especially in relation to the development of principles of equivalence to be used in international food trade.

57. The Committee was informed that, like Canada, Australia was also developing electronic means of communication in order to speed up the reception and distribution of Codex information. The Australian Delegation also expressed its continued interest and support in working closely with FAO and New Zealand in assisting developing countries in the region to become aware of Codex matters.

TONGA

58. The Delegation of Tonga informed the Committee that a national workshop was scheduled to be held in November this year to raise awareness on Codex among the government, industry, consumer's organizations and other concerned parties. The workshop was expected to provide the basis for the establishment of a National Codex Committee and the development of a TCP/TCDC project which would assist Tonga to develop an action plan for food control and provide infrastructure assistance in the area of food laboratory. In this regard, the Delegation of Tonga expressed the hope to receive support from New Zealand, Australia, the FAO Codex office in Rome and the FAO Sub-regional Office for the Pacific Islands.

SOLOMON ISLANDS

59. The Committee was informed that Solomon Islands had not yet designated a Codex Contact Point, as the country had only recently become member of the Codex Alimentarius Commission. In

this connection, discussions were in progress to define whether the Ministry of Agriculture and Fisheries or the Ministry of Health would be the future Codex Contact Point.

SAMOA

60. The Delegation of Samoa reported that the Ministry of Health was the Codex Contact Point in Samoa. In this regard, initial steps had been taken to establish a National Codex Committee. The Delegation also reported that its Codex Contact Point was working actively in promoting awareness on Codex among the government and private sector and that technical assistance for development of Codex activities was being sought.

FIJI

61. The Delegation of Fiji informed the Committee that the Codex Contact Point was the Permanent Secretary of Ministry of Agriculture, Fisheries and Forest, which was responsible for:

- promoting food quality and safety,
- promoting local food production,
- increasing training and education in all aspects of food safety,
- increasing awareness of food standards, in particular Codex standards,
- encouraging the use of Codex standards in the review of their food legislation,
- encouraging network with the national consumer council in order to improve consumer education information, and
- promoting participation in Codex activities.

COOK ISLANDS

62. The Committee was informed that the Ministry of Agriculture was taking the leading role in establishing a National Codex Committee and a Codex Contact Point in the country. In this regard, the Delegation expressed the wish to receive technical and financial support from FAO for the organization of a national Codex workshop in February 1999 aimed at promoting awareness on Codex issues among all stakeholders (government, industry, private sector, etc).

ADDITIONAL INFORMATION

63. The Codex Secretariat informed the Committee that a new booklet on “*Understanding the Codex Alimentarius*” would be published by the end of the year and would be accompanied by several leaflets addressing issues raised in the booklet. A CD-ROM containing full texts of all Codex texts in English, French and Spanish would be shortly made available to all Codex Contact Points. Up to date, over 600 Codex documents have been placed on the Codex Web Site and these would be made available as an electronic archive following the next Commission session. In this regard, a possibility to archive all Codex documents since 1962 was being considered. This would be undertaken with external resources. The Codex-L email distribution list was available to all Codex Contact Points to facilitate distribution of Codex documents and exchange of national positions on Codex matters. Two-thirds of the Codex Contact Points represented on the Codex-L list were from developing countries. The Secretariat noted that the postal distribution would be maintained for some time but at a reduced level since some member countries did not have yet an e-mail address.

64. The Secretariat also informed the Committee on the organization of regional and national workshops to provide information on the structure and functioning of the Codex Alimentarius Commission as well as consumer protection and importance of Codex standards under the WTO

Agreement on TBT and SPS Measures. The workshops also served as a forum to bring together stakeholders to establish the basis for the best national system to set up a Codex Contact Point and/or Codex National Committee.

65. The Observer from Consumers International welcomed the publication of the revised booklet on Codex since it would be very helpful in assisting consumers to understand Codex work.

66. The Committee noted the work undertaken by the individual Codex Contact Points in countries of the Regions and the progress being made to improve or strengthen these activities. It noted the development of Guidelines for Codex Contact Points and National Codex Committees being undertaken by the Regional Coordinating Committee for Asia, but was the opinion that individual countries should develop their own national Codex structures in the framework of national constitutional, legal and administrative traditions. The Committee therefore supported the idea of the development of a statement of “Core Functions” of national Codex Contact Points by the CCGP. It agreed that the application of these “Core Functions” would be discussed in relation to the work of national Codex Contact Points in the Regions at its next session.

CONSUMER PARTICIPATION IN THE WORK OF CODEX AND RELATED MATTERS¹⁹ (Agenda Item 8)

67. The Committee recalled that the Commission had discussed this matter on several occasions and had stressed the role of regional Coordinating Committees as mechanisms for strengthening consumer participation in the work of Codex. It was noted in particular that the 22nd Session of the Commission (1997) had reached a number of conclusions concerning consumer participation in the work of Codex. It had agreed that a paper would be prepared by the Secretariat in consultation with independent non-governmental consumer organizations for consideration at its 23rd Session.

68. The Representative of Consumers International (CI) noted that CI had systematically participated in the work of Codex for more than 20 years and that the organization had more than 220 member organizations in over 100 countries world-wide. Member organizations of CI were very active in the NASWP regions. The Representative welcomed the progress made in involving consumer organizations in the work of Codex, particularly through improved communication from the Codex Secretariat and with national Codex Contact Points. CI welcomed the opportunity that the paper to be presented to the 23rd Session of the Commission would provide the opportunity to discuss a number of issues such as the participation of observers in the Executive Committee, the establishment of supporting trust funds to assist consumer participation, etc. Noting that funding was a major obstacle to consumer participation in Codex, Consumers International indicated it would appreciate information relating to “no strings attached” funding mechanisms that might facilitate consumer participation in Codex, and encouraged Member governments to help defray travel costs associated with consumer participation in Codex whenever possible.

69. The Representative stated that CI intended to repeat the survey undertaken in 1995 to assess progress made in including consumer organizations in the work of Codex at the national level. In order to assess progress objectively, it was suggested that Codex establish measurable objectives to assess consumer participation at the international, national and expert body level and a checklist of steps that governments should be taking at the national level to foster consumer participation. Since the situation was different from one country to another (which often led to confusion), the Representative suggested that the Commission might wish to clarify what is “good practice” for governments in terms of the involvement of consumer participation.

70. Finally, the Representative of CI welcomed the increased openness towards accepting qualified nominees identified by consumer organizations as experts on bodies such as JECFA, JMPR and *ad hoc* expert consultations, and encouraged increased coordination and communication between consumer organizations, Member governments and FAO/WHO to identify opportunities for consumers or consumer nominated experts to participate in Codex and Codex related meetings and workshops.

71. The Representative of the Council for Responsible Nutrition (CRN) expressed that organization's support for the involvement of INGOs from all sectors in the work of Codex. The Representative also stressed that the quality and utility of the scientific advice provided by expert bodies required that the selection of experts should ensure the best expertise available world-wide. Furthermore, in relation to the establishment and use of trust funds to enhance participation, the Representative noted that as Codex was in intergovernmental organization, first priority should be given to improving the participation of government representatives of developing countries.

72. Several delegations highlighted actions taken to help assure consumer understanding and participation in Codex at the national level. Foremost among these activities was the provision of timely information and improved communication with consumer organizations and individual consumers, especially though the introduction of Internet Web Pages. In the United States, the use of public meetings on Codex-related matters and the issuance of public notices had helped this process. Some delegations also expressed support for the idea of developing a checklist and/or a "code of good practice".

73. The Committee noted that the contribution of INGOs to the work of Codex was extremely valuable, including the contributions from consumer, industry and professional and scientific organizations. It expressed the view that this formed the basis of effective partnership between the member governments as well as the Commission, and consumer and other NGOs that contribute to the Codex process. It noted the work underway in the Codex Committee on General Principles to establish a sound framework for the participation of all INGOs in Codex work.

NOMINATION OF COORDINATOR²⁰ (Agenda Item 9)

74. On the basis of a proposal of the United States, seconded by Samoa, the Committee:

- noting that a majority of the Member countries of the Region of North America and the South-West Pacific was represented at the session;
- noting that the Rules of Procedure of the Commission allowed a Coordinator to continue in office for two consecutive terms;
- noting however, that it was the practice of the Committee for the position of Coordinator to rotate between the eligible Members of the region on a more frequent basis;

agreed to recommend that the Commission appoint a representative to be named by the Government of Australia as the Coordinator for North America and the South-West Pacific to serve from the 23rd Session of the Commission until the 24th Session of the Commission.

75. The Committee expressed its sincere appreciation of the work of Mr. Thomas Billy (USA) both as Chairperson of the Committee and as Coordinator for the Region and noted the progress that had been made in furthering the work of Codex in the Region during Mr. Billy's term of office.

OTHER BUSINESS AND FUTURE WORK (Agenda Item 10)**A) GENERAL STANDARD ON FOODS PRODUCED THROUGH BIOTECHNOLOGY**

76. The Delegation of the United States introduced an information paper²¹ that outlined the historical development of discussions surrounding the issue of biotechnology in the context of Codex work. The Committee noted that the Draft Medium-Term Plan to be submitted to the 23rd Session of the Commission included consideration of work in this area. It was also noted that work in certain other forums was taking into consideration aspects of the use of biotechnology in food and agriculture, particularly environmental concerns. It was suggested that Codex should proceed rapidly with the development of guidance for governments in relation to the safety evaluation of foods produced through biotechnology, using the new mechanism of an *ad hoc* Intergovernmental Task Force for this purpose.

77. The proposal to address the food safety and nutrition issues surrounding foods developed through biotechnology was supported by the Committee. It was noted that several countries in the regions had developed or were in the process of drafting standards and guidelines in this area. It was furthermore noted that while Codex had been working on the labelling issues surrounding foods produced through biotechnology, labelling was not a substitute for safety evaluation. The Committee noted that the mechanism of establishing an *ad hoc* Intergovernmental Task Force was now available to the Commission. It was noted that such Task Forces were required to report to both the Commission and the Executive Committee on the progress of their work thus ensuring adequate supervision and coordination with the work of other Codex bodies.

78. In the light of the above discussion, the Committee expressed the opinion that work on the food safety and nutritional aspects of foods produced through biotechnology was appropriate for the Commission to undertake. It also endorsed the idea that the nature of such advice should be through the development of a general Standard covering these areas as was envisaged in the Medium-Term Plan. It recommended that an *ad hoc* Intergovernmental Task Force, reporting to the Executive Committee and the Commission and established for a limited duration, should be established for this purpose. It suggested that the preparation of an initial draft could be undertaken by those countries that had experience in this matter, including several of the countries of the regions and of Europe.

B) CONSIDERATION OF FOOD CONTROL PROBLEMS OF SMALL-ISLAND DEVELOPING COUNTRIES IN THE REGION

79. It was noted that this matter had been effectively discussed under Agenda Item 5.

C) REPORT OF AN FAO WORKSHOP ON RISK ANALYSIS RELATIVE TO CODEX IN THE REGION²²

80. The representative of the FAO Sub-regional for the Pacific Islands reported on the FAO Workshop on "Risk Analysis and Food Standards" held on 5 October 1998 immediately prior to the present session. The workshop, jointly sponsored by FAO and the Foreign Agriculture Service of the United States Department of Agriculture, contributed to ensuring the participation of the Codex member countries from the Pacific Region.

81. The principal objectives of the workshop were to provide the participants with an overview of the current status of risk analysis, the application of risk analysis principles in Codex work and

²¹ Conference Room Document 3

²² Conference Room Document 4

the outstanding issues related to this subject. Presentations were made to the Workshop by speakers from the Codex Secretariat, the FAO Sub-regional Office for the Pacific Islands and the US Food and Drug Administration (FDA) office for the North West Pacific (Seattle District).

82. The Workshop examined a wide range of subjects related to Risk Analysis and Food Standards, including: definition of risk analysis terms; risk assessment; risk management; risk communication; difference between risk analysis and the HACCP system; the HACCP system and its application to seafood; risk analysis and Codex; and risk analysis and international food trade.

83. During the panel discussion that concluded the Workshop, the following observations were made:

- The subject covered by the workshop was very interesting and provided the participants from the Pacific Island Countries, new to the work of Codex, with good and useful information.
- Due to the lack of resources, adequate infrastructure and trained scientists, Pacific Island Countries have limited capabilities to develop a complete risk assessment; they must depend on the work done by Codex on risk assessment. However, people have different exposures to food safety risks (dietary intakes vary from country to country and often among regions of the same country). Small countries with limited capabilities, such as Pacific Island Countries, have the possibility to develop/provide useful information on dietary exposure assessment, which is a very important element of risk assessment.
- At country level the knowledge and understanding of what Codex is and what it does is still poor; there is a general need to improve the awareness of Codex among governments, food industries and consumers groups with a view to adopting Codex standards for all major processed food items.
- The Codex meetings represent a unique forum to facilitate information exchange, to develop contact and to attract attention of industrialized countries to the need of Pacific Island Countries.
- The establishment of Memoranda of Understanding could represent a good way for obtaining assistance from industrialized countries to the strengthening of food control activities in Pacific Island Countries, especially in providing training and capacity building.

84. The Codex Secretariat commented that the workshop was a very valuable and useful experience. The participants, despite risk analysis being relative new and complex, were able to grasp the subject well at the end of the workshop. Thanks were expressed to the Foreign Agriculture Service of the United States Department of Agriculture and to the FDA for their contribution to the workshop.

85. The Samoan delegation expressed its appreciation for the support received that allowed participation of the Pacific Island Countries to become more familiar with risk analysis and to participate in the 5th CCNASWP session.

86. The Committee noted the observations made at the conclusion of the Workshop.

DATE AND PLACE OF THE NEXT SESSION (Agenda Item 11)

87. The Committee was advised that the next session of the Committee would most likely be held in Australia in the year 2000, the exact date and place to be determined.

**ALINORM 99/32
ANNEX**

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

SUMMARY STATUS OF WORK

SUBJECT MATTER	FOR ACTION BY	DOCUMENT REFERENCE*
Report on the Review of the Status and Objectives of Codex Texts Under the WTO Agreements	14 th CCGP 23 rd CAC 6 th NASWP	Paragraphs 5 - 6
Report on Activities Related to Risk Analysis in Codex and Other Bodies	14 th CCGP 23 rd CAC 6 th CCNASWP	Paragraphs 7 – 15
Review and Promotion of Acceptances of Codex Standards and Maximum Residue Limits for Pesticides by Countries in the Region	23 rd CAC Codex/WTO Sect 6 th CCNASWP	Paragraphs 16 – 20
Information and Reports on Food Safety, Food Control and Food Standards Issues in the Region	Governments 6 th CCNASWP	Paragraphs 21 – 38
Promotion of Codex Activities, Including Membership, in the Region	Governments 6 th CCNASWP	Paragraphs 39 – 49
Activities of Codex Contact Points and National Codex Committees in the Region	14 th CCGP 23 rd CAC 6 th CCNASWP	Paragraphs 50 – 66
Consumer Participation in the Work of Codex and Related Matters	23 rd CAC 6 th CCNASWP	Paragraphs 67 – 73
General Standard on Foods Produced through Biotechnology	23 rd CAC 6 th CCNASWP	Paragraphs 76 – 78

* All references refer to the current report of the fifth Session of the Codex Coordinating Committee for North America and the South West Pacific (ALINORM 99/32).

ALINORM 99/32
APPENDIX 1

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