

# CODEX ALIMENTARIUS COMMISSION

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Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: [codex@fao.org](mailto:codex@fao.org) - [www.codexalimentarius.org](http://www.codexalimentarius.org)

REP17/EXEC2

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX ALIMENTARIUS COMMISSION**

**40<sup>th</sup> Session**

**CICG, Geneva, Switzerland, 17 – 22 July 2017**

**REPORT OF THE SEVENTY-THIRD SESSION OF THE  
EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION**

**WHO Headquarters, Geneva, Switzerland, 10 - 13 July 2017**

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## INTRODUCTION

1. The Executive Committee of the Codex Alimentarius Commission held its seventy-third Session (CCEXEC73), at WHO Headquarters, Geneva, from 10 to 13 July 2017. Mrs Awilo Ochieng Pernet (Switzerland), Chairperson of the Codex Alimentarius Commission, chaired the Session. A complete list of participants is attached as Appendix I to this report.

## OPENING

2. Opening the Session, Dr Oleg Chestnov, WHO Assistant Director-General, Noncommunicable Diseases and Mental Health, highlighted the importance of Agenda 2030 and the expectations of Member States that Codex would contribute to the achievement of Sustainable Development Goal (SDG) 2<sup>1</sup> and other relevant targets. He underscored the important role of the Codex Trust Fund (CTF2) in supporting countries in enhancing their engagement in Codex. He also stressed the importance of coherence between Codex work and high-level health and agriculture policy at the national and international levels.
3. Dr Renata Clarke, Head, Food Safety and Quality Unit, Agriculture and Consumer Protection Department, FAO, welcomed the members of the Committee on behalf of the Director-General of FAO and stated that CCEXEC, in her opinion, was on track to improve its strategic impact on the work of Codex. She noted the major strategic relevance of a number of the items before the Committee and underlined the need for the Codex system to pay adequate attention to countries' abilities to implement Codex standards and to their capacity-development needs.
4. The Chairperson noted the outcomes of the 40<sup>th</sup> session of the FAO Conference, held from 3 to 8 July 2017 in Rome, Italy, including the adoption of a resolution endorsing the declaration of 7 June as World Food Safety Day. She stressed the importance of such a day in raising awareness about the importance of food safety and in contributing to enhancing consumer health protection.
5. The Secretary also addressed the meeting and recalled the various roles of the members of the Executive Committee.

## ADOPTION OF THE AGENDA (Agenda item 1)<sup>2</sup>

6. CCEXEC73 adopted the provisional agenda and agreed to discuss the following additional matters under item 10, Other business:
  - i. Possible guidance from CAC on the use of bio-pesticides, bio-fertilizers and bio-stimulants and their relationship to trade (Coordinator for LAC) (CRD6); and
  - ii. Co-chairing of Codex meetings (Coordinator for Asia) (CRD4).

## CRITICAL REVIEW (Agenda item 2)<sup>3</sup>

7. CCEXEC73 considered the documents submitted for critical review by the 16 committees having met since CCEXEC71 and the three working by correspondence, and the proposals for new work submitted directly to the Secretariat.
8. CCEXEC73 noted that:
  - i. the due processes had been followed in the development of the texts submitted to the Commission for final adoption or adoption at Step 5;
  - ii. overall the work of the committees was progressing in accordance with their respective schedules; and
  - iii. all items proposed as new work had met the criteria of the critical review.
9. CCEXEC73 was informed that the labelling provisions of a number of commodity standards needed to be endorsed by CCFL44, which would meet in October 2017.

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<sup>1</sup> SDG 2: End hunger, achieve food security and improved nutrition, and promote sustainable agriculture.

<sup>2</sup> CX/EXEC 16/73/1

<sup>3</sup> CX/EXEC 17/73/2; CX/EXEC 17/73/2 Add.1; CX/EXEC 17/73/2 Add.2; Additional comments of the Committees' Chairs (CRD1); Comments of the United States of America and IFU (CRD2); CCLAC Coordinator (CRD5).

**Conclusion**

10. CCEXEC73 recommended that the Commission:
- i. consider for adoption all the texts as proposed and endorsed by the relevant committees, with the exception of those listed below for which CCEXEC73 made specific comments and recommendations;
  - ii. note that the adoption of the regional standards for laver products (CCASIA), yacon (CCLAC), unrefined shea butter (CCAFRICA) and doogh (CCNE), standards for cumin, dried thyme and black, white and green pepper (CCSCH) and fish oils (CCFO), and annexes for certain quick frozen vegetables (CCPFV) would be subject to the endorsement of CCFL44 (i.e. the standards if adopted by CAC40 would be published as Codex standards only after the CCFL endorsement);
  - iii. note that the work of the committees was progressing in accordance with their respective schedules, with the exception of those listed below for which it made specific comments and recommendations; and
  - iv. consider for approval all items proposed as new work, with the exception of those listed below for which it made specific comments and recommendations.

**CCNASWP**

*Regional standard for fermented noni juice (ongoing work)*

11. CCEXEC73 noted that this work was not yet ready to progress in the step procedure mainly due to the lack of active participation of Pacific island countries (PICs) and that therefore CCNASWP14 had requested to extend the timeframe for completion of work to 2020.

**Conclusion**

12. CCEXEC73:
- i. proposed that CAC40 amend the target year for completion of the work on the proposed draft regional standard for fermented noni juice to 2021; and
  - ii. recommended that FAO, WHO and other partners consider providing additional assistance to PICs in standard development.

**CCASIA**

*Regional code of hygienic practice for street-vended foods in Asia (for adoption)*

13. The representative of WHO noted that the draft regional code of hygienic practice for street-vended foods in Asia was the fourth such text developed by a regional coordinating committee following a prescriptive rather than a risk-based approach.

**Conclusion**

14. In the light of the above observation, CCEXEC73, while recommending for consideration for adoption the regional code of hygienic practice for street-vended foods in Asia by CAC40, agreed to request the Secretariat to undertake a comparative analysis of the four regional codes of practice for street-vended foods and present its findings to CCFH51 (2018) for review in the light of CCFH work on the revision of the *General Principles of Food Hygiene* (CAC/RCP 1-1969) and for the identification of appropriate action if warranted.

*Overall work*

15. CCEXEC73 was informed that CCASIA21 (2018) would consider four discussion papers that may lead to new work thereby impact CCASIA's capacity to manage its work efficiently.

**Conclusion**

16. CCEXEC73 invited CCASIA to prioritize and phase the new work proposals on the development of regional standards so as to balance its role as a regional forum, the horizontal items of the RCC agenda and its function of developing regional standards.

**CCRVDF**

*Overall work*

17. CCEXEC noted that CCRVDF work included compounds used as both veterinary drugs and pesticides. It was further noted that CCRVDF and CCPR could potentially be organised back-to-back and that the next opportunity would be in 2021.

18. One Member commented on the value of the Chairs' comments. With regard to comments from the Chair of CCRVDF regarding the committee's problems in establishing MRLs for non-therapeutic uses of veterinary drugs, the Member noted that it would be in the wider interest of Codex to look for a solution in order that CCRVDF, CCEXEC and the CAC spend their time productively.

**Conclusion**

19. CCEXEC73 encouraged closer collaboration between CCRVDF and CCPR when considering MRLs for compounds used as both veterinary drugs and pesticides and invited the two Committees to explore innovative ways to foster such collaboration.

**CCNFSDU***Ongoing work*

20. CCEXEC73 noted that CCNFSDU work on several items was behind schedule.
21. With regard to the work on NRV-Rs for older infants and young children, the Secretariat clarified that CCNFSDU continued to support this work. However, at its two most recent sessions, despite having agreed to convene an EWG to assess the need for and value of establishing an NRV-R for older infants and young children, the purpose of such NRVs-R and the specific populations to which they would apply, CCNSFDU had been unable to identify co-chairs to lead such an EWG. CCNFSDU39 would continue the discussion on how to proceed.

**Conclusion**

22. CCEXEC73:
- i. proposed that CAC40 extend the timeframe for completion of work on:
    - a. the review of the *Standard for Follow-up formula* (CODEX STAN 156-1987), until 2019;
    - b. the definition of biofortification, until 2019; and
    - c. an NRV-NCD for EPA and DHA long-chain omega-3 fatty acids, until 2018; and
  - ii. encouraged CCNFSDU to find alternative approaches to progress work on NRV-R for older infants and young children, recalling its 2019 deadline.

**CCAFRICA***Regional standard for unrefined shea butter* (for adoption)

23. CCEXEC73 noted that although the draft standard included all elements of commodity standards, certain sections were inconsistent with the standardized format of the Codex Commodity Standard as prescribed by the Procedural Manual and with the format of other standards for processed products.

**Conclusion**

24. CCEXEC73 agreed to request the Secretariat to:
- i. align the format of sections on food hygiene and contaminants with the standardized text in the Procedural Manual prior to publication as a Codex regional standard; and
  - ii. align the format of the standard with those of other commodity standards for consideration by CCAFRICA23.

*Regional standard for fermented cooked cassava (Manihot spp.) based products and the Regional standard for Gnetum spp. leaves* (for adoption at Step 5)

25. CCEXEC73 noted that the format of the two standards was not aligned with that of other standards for processed products.

**Conclusion**

26. CCEXEC73 recommended that CCAFRICA align the two proposed draft standards with the standardized format of other standards for processed products before their submission for adoption at Step 8 and clarify the use of Appendix 1 of the proposed draft regional standard for *Gnetum* spp. leaves.

*Proposed draft regional standard on dried meat* (ongoing work)

27. CCEXEC73 noted that timely completion of this work required active participation of members from the African region.

*Overall work*

28. CCEXEC73 noted that CCAFRICA23 (2018) in addition to ongoing work, consider two discussion papers that may lead to new work, and would start work on the development of a new regional strategic plan.

**Conclusion**

29. CCEXEC73 invited CCAFRICA to prioritize and phase the new work proposals on the development of regional standards so as to balance its role as a regional forum, the horizontal items of the RCC agenda and its function of developing regional standards.

**CCSCH***Standards for cumin; for dried thyme; and for black, white and green pepper (for adoption)*

30. One member expressed a concern that, a thorough review of some sections (Section 3.2, on Quality factors) of the three standards had not been possible until after the meeting concluded, and therefore the texts proposed for adoption contained references to higher levels of defects than existed in trade practice and this could create difficulties in trade.

**Conclusion**

31. CCEXEC73:
- i. considered the above comment to be outside the scope of the Critical Review and noted that it should be taken up for discussion at CAC40; and
  - ii. agreed to recommend that CAC40 consider for adoption all three texts as proposed by CCSCH3 and endorsed by the relevant committees, subject to the endorsement of the labelling provisions by CCFL44.

*Proposed draft standard for oregano (ongoing work)*

32. CCEXEC73 noted that work on the standard for oregano had been due for completion by 2017 but CCSCH3 had returned the standard to Step 2/3 for further elaboration to encompass all products traded as oregano.

**Conclusion**

33. CCEXEC73 proposed that CAC40 extend the timeframe for completion of work on the standard for oregano until 2019.

*New work*

34. The Secretariat explained that CCSCH had developed a non-exhaustive list of more than 114 spices and culinary herbs with potential for standardization. With a view to undertaking the standard-development work more expeditiously, CCSCH had agreed to group the spices and culinary herbs by plant part, as in the industry — i.e. dried floral parts; dried fruits and berries; dried leaves; bark; dried rhizomes, roots and bulbs; culinary herbs etc. Each group standard would have general requirements for a particular group of spices falling under the same plant part category, and the specific requirements for a given spice would be included in annexes.
35. Subsequently, CCSCH recommended for approval by the Commission seven new project documents which would be considered under five key group categories, however it remained unclear how the elaboration of the general requirements for the group as well the specific requirements for the commodity would be undertaken.
36. To date, CCSCH had recommended the adoption of three commodity standards out of the four approved projects, though there was a need to examine critically whether the Committee could successfully undertake more than four standardization projects at the same time.

**Conclusion**

37. CCEXEC73 recommended that:
- i. the Commission consider for approval all seven items proposed as new work; and
  - ii. CCSCH consider at its next session:
    - a. adopting a phased approach in developing group standards, for example, by prioritizing work on standards for individual commodities belonging to the same group prior to developing a group standard; and
    - b. establishing a PWG (e.g. in-session WG) or other mechanisms to consider written comments and facilitate discussion of consolidated drafts.

**CCFO***Standard for fish oils (for adoption)*

38. The Coordinator for LAC, referring to his written comments contained in CRD5, expressed concern regarding the adoption of the standard, recalling that CCFO had agreed to forward the text for adoption at Step 8 despite: (i) the discussion on the difficulties of using the fatty acid ranges in Table 1 as the sole measure to determine compliance of a fish oil with Section 2.1 of the standard without further analysis; and (ii) the possible conflicts that the adoption and implementation of the standard may generate. Underscoring the complex nature of the issues and recalling that CCFO had recognized that the mechanism proposed for the determination of compliance would not be unequivocal, the Coordinator reaffirmed his concerns about approving a standard for which a sensitive issue had not been resolved.
39. The Secretariat recalled that CCFO25 had discussed the difficulties of using fatty acid ranges alone to determine the authenticity and the unequivocal identification of fish oils, especially those obtained from anchovies. The Secretariat further reiterated the observations made by CCFO25 that the format for Codex commodity standards prescribed in the Procedural Manual did not provide for the inclusion of horizontal provisions on certification and traceability in commodity standards. The Secretariat further recalled that, to address the concerns of Chile, CCFO25 had requested that the Codex Secretariat, should the draft standard for fish oils be adopted by CAC40, to issue a CL with the purpose of monitoring the application of the standard in relation to the conformity of named fish oils with its requirements and its effect on trade, with the outcome of the CL to be considered by the next session of CCFO. CCFO25 had also agreed to inform CCFICS of the concerns relating to the authenticity of fish oils.

**Conclusion**

40. CCEXEC73:
- i. concluded that the above comment was outside the scope of the Critical Review and could be better addressed during CAC40; and
  - ii. agreed to recommend that CAC40 consider for adoption the draft standard for fish oils as proposed by CCFO and endorsed by the relevant committees, subject to the endorsement of its labelling provisions by CCFL44.

*Overall work*

41. CCEXEC73 noted that CCFO26 (2019) would consider specific guidance for consideration of proposals addressing specific aspects of its work, other than the development of new standards and/or the inclusion of new vegetable oils or animal fats in the standard. CCEXEC73 also noted although CCFO work was progressing well, the Committee's overall workload remained significantly heavy.

**Conclusion**

42. CCEXEC73:
- i. welcomed the initiative of CCFO to develop additional guidance for the revision of parameters of, inclusion of new parameters in and editorial amendment of existing fats and oils standards and recommended that CCFO consider whether a simplified project document or procedure would expedite such work; and
  - ii. recommended that CCFO consider developing a mechanism (e.g. forward plan) to better manage its agenda.

**CCFA***Food additive provisions of the GSFA (for adoption)*

43. The Secretariat explained that, due to an oversight, note NN10 "For use in products conforming to the *Standard for Fermented Milks* (CODEX STAN 243- 2003) at 1,000 mg/kg" associated to the provision for diacetyltartaric and fatty acid esters of glycerol (INS 472e) in FC 01.1.4 was not consistent with the ML of INS 472e in CXS 243-2003 (10,000 mg/kg) and should be as follows: "For use in products conforming to the *Standard for Fermented Milks* (CODEX STAN 243- 2003) at 10,000 mg/kg".

**Conclusion**

44. CCEXEC73 agreed to recommend that CAC40 consider for adoption the draft and proposed food additive provisions of the GSFA and revise note NN10 associated to the provisions of INS 472e in FC 01.1.4.

**CCPFV***Ongoing work*

45. The Secretariat noted that, although not reflected in the document for critical review, the ongoing work in CCPFV included — to complete the task entrusted to CCPFV by CAC in 1997 — 18 standards pending review to determine their relevance to international trade and, if so relevant, whether they needed revision.

*New work*

46. The Secretariat informed CCEXEC that nine proposals for new work had been submitted in reply to CL 2017/07-PFV (request for new work on Codex standards for processed fruits and vegetables) issued by the Secretariat at the request of CCPFV28 (2016) and that all project documents were complete and provided adequate information regarding the criteria for the establishment of work priorities, including criteria applicable to commodities.
47. CCEXEC73 noted that, of the nine proposals, work on dried chili peppers (proposed by Mexico) would be considered by CCSCH following the recommendation of CCPFV27 (2014), and the work on dried persimmon (proposed by the Republic of Korea) could be taken up in the context of the work on dried fruits (proposed by Thailand). Consequently, the number of proposals for new work was reduced to seven.
48. Regarding the proposals for new work, the Committee heard the following views:
- i. While CCPFV had been highly productive, problems regarding quorum at its recent sessions had suggested low interest in its work. The CCPFV Chair's analysis questioned the need to undertake work on the proposals submitted and the value of undertaking work on low-priority standards. Careful consideration should be given to whether CCPFV should continue to meet physically, considering the need to make efficient use of limited resources.
  - ii. While the submission of nine proposals for new work gave a clear indication of the interest on the part of members to continue work on standards for processed fruits and vegetables, CCPFV should undertake a technical review of the proposals submitted, which would best be achieved through a physical meeting of CCPFV, before any CAC decision on the new work would be taken.

**Conclusion**

49. CCEXEC noted that the project documents were complete and met the criteria for critical review.

*Overall work*

50. The Secretariat recalled that 18 standards were pending review, in addition to the nine proposals for new work. As some of the proposals for new work related to the revision of the standards pending review, the overall CCPFV workload comprised: (i) pending work on prioritization of the review of existing standards for various processed fruits and vegetables; and (ii) proposals for the development of new standards/revision of standards, accounting for 19 standards on the agenda of the next CCPFV meeting.
51. Members reiterated their comments on the issue of participation, the efficient use of resources, the need to technically review the new work proposals and the standards pending review. The need to find a pragmatic solution to these issues was also highlighted.
52. CCEXEC73 discussed possible approaches to address the overall work on standards for processed fruits and vegetables.
53. The following three proposals were put forward.
- i. To conduct the analysis of the standards pending review and new work proposals by correspondence (proposed by the member from North America), in order to allow CCPFV to determine the interest in and need for new work prior to determining whether to convene a physical meeting of CCPFV and in the affirmative this could be possible in 2019.
  - ii. To broaden the TOR of CCFFV to consider processed fruits and vegetables (proposed by the member from Latin America and the Caribbean), which would facilitate the more efficient use of resources and broader participation of member countries.
  - iii. To co-host the next session of CCPFV with a related committee, such as CCSCH or CCFFV (the Coordinator for Asia indicated the willingness of India to co-host CCPFV back-to-back with CCSCH), which would facilitate broader participation and avoid the difficulties countries may encounter in working by correspondence.

**Conclusion**

54. CCEXEC73 agreed to present the three proposals for a decision at CAC40.



**CCCF**

*MLs for lead in selected processed fruits and vegetables (revision of MLs) (for adoption at Step 5)*

55. CCEXEC73 noted that the target year for completion of this work had been 2015 and that CCCF was awaiting additional data to complete its work.

**Conclusion**

56. CCEXEC73:
- i. agreed to request that CCCF provide a reasonable deadline for completion of this work; and
  - ii. recommended that CCCF not propose further work on the development of new MLs for lead for inclusion in the *General Standard for Contaminants and Toxins in Food and Feed* (GSCTFF) (CODEX STAN 193-1995) until work on the revision of existing MLs in the GSCTFF had been completed.

*Ongoing work*

57. CCEXEC73 noted that all the ongoing work could not be completed by the target year.

**Conclusion**

58. CCEXEC73 agreed to request CCCF to provide a reasonable deadline for the completion of the ongoing work.  
*Guidelines on risk analysis of chemicals inadvertently present in foods at low levels (new work)*
59. CCEXEC noted that project document on new work did not respond to the question on availability of scientific advice and that it was important to ensure that the work was consistent with the *Principles of Risk Analysis*.

**Conclusion**

60. CCEXEC73 recommended that FAO and WHO participate actively in the work on the development of the guidelines on risk analysis of chemicals inadvertently present in foods at low levels, with a view to ensuring consistency with the *Principles of Risk Analysis*, in particular risk assessment.

*Overall work*

61. CCEXEC73 noted that the CCCF agenda reflected the high level interest among Codex members in the work of the Committee and that CCCF had already acknowledged its heavy workload and would develop a forward workplan to manage its increasing workload.

**Conclusion**

62. CCEXEC73 welcomed the decision of CCCF to develop a forward workplan and encouraged the Committee to put it into action.

**CCPR***Classification of Food and Feed*

63. CCEXEC73 noted that, in response to the request of CCEXEC71 regarding the target year of completion of the work on the remaining parts of the *Classification*, CCPR49 had indicated that: the revision of Types 04 and 05 would be completed by 2018 and of Class C by 2020; and it was not possible to specify when work on the remaining parts of the Classification — i.e. primary commodities of animal origin (Class B) and processed food of plant origin (Class D) — would be completed.

**Conclusion**

64. CCEXEC73 proposed that CAC40 revise the target year for completion of the work on the revision of the *Classification* pursuant to the information provided by CCPR49.

**CCFICS***New work*

65. CCEXEC73 noted that CCFICS would convene regional inter-sessional PWGs on a pilot basis with a view to facilitating broader participation among countries and this would take into account constraints they may face.

**Conclusion**

66. CCEXEC73 requested that CCFICS report back to CCEXEC on the outcome of the pilot.

**CCMAS***Overall work***Conclusion**

67. CCEXEC73 recommended that CCMAS continue to assign highest priority to the revision and continuous updating of the *General Standard for Methods of Analysis and Sampling* (CXS 234-1999) so as to ensure that it remained a reliable single source of methods of analysis and sampling for Codex.

**CCNE***Regional standard for doogh (for adoption)*

68. CCEXEC73 noted that the respective endorsement of the draft provisions on food labelling and food additives were pending from CCFL34 (October 2017) and CCFA50 (March 2018).

**Conclusion**

69. CCEXEC73 agreed to recommend that CAC40 consider for adoption the draft regional standard as proposed by CCNE, subject to the endorsement of the food labelling and food additive provisions by CCFL44 and CCFA50.

*Regional standard for mixed zaatar (for adoption at Step 5)*

70. CCEXEC73 noted that the timeframe for completion of this work was 2017.

**Conclusion**

71. CCEXEC73 proposed that CAC40 amend the target year for completion of work on the regional standard for mixed zaatar to 2019.

*Overall work*

72. CCEXEC73 noted that CCNE10 would consider two items in the step procedure — the regional standard on mixed zaatar, expected to be finalized by CCNE10, and the regional standard for labneh, the status of which required clarification as it was not considered at CCNE09 — and three discussion papers that may lead to new work.

73. The Coordinator for the Near East confirmed the interest of the region to continue work on the standard for labneh.

**Conclusion**

74. CCEXEC73:
- i. requested CCNE to clarify the status of the regional standard for labneh; and
  - ii. invited CCNE to prioritize and phase the new work proposals on the development of regional standards in order to balance its role as regional forum, the horizontal items of the RCC agenda and its function of developing regional standards.

**CCMMP (working by correspondence)**

75. The CCEXEC was informed that there had not been any new submissions to CCMMP regarding the standard on processes cheese and therefore the recommendation from CCEXEC71 stood.

*Standard for dairy permeate powders (for adoption)*

76. The Secretariat informed CCEXEC that the provisions on food additives, on methods of analysis and sampling, and on food labelling needed to be endorsed by the respective committees.

**Conclusion**

77. CCEXEC73 agreed to recommend that CAC40 consider for adoption the draft standard for dairy permeate powders as proposed by CCMMP and subject to the endorsement of the labelling, food additive and methods of analysis provisions by CCFL44, CCFA50 and CCMAS39, respectively.

**CCS (working by correspondence)***Standard for non-centrifuged dehydrated sugar cane juice (ongoing work)*

78. CCEXEC73 noted that the timeframe for completion of the work had been extended for four consecutive years and that agreement on the scope of the standard could not be reached.

79. The Coordinator for LAC, underscoring the challenging nature of the task for Colombia as CCS host in seeking agreement on the scope of the standard, and recalling the importance of this work for his region, proposed that the timeframe be extended.

**Conclusion**

80. CCEXEC73 recommended that CAC40 discontinue work on the development of the standard for non-centrifuged dehydrated sugar cane juice, with the understanding that such a decision would not prevent interested countries from submitting a proposal for new work for these products in the future.

**CCCPL (working by correspondence)**

*Standard for quinoa* (for adoption at Step 5)

81. The Secretariat informed CCEXEC of the CCCPL request that CCCF consider the development of MLs for cadmium and lead for quinoa and noted that the existing MLs for lead and cadmium in cereals in the GSCTFF explicitly excluded quinoa.

**Conclusion**

82. CCEXEC73 requested that CCCF consider the inclusion of quinoa in the current MLs for lead and cadmium in cereals in the GSCTFF.

**Project documents**

*Revision of the Code of Practice to Minimize and Contain Antimicrobial Resistance (CAC/RCP 61-2005) (CAC/TFAMR) and Guidance on integrated surveillance of antimicrobial resistance (CAC/TFAMR)*

83. CCEXEC73 noted that the PWG on AMR had discussed the process by which the draft texts might be elaborated for consideration by TFAMR5 and had agreed to recommend to CAC40 to establish EWGs.

**Conclusion**

84. CCEXEC73 recommended that CAC40:
- i. consider for approval two proposals for new work on AMR; and
  - ii. establish EWGs to prepare the proposed draft texts for comments and consideration by TFAMR5, noting that the EWGs should complete their work by mid-September so as to allow adequate time, of approximately two months, for comments before TFAMR5.

**REGULAR REVIEW OF CODEX WORK MANAGEMENT: ELECTRONIC WORKING GROUPS (Agenda item 3)<sup>4</sup>**

85. The Secretariat introduced the item and described the process followed in conducting the 2016 regular review.
86. CCEXEC73 expressed support for the review process, methodology, analysis and findings.
87. CCEXEC73 noted the experience of multiple participants from the same member/observer organization taking part in EWGs. The Committee acknowledged the importance of national coordination for participation in EWGs.
88. CCEXEC73 recognized the need for practical guidance for all participants involved throughout the EWG lifecycle. Areas for support could include:
- i. guidance on when to establish an EWG and alternatives, and on how to manage EWG reports in plenary (for Committee Chairs);
  - ii. the process of managing an EWG (chaired and co-chaired), and templates for reporting (including list of participants) (for EWG's Chairs);
  - iii. coordination at the level of Codex Contact Points (for participants); and
  - iv. digital tools available (for EWG Chairs and participants).
89. The Committee noted that, due to the number of EWGs, both in Codex and other standard-setting organizations, there was a need for members to prioritize areas of interest. Prioritization required coordination at the national level, which depended on the capacity of national food safety control systems.
90. The representative of FAO noted that national and regional capacity-building initiatives under CTF2 could contribute to enhancing coordination, prioritization and participation in EWGs.

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<sup>4</sup> CX/EXEC 17/73/3

## Conclusion

91. CCEXEC73 recommended that the Secretariat:
- i. develop practical guidance for EWGs as outlined in the working document and para. 88;
  - ii. examine barriers to active participation and identify possible solutions;
  - iii. record actions taken as part of the report on the implementation of the Codex Strategic Plan 2014–19; and
  - iv. continue the regular review of Codex work management.

## REVITALIZATION OF FAO/WHO COORDINATING COMMITTEES (Agenda item 4)<sup>5</sup>

92. The Secretariat recalled the important role RCCs played: as regional fora for coordination and exchange regarding Codex work; as platforms for FAO and WHO to engage with countries on priority needs and challenges in discussions that informed the planning and implementation of nutrition and food-quality and -safety activities in their regions; as regional-standard-setting bodies; and as contributing to Codex governance, through the participation of Regional Coordinators in CCEXEC. The revitalization process aimed to enable the RCCs to become the preeminent fora for the discussion of food safety, food quality and nutrition at the regional level. The working document (CX/EXEC 17/73/4), prepared jointly by the Codex Secretariat and FAO and WHO, summarized the key results of the revitalization process to date.

### *Discussion*

93. The representative of FAO highlighted that RCCs provided an effective forum to consider critical and emerging issues relating to regional food safety and quality. Regarding the online platform on food control, she recalled that information exchange on food control had always been a basic function of RCCs, and drew attention to FAOLEX as a useful resource for sharing information on food-safety and -quality legislation.
94. The representative of WHO welcomed the recent developments in the revitalization of RCCs. WHO stood ready to support further progress with a view to RCCs operating as regular regional fora for the discussion of food safety and nutrition and to provide policy input to the Commission. The participation by countries in RCC meetings with their own funding was a good indicator of the degree of engagement of member countries in Codex work. For the agenda of future RCC meetings to remain well balanced, there was a need to ensure that work on regional standards does not become predominant and that sufficient space be allocated for the discussion of important crosscutting issues.
95. Members noted the following
- i. The revitalization process had provided the opportunity to recognize the roles of RCCs in discussing food quality and safety issues of interest at the regional level.
  - ii. The introduction of keynote addresses at RCC meetings was highly relevant and helped raise the profile of RCCs as regional fora to address food-quality and -safety issues, in particular critical and emerging issues.
  - iii. The World Food Safety Day under discussion was particularly significant to raise the profile of Codex at all levels and to raise awareness of Codex at the political level.
  - iv. Data on the use of standards was very relevant.
  - v. The online platform could become an important open resource for information sharing. The low participation of countries in data collection through the online platform was related to structural issues in certain countries and to the lack of specialists in the regions.
  - vi. A common horizontal agenda for all RCCs could highlight differences and similarities among regions and facilitate Codex, FAO and WHO analysis and responsive actions in terms of capacity development and standard development.
  - vii. There remained scope for continued improvement, especially in terms of raising the profile of RCCs not only at the technical level but also at the political level.

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<sup>5</sup> CX/EXEC 17/73/4

## Conclusion

96. CCEXEC73:
- i. welcomed the very satisfactory progress in the revitalization process of the RCCs;
  - ii. noted the importance that each RCC prioritize and phase its work on developing regional standards so as to balance its role as a regional forum, the horizontal items on all RCC agendas and its regional-standard-setting function (see agenda item 2);
  - iii. encouraged FAO, WHO and the Secretariat to continue the revitalization process throughout the next cycle of RCCs meetings;
  - iv. encouraged members to actively participate in future surveys conducted in conjunction with RCC meetings; and
  - v. recommended that CCEXEC74 discuss the horizontal agenda items for the next cycle of RCCs sessions.

## CODEX STRATEGIC PLAN 2014-2019: IMPLEMENTATION STATUS (Agenda Item 5.1)<sup>6</sup>

97. The Secretariat introduced the item which included: a report on the implementation status of the Codex Strategic Plan 2014–19 (Section 2 and Appendix I); a report on the implementation status of the Codex Communications Strategy 2015–17 (Appendix II), and a draft outline of the Codex Communications Strategy 2017–19 (Appendix III).

### *Strategic Plan 2014–19*

98. The Secretariat highlighted that several indicators remained unmeasurable and had therefore not been reported in the 2016 implementation report (e.g. scientific data from developing countries and networks of members to enhance collaboration in the generation of scientific data).
99. Regarding the timely distribution of working documents, which was below expectations in 2016, the Secretariat informed CCEXEC that several actions had been taken to increase the timeliness (e.g. preparation of a glossary to facilitate translations and guidance templates for the preparation of reports of Electronic Working Groups) and that the Secretariat would continue monitoring this activity and implement actions to improve performance accordingly.
100. One member expressed satisfaction that the last CCFICS report had been translated into Arabic.

### *Communications Strategy 2015-17*

101. CCEXEC73 noted that the communications strategy was key for making the Codex Alimentarius better known throughout the entire production chain, vis-à-vis, governments and the private sector. The new round of FAO/WHO Regional Coordinating Committees would be an important opportunity to shape the communication in a way that could help making Codex issues more understandable for producers and consumers.
102. CCEXEC73 acknowledged that while there had been many positive achievements, there was a need to further improve communication externally and internally (e.g. with regards to the understanding of the critical review).
103. The representative of WHO, while noting the new and recent initiatives to improve communications, stressed the need for further synergising the communications effort on Codex with the advocacy and fundraising for the Codex Trust Fund. He pointed out that outreach to health ministries represented in WHO's governing bodies would be a prerequisite for raising the profile and visibility of Codex and food safety in the agenda of WHO.

### *Draft Communications Strategy 2017-19*

104. CCEXEC73 briefly discussed the possibility of creating a logo for the Codex Alimentarius Commission as this could potentially help increasing the visibility of Codex work, but agreed that this question was subject to further appraisal.
105. The representative of the Office of Legal Counsel of WHO and the representative of FAO recalled previous discussions on this question, the origin of the present communication strategy developed with the aim to increase the visibility of Codex, as well as the position of both WHO and FAO that the proliferation of logos should be avoided.

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<sup>6</sup> CX/EXEC 16/73/5 Rev.1

## Conclusion

### 106. CCEXEC73:

#### *Strategic Plan 2014–19*

- i. requested FAO/WHO to work on the measurement of quality and quantity of scientific data from developing countries (activity 2.3.1);
- ii. noted that Activity 2.3.4 (networks of members to enhance collaboration in the generation of scientific data) cannot be measured by the Secretariat and should therefore be excluded from the next report;
- iii. requested the Secretariat to monitor the impact of actions taken with regards to the timely distribution of working documents and inform about further actions taken to improve the rate of working documents distributed on time (activity 4.1.4);
- iv. requested the Secretariat to continue monitoring the strategic plan and report on the implementation status for the calendar year 2017 at CCEXEC75;

#### *Communications Strategy 2015-17*

- v. noted the report on the Communications Strategy 2015–17 and thanked the Secretariat for all its achievements;

#### *Draft Communications Strategy 2017-19*

- vi. confirmed the mission and objectives of the 2017–19 Communications Strategy;
- vii. requested the Secretariat to present the completed strategy to CCEXEC74 (Rome September 2017) for examination and approval;
- viii. suggested CCEXEC74 consider how CCEXEC can contribute to the future development of the Draft Communications Strategy 2017-19.

## **CODEX STRATEGIC PLAN 2020-25: DRAFT (Agenda item 5.2)<sup>7</sup>**

107. The Chairperson introduced the item and noted that the draft Codex Strategic Plan 2020-25 (SP), which included only goals and objectives, was based on the current Strategic Plan and future drafts would take into account: the quality of indicators; findings of the Codex regular review; the strategic goals of FAO and WHO; and the SDGs.

### Discussion

108. CCEXEC73 focused its discussion only on the goals.
109. The representative of FAO informed the Committee that one of FAO's Strategic Objectives (SOs) incorporates the notion of promoting inclusive and efficient trade.. She invited CCEXEC to consider the relevance of this concept to the new strategic goals.
110. The representative of WHO noted that the concept of inclusiveness and participation was split between Goals 1 and 4 and a proposal to remove this inconsistency was contained in CX/EXEC 17/73/6 Add.1. He also suggested that the specific reference to developing countries in Goal 4 could be addressed at objective rather than goal level.
111. CCEXEC73:
- i. recommended that the phrase "*in an inclusive and transparent manner*" be deleted from Goal 1 as this aspect was already covered by Goal 4;
  - ii. noted that Goal 2 should be reformulated to reflect more realistically the ability of Codex to influence the availability of scientific advice. Similarly the wording of Goal 4 should reflect what Codex can realistically achieve in this area;
  - iii. supported Goal 3 and Goal 5; and
  - iv. suggested that a clear vision was needed and that the subsequent content of the Strategic Plan would follow from this vision.

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<sup>7</sup> CX/EXEC 17/73/6; Comments of Albania, Costa Rica, Egypt, Japan, Paraguay, Peru, Somalia, WHO (CX/EXEC 17/73/6 Add.1); EU (CRD3)

112. The Codex Chairperson informed the Committee of her vision for Codex in light of the SDGs which is "Codex for inclusive health, wealth and growth".

### Conclusion

113. CCEXEC agreed that:
- i. the Drafting Team (composed of the CAC Chair and Vice Chairs) would prepare a revised proposal based on the comments submitted in response to CL 2017/50/OCS-EXEC as well as proposals made by CCEXEC73 and CAC40;
  - ii. the revised proposal would be considered by CCEXEC74; and
  - iii. the timetable set out in Appendix II (including clear opportunities for comments by RCCs) would indicate all further steps for the drafting and consultation process.

### COMMITTEES WORKING BY CORRESPONDENCE (Agenda item 5.3)<sup>8</sup>

114. Dr Yayoi Tsujiyama, Chair of the CCEXEC Sub-Committee introduced the item and highlighted the four proposed options available to the Commission when deciding on new work: i.e. i) reactivation of a relevant committee adjourned *sine die* to work by correspondence; ii) establishment by the Commission of an EWG, to conduct the new work, reporting directly to the Commission; iii) assignment of the new work to a FAO/WHO Regional Coordinating Committee; iii) establishment of a "super committee", which could meet one week before the CCEXEC meeting or in conjunction with a meeting of another committee.

### Discussion

115. CCEXEC73 considered the proposals and noted that all identified options along with the decision tree were valid. In addition CCEXEC73 noted that these options were not exhaustive and that no individual solution could address all possible scenarios, e.g. holding joint a session of committees which share common subjects, or complementary issues such as CCPR and CCRVDF, could also be considered.
116. The Secretariat explained that committees working by correspondence followed the same standard development procedure as active committees before Step 3 which usually happened in EWG even though other drafting groups were possible in line with the procedures. Unlike active committees holding physical meetings and issue reports containing all consensus based decisions achieved at sessions, committees working by correspondence do not provide such reports and the process that leads to final recommendations lies more with the Chair of the committee and is less transparent. He explained further that the need for determination whether a physical meeting was needed mainly related to the discussion at Steps 4 and 7 as well as proposals for new work.
117. While recognizing the benefits of addressing the financial constraints for committees working by correspondence, members raised concerns on: (i) the lack of opportunity to comment on proposals for new work; ii) the lack of a uniformed procedure in particular for the advancement of the standard; (iii) the lack of an interactive consultative process and the means to reach consensus; and (iv) the great responsibilities given to the Chairs and the host countries.
118. The representative of WHO noted that there were other solutions that could be implemented without modifications to the current rules and procedure, such as (i) the transfer of the terms of reference of the committee working by correspondence to an active committee having a related area of work, (ii) the convening of a physical meeting of the committee working by correspondence in conjunction with a meeting of an active committee working in a related area, and (iii) the convening of a joint meeting of several committees working by correspondence. These solutions provide benefits, to different degrees, in facilitating the attainment of a quorum and making savings on the travel budget of Codex members and the Codex Secretariat.
119. The representative of WHO further mentioned that it could be possible to establish a subsidiary body under Rule XI.1 (a) of the Rules of Procedure, which could be convened, as necessary, during a session of the Commission (e.g. on the report translation day) to consider draft standards at Step 4 or 7 with a view to submitting the outcome to the subsequent session of the Commission for consideration at Step 5/8 or Step 8. He clarified that a subsidiary body established under Rule XI.1 (a) of the Rules of Procedure: would not have a host government; would meet either in Geneva or in Rome, and would elect its officers at each meeting. The operational costs of the meetings of such a body would be met by the Codex budget, and therefore would hold their sessions dependent on availability of funds.

120. The representative of the Legal Counsel of WHO, speaking on behalf of the Legal Offices of both WHO and FAO, clarified that based on the text proposed by the Secretariat such a committee could be convened on the advice of CCEXEC.
121. The Secretariat confirmed the feasibility of establishing a Committee under Rule XI.1 (a), and the availability of funds. This was the type of body foreseen in the Rules of Procedure to assist finalization of standards. This could be done as a pilot and sessions could be held as needed in accordance of the ongoing work in committees working by correspondence. The title of the committee could be “standards advancement committee” to clearly describe its task.
122. CCEXEC73 noted that there were no impediments to recommend creation of a “standards advancement committee” as a pilot for immediate implementation and noted that this was closely related to option 4 in the working document.
123. Some concerns were expressed with this recommendation as there was no present urgency seen for establishing such a body. Before creating a new committee, a revised document listing all options, their advantages and disadvantages and recommendations should be prepared for consideration by CCEXEC74. This task could also be assigned to CCGP.
124. The Secretariat explained that implementing the proposal for a “standards advancement committee” would only give the Commission an innovative option for the finalization of standards which it could use as needed and evaluate after use. A paper listing and evaluating all options could still be prepared by the Secretariat in addition.
125. CCEXEC73 further considered the terms of reference for the committee as prepared by the Secretariat.

### **Conclusion**

126. CCEXEC73 requested the Secretariat to prepare a document for CCEXEC75 which analyses advantages and disadvantages of the options contained in CX/EXEC 17/73/7 and those mentioned additionally in the above discussion. These options could be used as procedural tools by the Commission to increase efficiency and expedite the Codex standard setting process when working by correspondence while ensuring transparency and inclusiveness.
127. CCEXEC73 recommended that CAC40 consider, as a pilot, the establishment of the Committee on Standards Advancement (CCSA) under Rule XI 1.(a) “subsidiary bodies which it deems necessary for the accomplishment of its work in the finalization of draft standards” of the Rules of Procedure. CCSA would be convened as needed on the advice of CCEXEC to finalize texts on behalf of subsidiaries bodies established under Rule XI1.(b) working by correspondence (see TOR below). The efficiency and effectiveness of such a mechanism would be reviewed by CAC based on an analysis by the Codex Secretariat in five years’ time (2022).

**Terms of reference:** on behalf of a subsidiary body established under Rule XI1.(b) working by correspondence, to consider comments received at steps 3/6 and amend proposed draft standards at step 4/7 with a view to their finalization and submission to the Commission for adoption at steps 5/8 and 8.

### **CODEX AND SUSTAINABLE DEVELOPMENT GOALS (Agenda item 5.4)<sup>9</sup>**

128. The representative of WHO introduced the document on behalf of FAO and WHO. He emphasized the importance of explicitly linking the ongoing Codex work to SDGs, and proactively contributing to the achievement of relevant Goals and Targets to increase the visibility of Codex in the UN arena and to facilitate resource mobilization for Codex and the Codex Trust Fund.

### **Discussion**

129. CCEXEC considered the working document as presented and noted the following views expressed by members:
  - i. there was a potential for raising the profile of Codex through active engagement in the implementation of relevant SDGs;
  - ii. the process for reporting the achievements as well as the mechanism for tracking the progress towards achieving the SDGs should be clear and well defined;
  - iii. the identified nine (9) SDGs well reflected the mandates of FAO, WHO and Codex and therefore Codex should embrace and integrate the relevant SDGs in its activities;

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<sup>9</sup> CX/EXEC 17/73/8



- iv. the contribution of Codex to the SDGs should be clearly articulated in the new Codex Strategic Plan; and there should be a clear link between identified activities and the SDGs. This would not only assist in monitoring and reporting but also in demonstrating concrete impacts of the work Codex in different parts of the world;and
  - v. Codex promotional materials could be used to give more visibility to the contribution of Codex to the SDGs as well as the positive results from the work of Codex.
130. The representative of WHO noted that reporting on the progress towards achieving the SDGs could be made through different avenues including: analysing how Codex can best contribute to the achievements of the SDGs to the work of Codex; identifying a primary organ responsible for tracking progress and reporting (e.g. CCEXEC); defining the mechanism and periodicity for reporting (e.g. having a standing agenda item in key Codex meetings; every year or every other year); type of reporting (e.g. a stand-alone report on SDGs, combined with existing reports on Codex activities).
131. The representative of WHO further informed CCEXEC73 that a concrete opportunity could be to use existing mechanism set up in the parent organizations. In the case of WHO, through the World Health Assembly Resolution WHA69.11 adopted in May 2016, WHO is requested to report “on a regular basis, at least every two years, on global and regional progress” towards achieving the health Goal 3 and its interlinked targets. Another opportunity to increase awareness of the contributions of the work of Codex towards achieving SDGs could be thematic reviews by Member States of progress on achieving SDGs which are organized at the time of the annual High-level Political Forum on Sustainable Development (HLPF). Side events could also be organized at the time of HLPF to demonstrate how the work of Codex contributes to different SDGs.
132. The representative of FAO emphasised that showing the relationship between the work of Codex and the SDGs was an important advocacy tool and should serve to help give focus in the strategic planning process

#### **Conclusion**

133. The Chairperson noted that SDGs were being discussed in Codex for the first time, and that the overall analysis in the working document was supported by CCEXEC73.
134. CCEXEC73:
- i. agreed that SDGs would greatly contribute to the overall advocacy values for the work of Codex; and that the SDGs would be taken into account when developing the next Codex Strategic Plan 2020-2025;
  - ii. noted that there are opportunities to engage in proactive communications through, for instance, regular follow-up discussion on SDGs at CCEXEC and the publication of a brochure highlighting the bridges between Codex and SDGs, as well as in reactive communications such as the reporting to ECOSOC directly or through the governing bodies of FAO and WHO indirectly; and
  - iii. agreed that further discussions would be held by CCEXEC74 to provide answers to the questions posed in CX/EXEC 17/73/8.

#### **CODEX BUDGETARY AND FINANCIAL MATTERS (Agenda item 6.1)<sup>10</sup>**

135. The Secretariat introduced document CX/EXEC 17/73/9 noting that the report on expenditure for 2016 also included the costs of Joint FAO/WHO Coordinating Committees (RCCs).
136. The Secretariat informed the Committee that RCCs have different needs with regards to interpretation and translation. In the FAO/WHO Coordinating Committee for Europe (CCEURO) Russian translation and interpretation had been covered by CCEURO coordinators including the present Coordinator (Netherlands). For the next session, the cost for Russian translation and interpretation will be covered by the Codex Secretariat budget. However, this financial support could not be guaranteed indefinitely and a permanent solution will need to be discussed by the Committee.
137. The Secretariat recognized that use of Russian language in CCEURO was important to facilitate participation especially of new Codex members from the Central-Asian countries. He noted that UN agencies covering the same region such as the United Nations Economic Commission for Europe (UNECE) limited language services to English, French and Russian. He further noted that other RCCs had also limited language services to those most used in the region to maximize the possibilities of members to participate while allowing for the organization of other activities of interest to their region. Regardless the language regime of the RCC, the reports of all RCCs would always be available in English, French and Spanish in addition to the language of particular interest to the RCC.

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<sup>10</sup> CX/EXEC 17/73/9

138. The Coordinator for CCEURO expressed their appreciation to the Secretariat for the provision of Russian language.
139. The representative of FAO reiterated the need to find a long term solution that optimises participation in the region and makes judicious use of the funds made available to CAC.

### Conclusion

140. CCEXEC73:
- i. encouraged CCEURO to investigate their language policy, comparing it also to other RCCs and regional organizations;
  - ii. recognized the support provided by the Secretariat in funding Russian language services in the financial biennium 2018-19;
  - iii. noted the report on expenditure (2016), the estimate for 2017 and the financial outlook for 2018-19;
  - iv. requested the Secretariat to continue presenting budget proposals in the first year of a running biennium to allow FAO/WHO more time for their approval process (i.e. in 2018 the Secretariat will present a budget proposal for 2020-21); and
  - v. noted appreciation for continued financial support from FAO and WHO to the regular programme budget, contributions from host countries/members and contributions in-kind from China, Germany Japan and the Republic of Korea to the Secretariat.

### FAO/WHO SCIENTIFIC SUPPORT TO CODEX: BUDGETARY AND FINANCIAL MATTERS (Agenda item 6.2)<sup>11</sup>

141. The representative of WHO introduced the item highlighting that in WHO the majority of funds for the scientific advice programme in food safety and nutrition are based on voluntary contributions by a small number of donors. Overall the planned costs for the biennium 2016-17 amount to about USD 3.2 million for activity and USD 4.8 for staff costs. She emphasized that the overall amount that FAO and WHO contribute to Codex through the scientific advice programme is significant (about USD 10 million per biennium).
142. The representative of FAO noted that activity and staff costs related to the provision of scientific advice to Codex are provided for primarily through FAO's Regular Programme of Work and Budget. While the work was located within the FAO Strategic Programme 4 "inclusive and efficient food and agriculture systems" the budget for the scientific advice was largely protected as a Corporate Technical Activity.
143. She noted that funding for *ad hoc* consultations as well as sessions of JEMNU were not protected. Overall the costs for the biennium 2016-2017 were about USD 3.9 million of which 3.4 million was from the FAO Regular Programme and 0.5 million was from voluntary contributions from donors. Voluntary contributions received this biennium were mainly in support of JMPR with some funding also provided for JEMRA and JEMNU. She expressed concern that no extra budgetary funds had been received to support the work of JECFA. She highlighted that a new umbrella trust fund had been established to support the scientific advice programme.
144. WHO and FAO thanked members who voluntarily provided extra-budgetary contributions and in-kind support to the scientific advice programme.

### Discussion

145. The discussion focused on the need to ensure the funding for the essential scientific advice to Codex and possibilities for raising awareness of this need within WHO governing bodies.
146. The representative of WHO informed CCEXEC that since CAC38 had discussed the proposals for sustainable funding of the provision of scientific advice and had decided to draw the attention of the WHO governing bodies to the need to address this issue, there were only few Members who had taken the opportunity to speak on food safety or Codex in the WHO governing body meetings under relevant agenda items (e.g. on ICN2 follow-up). As a consequence, no discussion has yet been launched within the governing bodies or in the senior management of WHO to remedy the current situation.

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<sup>11</sup> CX/EXEC 17/73/10

147. The representative of WHO further indicated that no resolution specific to food safety had been adopted by the World Health Assembly after 2010. If a specific item on food safety or Codex was to be added to the agenda of WHO governing bodies or a side event was to be held in conjunction with their sessions, proposals should be made by Codex Members. In the meantime, there would be regular opportunity to speak on nutrition, food safety and Codex in the framework of the follow-up to ICN2 and the UN Decade of Action on Nutrition as well as the contributions to SDGs.
148. The representative of the Legal Counsel of WHO reported that the WHO was in a process of further pursuing governance reforms, which included *inter alia* the potential development of new mechanisms for how to best manage the agenda setting process of WHO governing bodies.
149. The representative of FAO acknowledged that awareness of Codex and food safety matters was high in the governing bodies of FAO due to the active communication of Codex members and internal efforts to communicate and engage with other relevant units and programmes. She encouraged Members to use policy matters (see Agenda item 7) as an entry point for raising awareness of the importance of the work of Codex with national policy makers and their representatives at FAO and WHO Governing Bodies.

### Conclusion

150. CCEXEC recommended to CAC40 to:
- i. acknowledge the combined contribution of FAO and WHO to the provision of scientific advice as a significant contribution to the Codex system in addition to the regular programme budget of CAC;
  - ii. acknowledge the voluntary contributions to the WHO and FAO Scientific Advice Programme;
  - iii. note the absence of food safety and quality as an item from the agenda of the WHO governing bodies for over 10 years, with the exception of references to food safety and Codex standards in the context of nutrition and noncommunicable diseases;
  - iv. note that WHO was in the process of reforming its governance which included *inter alia* the potential development of new mechanisms for how to best manage the agenda setting process of WHO governing bodies;
  - v. call upon members to continue communication and coordination on Codex issues between national authorities responsible for health and agriculture with a view to increasing the awareness on the need for sustainable (core) funding for scientific advice within FAO/WHO.

### MATTERS ARISING FROM FAO AND WHO: POLICY AND RELATED MATTERS (Agenda item 7)<sup>12</sup>

151. The representatives of WHO and FAO introduced the working document, regretting the late preparation and distribution of the document. Regarding the UN Decade of Action on Nutrition, it was clarified that the Decade was declared by the UN General Assembly as a follow up to the Second International Conference on Nutrition (ICN2) outcome, and that the national SMART<sup>13</sup> commitments decided on by Member States under Action Area 1 could cover not only commitments in nutrition but also address food safety, including Codex and antimicrobial resistance in the food chain.
152. The representative of FAO first highlighted a number of decisions/statements made by FAO Governing Bodies that have met since the 39th Session of the CAC that could be of interest to the Commission. Among these were the resolution adopted by the recently concluded 40th Session of the FAO Conference calling for World Food Safety Day. She also highlighted the decision of the 25th Session of the FAO Committee on Agriculture to establish an Open-ended Working Group (OEWG) to consider options for the adequate and sustainable funding for the FAO/WHO Programmes for food safety scientific advice. This group will be reporting to the FAO Council at the end of 2017. She encouraged CCEXEC members to promote the participation of their countries and other stakeholders in the deliberations of the OEWG.
153. The representative of FAO then outlined a selected number of FAO initiatives and programmes that were of relevance to the work of Codex. She covered such FAO programmes as those dealing with sustainable food systems, climate change, water scarcity, trade and sustainable crop and livestock production, noting the engagement of the FAO Food Safety and Quality Unit in the programmes and their relatedness to the work of Codex. She also noted opportunities for the food safety community to engage in some ongoing national processes that could facilitate better integration of food safety issues in national planning and promote policy coherence across sectors.

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<sup>12</sup> CX/EXEC 17/73/11

<sup>13</sup> Specific, Measurable, Assignable, Realistic, Time-related

154. The representative of WHO also indicated that in parallel to the implementation of the Global Action Plan on AMR, WHO was coordinating the development of a stewardship framework on AMR, encompassing the rational use of antimicrobials as well as the improved access to antimicrobials by those who need them.
155. The representative of WHO highlighted the work of the NUGAG Subgroup on Diet and Health which will be providing the systematic reviews to serve as scientific advice to the on-going work of CCNFSDU on NRV-NCD on EPA and DHA. She welcomed the participation of the representatives of FAO and the Codex Secretariat at the recent 11<sup>th</sup> meeting of NUGAG.
156. The representative of WHO raised the issue of what the role of Codex could be in addressing the harmful effects of alcohol, considering one of the primary objectives of the Codex standards is protection of health. He identified several possible areas of collaboration including: definition and classification of alcohol, labelling, alcohol content, ingredients, calories and associated health risks.
157. One member considered that matters related to the use of sugar and food additives in non-alcoholic beverages, as well as the risk of children being exposed to alcoholic drinks should be on the Codex agenda to ensure that children were adequately protected.
158. CCEXEC73 noted that the agenda item provided valuable information but the late submission meant it had not been possible for any consultation to take place at national level. It was therefore suggested that the item could be discussed at CCEXEC74 in September 2017.
159. Concerns were also expressed about the recommendation to CAC in the document “to take necessary actions to best take into consideration of the policies of the parent organizations”, and it was noted that Codex was a member driven organization with its own risk assessment bodies.

### **Conclusion**

160. CCEXEC73:
  - i. noted the resolution adopted by the 40<sup>th</sup> Session of the FAO Conference following the decision of CAC39 for the establishment of a World Food Safety Day on a permanent basis;
  - ii. noted the late submission of the document in English only, which had prevented Members from consulting fully; and
  - iii. agreed to further discuss the item at CCXEC74.

### **RELATIONS BETWEEN FAO AND WHO POLICIES, STRATEGIES AND GUIDELINES AND CODEX WORK (Agenda item 8)<sup>14</sup>**

161. The representative of WHO introduced the working document on behalf of FAO and WHO, recalling that the same document had been submitted to the CCEXEC71, but was not discussed due to lack of time. The Representative recalled that there are two sets of requirements that are not mutually exclusive. On the one hand, there was a legitimate demand to preserve functional autonomy of the Commission, as represented in its unique elaboration procedures and the handling of observers. On the other, there is an increasing demand to position Codex work in a wider context, such as the UN SDGs and the global strategies adopted by the World Health Assembly, in order to make sure that the international community be kept aware of the contribution Codex is making to broader goals and initiatives and that the management of the parent organizations recognise it and reflect it in the allotment of available resources to Codex.
162. He noted that both Codex and WHO are driven by the Member States, and their decisions consensus-based. Given that the adopted Codex standards are published with the emblems of the parent organizations under which Codex operates, contradiction between Codex standards and the policies and strategies of the parent organizations should be avoided or minimized, and synergies explored.
163. The Representative noted that if it was seen that Codex was not positively contributing towards public health goals, this could negatively impact on the financial resource mobilisation including on scientific support to Codex.

164. The representative of FAO reiterated the view that standard setting work of Codex was member driven, but it was in the interest of Codex members to consider FAO and WHO policies in implementing their work. She also emphasized the need for effective communication and consultation at the national level to ensure policy coherence and that capacity development work by FAO to strengthen national structures aimed at enabling member countries to better engage and participate in standards development. The item on “matters referred from FAO and WHO: policy and related matters” was further aimed at providing information to facilitate this discussion at the national level.
165. CCEXEC73 was invited to consider the suggested ways forward as outlined in paragraphs 14 and 15 of CX/EXEC 17/73/12.

### Discussion

166. CCEXEC noted the following comments:
- i. all FAO/WHO policies, strategies and guidelines should receive appropriate consideration in Codex and that there should be coherence between the policies and work in the parent organisations and Codex, and therefore there was the need for Codex to recognise and follow up on strategies adopted at the political level by governing bodies of WHO and FAO.
  - ii. Codex is member driven and autonomous and had the mandate to protect the health of consumers and ensure fair practices in the food trade, while neither of the parent organisations had the same dual mandate. Codex members have to decide how to follow up on strategies of FAO and WHO relevant to the mandate of Codex.
  - iii. Codex works towards consensus with a unique standards development process and standards that are relevant for both the protection of consumer health and to facilitate trade that are recognised by WTO as a reference.
  - iv. FAO and WHO have given Codex a clear mandate which members abide with and so should FAO and WHO. It is important that issues of mutual interest are well understood by all concerned parties.
  - v. two-way communication at the national level is key to achieving policy coherence and it is important that priorities that could serve Codex members are shared with them. The question of how to maximise the alignment of positions and communication at all levels needs to be addressed.
  - vi. consultation and coherence at national level is important to ensure that the same opinions were made to discussions in the different UN fora.
  - vii. there is no need to amend the Procedural Manual or undertake any further work in this area.
  - viii. integration of the SDGs in the new Strategic Plan could contribute towards policy coherence.
  - ix. the presumption that there are inconsistencies between the work of codex and the policies of the parent bodies was questioned.
167. The representative of WHO indicated that the purposes of Codex, are not in contradiction to those of WHO. She further noted that there had been increasing references and requests to Codex by the World Health Assembly (WHA) to strengthen its work in supporting public health efforts, and simultaneously encouraging Member States to use Codex standards and guidelines to protect and promote human health. An example was WHA 56.23 on the Joint FAO/WHO evaluation of the work of the Codex Alimentarius Commission (2003) which “Urged Member States to make full use of Codex standards for the protection of human health throughout the food chain, including assistance with making healthy choices regarding nutrition and diet”.
168. The representative pointed out, however, that the use of Codex standards and guidelines had been questioned in the WHA due to their non-alignment or inconsistency with WHO guidelines and/or policies. The effects of inconsistency had also been observed increasingly at different international fora, including the WTO TBT Committee, where Member States who are taking action to implement policy measures adopted by WHA are being challenged as not complying with Codex and creating trade barriers. This concern should be addressed if the work of Codex is to contribute to achieving SDGs as discussed in Agenda item 5.4.

169. The representative of WHO indicated that to improve the consistency and synergies between Codex work and the policy and strategies of the parent organizations, Codex, in taking decisions, should be aware of the relevant policies and strategies of the parent organizations that already exist in the area where Codex is developing a standard. In reference to paragraph 15 of the document and as an example of possible improvements that could be made, the Representative indicated that according to Part 2 of the Codex Elaboration Procedure, a Project Document should contain information on the existing and ongoing work of Codex itself and the work and expertise of external bodies, but no information on the existing and ongoing work of the parent organizations, and that this provision did not allow the Executive Committee to take an informed decision at the stage of initiation of new work. The Representative offered to prepare for review at the next session of CCEXEC a list of measures and actions that could be implemented to facilitate informed decision making in Codex, without disrupting its standard development process driven by Member States.

#### **Conclusion**

170. CCEXEC concluded the discussion on this item and noted the need to take into account the policies of FAO and WHO, but highlighted the specific and different mandate given to Codex by FAO and WHO, which have much broader mandates, and asked for this to be respected by the parent organisations. CCEXEC further noted the need to strengthen structures at the national level, to continue effective and ongoing communication between Codex, FAO and WHO. CCEXEC noted the lack of support for further guidance or the need to amend the Procedural Manual as suggested in paragraph 15 of CX/EXEC 17/73/12.

#### **APPLICATIONS FROM INTERNATIONAL NON-GOVERNMENT ORGANISATIONS FOR OBSERVER STATUS IN CODEX (Agenda item 9)<sup>15</sup>**

#### **OTHER BUSINESS (Agenda item 10)<sup>16</sup>**

171. Due to time constraints, CCEXEC agreed to defer consideration of these items to CCEXEC74 (September 2017).

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<sup>15</sup> CX/EXEC 17/73/13

<sup>16</sup> Proposal for Co-Chairing of Codex Committee Meetings (CRD 4); Proposal for possible work on bio-pesticides, bio-fertilizers and bi-stimulants (CRD 6)

**LIST OF PARTICIPANTS**  
LISTE DES PARTICIPANTS  
LISTA DE PARTICIPANTES

**CHAIRPERSON**  
PRÉSIDENTE  
PRESIDENTA

Mrs Awilo Ochieng Pernet  
Chair, Codex Alimentarius Commission  
Federal Department of Home Affairs FDHA  
Federal Food Safety and Veterinary Office FSVO  
Division of International Affairs  
Bern  
Switzerland  
Tel: +41 58 462 0041  
Email: [awilo.ochieng@blv.admin.ch](mailto:awilo.ochieng@blv.admin.ch)

**VICE-CHAIRPERSONS**  
VICE-PRÉSIDENTS  
VICEPRESIDENTES

Dr Yayoi Tsujiyama  
Acting Director for International Standards Office  
Food Safety Policy Division, Food Safety and Consumer  
Affairs Bureau  
Ministry of Agriculture, Forestry and Fisheries  
1-2-1, Kasumigaseki, Chiyoda-ku  
Tokyo  
Japan  
Tel: +81-3-3502-8732  
Email: [yayoi\\_tsujiyama170@maff.go.jp](mailto:yayoi_tsujiyama170@maff.go.jp)

Mr Mahamadou Sako  
Directeur-Général adjoint  
Ministère de la Santé et de l'Hygiène Publique  
Agence Nationale de la Sécurité Sanitaire des Aliments  
Centre Commercial, Rue 305 Quartier du Fleuve  
BPE: 2362  
Bamako  
Mali  
Tel: +223 20230188 /+223 66 799979/+22366741542  
Email: [madoundjini@gmail.com](mailto:madoundjini@gmail.com)

Dr Guilherme Antonio Costa Junior  
Ministry of Agriculture, Livestock and Food  
Esplanada dos ministrerios BI.D  
Ed. Sede 3 andar-Sala 300  
Brasilia  
Brazil  
Email: [guilherme.costa@agricultura.gov.br](mailto:guilherme.costa@agricultura.gov.br)

**MEMBERS ELECTED ON A GEOGRAPHIC BASIS:**  
 MEMBRES ÉLUS SUR UNE BASE GÉOGRAPHIQUE:  
 MIEMBROS ELEGIDOS SOBRE UNA BASE  
 GEOGRÁFICA:

**AFRICA**  
 AFRIQUE  
 ÁFRICA

Mrs Margaret Efiang Eshiett  
 Ag. Director Business Support Services  
 Standards Organisation of Nigeria  
 Plot 13/14 Victoria Arobieke Street, Off Admiralty Way  
 Lekki Peninsula- Lekki Phase 1  
 Lagos  
 Nigeria  
 Tel: +2348023179774  
 Email: [megesciott@yahoo.com](mailto:megesciott@yahoo.com)

**Advisors to the Member for Africa**

Conseiller du Membre pour l'Afrique  
 Asesor del Miembro para África

Prof Amadou Diouf  
 Président du Comité National du Codex Alimentarius  
 Centre Anti Poison  
 Ministère de la Santé et de l'Action sociale  
 Hôpital de Fann  
 Dakar  
 Sénégal  
 Tel: +221 77 644 98 23  
 Email: [amdiouf@refer.sn](mailto:amdiouf@refer.sn); [amadou.diouf@ucad.edu.sn](mailto:amadou.diouf@ucad.edu.sn)  
[amdiouf@me.sn](mailto:amdiouf@me.sn)

Mr Lazaro Henry Msasalaga  
 Head of Agriculture and Food Standards Section /  
 Codex Contact Point  
 Process Technology Standards  
 Tanzania Bureau of Standards  
 P.O. Box 9524  
 Dar-es-Salaam  
 United Republic of Tanzania  
 Tel: +255 22 2450206  
 Email: [codex@tbs.go.tz](mailto:codex@tbs.go.tz)

**ASIA**  
 ASIE  
 ASIA

Ms Norrani Eksan  
 Deputy Director  
 Food Safety and Quality Division  
 Ministry of Health Malaysia  
 Level 4, Menara Prisma No 26, Jalan Persiaran  
 Perdana, Precint 3  
 Putrajaya  
 Malaysia  
 Tel: +603 88850794  
 Email: [norrani@moh.gov.my](mailto:norrani@moh.gov.my)

**Advisors to the Member for Asia**

Conseiller du Membre pour l'Asie  
 Asesor del Miembro para Asia

Dr Yongxiang Fan  
 Division Director  
 Food Safety Standard Division 1  
 China National Centre for Food Safety Risk  
 Assessment (CFSA)  
 No. 23, Guangqu Road Chaoyang District  
 Beijing  
 China  
 Tel: +8613651163400  
 Email: [fanyongxiang@cfsa.net.cn](mailto:fanyongxiang@cfsa.net.cn)

Prof Purwiyatno Hariyadi  
 National Codex Committee of Indonesia  
 Department of Food Science and Technology  
 Southeast Asian Food & Agricultural Science &  
 Technology (SEAFASST Center), Bogor Agricultural  
 University  
 Jln Puspa No 1 IPB Campus - DARMAGA  
 Bogor  
 Indonesia  
 Tel: (+62) 81110351  
 Email: [phariyadi@ipb.ac.id](mailto:phariyadi@ipb.ac.id)

**EUROPE**

EUROPE  
 EUROPA

Mrs Vigdis S. Veum Møllersen  
 Senior Adviser  
 Norwegian Food Safety Authority  
 Head Office  
 Felles Postmottak P.O Box 383  
 Brumunddal  
 Norway  
 Tel: +47 22 77 91 04  
 Email: [visvm@mattilsynet.no](mailto:visvm@mattilsynet.no)

**Advisors to the Member for Europe**

Conseillers du Membre pour l'Europe  
 Asesores del Miembro para Europa

Mr Mike O'Neill  
 Head of EU and International Strategy  
 Food Standards Agency  
 Aviation House 125  
 London  
 United Kingdom  
 Tel: + 44 (0) 20 72768664  
 Email: [Mike.Oneill@foodstandards.gsi.gov.uk](mailto:Mike.Oneill@foodstandards.gsi.gov.uk)

Mr Niklas Schulze-icking  
 Federal Ministry of Food and Agriculture  
 Wilhelmstr.54  
 Berlin  
 Germany  
 Tel: +49 30 18529-3515  
 Email: [niklas.schulze-icking@bmel.bund.de](mailto:niklas.schulze-icking@bmel.bund.de)



**LATIN AMERICA AND THE CARIBBEAN**

AMÉRIQUE LATINE ET CARAÏBES  
AMÉRICA LATINA Y EL CARIBE

Mr Daniel González Sesmas  
Director de Normalización de Sector Primario e  
Industria Agroalimentaria  
Dirección General de Normas  
Secretaría de Economía  
Av. Puente de Tecamachalco 6 Col. Lomas de  
Tecamachalco  
Naucalpan de Juárez  
Mexico  
Tel: 5552296100  
Email: [daniel.gonzalezs@economia.gob.mx](mailto:daniel.gonzalezs@economia.gob.mx)

**Advisor to the Member for Latin America and the Caribbean**

Conseillère du Membre pour l'Amérique Latine et les  
Caraïbes  
Asesor del Miembro para América Latina y el Caribe

Mr Aldo Heladio Verver Y Vargas Duarte  
Director General Adjunto  
Comisión de Fomento Sanitario  
Comisión Federal para la Protección Contra Riesgos  
Sanitarios  
Oklahoma 14, Col. Napoles, Delegación Benito Juarez,  
Ciudad de México  
Mexico City  
Mexico  
Tel: +52 55 50805200 ext. 1304  
Email: [aververyvargas@cofepris.gob.mx](mailto:aververyvargas@cofepris.gob.mx)

**NEAR EAST**

PROCHE-ORIENT  
CERCANO ORIENTE

Ms Mariam Eid  
Head  
Agro Industries Department  
Ministry of Agriculture  
Bir hassan Jneh  
Beirut  
Lebanon  
Tel: 009613567542 / 009611824100  
Email: [meid@agriculture.gov.lb](mailto:meid@agriculture.gov.lb)

**NORTH AMERICA**

AMÉRIQUE DU NORD  
AMÉRICA DEL NORTE

Mr Richard Arsenault  
Executive Director  
Domestic Food Safety Systems & Meat Hygiene  
Directorate  
Canadian Food Inspection Agency  
Floor 6, Room 350 1400 Merivale Road,  
TOWER 1  
Ottawa  
Canada  
Tel: 613-773-6156  
Email: [Richard.Arsenault@Inspection.gc.ca](mailto:Richard.Arsenault@Inspection.gc.ca)

**Advisors to the Member for North America**

Conseillères du Membre pour l'Amérique du Nord  
Asesores del Miembro para América del Norte

Ms Mary Frances Lowe  
Manager, U.S. Codex  
U.S. Department of Agriculture  
U.S. Codex Office  
Room 4861 - South Bldg.  
1400 Independence Ave. S.W.  
Washington, DC 20250  
USA  
Tel: +1 202 205 7760  
E-mail: [MaryFrances.Lowe@fsis.usda.gov](mailto:MaryFrances.Lowe@fsis.usda.gov)

Mrs Mae Johnson  
Director  
Bureau of Policy, Intergovernmental and  
International Affairs  
Health Canada  
251 Sir Frederick Banting Driveway, Floor 4  
Mail Stop 2204C  
Ottawa  
Canada  
Tel: 613-957-8417  
Email: [Mae.Johnson@HC-SC.gc.ca](mailto:Mae.Johnson@HC-SC.gc.ca)

**SOUTH WEST PACIFIC**

PACIFIQUE SUD-OUEST  
PACÍFICO SUDOCCIDENTAL

Mr Raj Rajasekar  
Codex Coordinator and Codex Contact Point NZ  
Ministry for Primary Industries  
25 The Terrace  
Wellington  
New Zealand  
Tel: 64298942576  
Email: [raj.rajasekar@mpi.govt.nz](mailto:raj.rajasekar@mpi.govt.nz)

**Advisors to the Member for South West Pacific**

Conseillers du Membre pour le Pacifique Sud-Ouest  
Asesores del Miembro para el Pacífico Sudoccidental

Mr Dugald Maclachlan  
Director, Microbiological Policy and Residues Exports  
Division  
Department of Agriculture and Water Resources  
GPO Box 858  
Canberra ACT2601  
Australia  
Tel: +62 2 6272 3183  
Email: [Dugald.maclachlan@agriculture.gov.au](mailto:Dugald.maclachlan@agriculture.gov.au)

Dr Vele Pat Ila'ava  
Secretary  
Department of Agriculture and Livestock  
PO Box 2033  
Port Moresby  
Papua New Guinea  
Email: [vpilaava100261@gmail.com](mailto:vpilaava100261@gmail.com)

**COORDINATORS:  
COORDONNATEURS:  
COORDINADORES:**

**COORDINATOR FOR AFRICA**

Coordonnateur pour l'Afrique  
Coordinador para África

Dr Kimutai Maritim  
Assistant Director  
Chair-FAO/WHOCCAFRICA  
Directorate of Veterinary Services  
Private Bag Kabete  
Nairobi  
Kenya  
Tel: +254 722601653  
Email: [kimutaimaritim@yahoo.co.uk](mailto:kimutaimaritim@yahoo.co.uk)

**COORDINATOR FOR ASIA**

Coordonnateur pour l'Asie  
Coordinador para Asia

Mr Sunil Bakshi  
Advisor Codex  
Food Safety and Standards Authority of India  
FDA Bhawan, Near Bal Bhawan  
New Delhi  
India  
Tel: +91-11-23237439  
Email: [sbakshi@fssai.gov.in](mailto:sbakshi@fssai.gov.in)

**COORDINATOR FOR EUROPE**

Coordonnatrice pour l'Europe  
Coordinadora para Europa

Dr Marie-Ange Delen  
Coordinator Codex Alimentarius Netherlands  
PO Box 20401  
The Hague  
Netherlands  
Tel: +31 6 4615 2167  
Email: [m.a.delen@minez.nl](mailto:m.a.delen@minez.nl)

**COORDINATOR FOR LATIN AMERICA AND THE CARIBBEAN**

Coordonnateur pour l'Amérique Latine et les Caraïbes  
Coordinador para América Latina y el Caribe

Dr Michel Leporati Néron  
Secretario Ejecutivo  
Agencia Chilena para la Inocuidad y Calidad  
Alimentaria, ACHIPIA  
Ministerio de Agricultura  
Nueva York 17, piso 4  
Santiago  
Chile  
Tel: +56 2 27979900  
Email: [michel.leporati@achipia.gob.cl](mailto:michel.leporati@achipia.gob.cl)

**COORDINATOR FOR NEAR EAST**

Coordonnateur pour le Proche-Orient  
Coordinador para el Cercano Oriente

Dr Mohammad Hossein Shojaee Aliabadi  
Senior Scientific Adviser  
Institute of Standards & Industrial Research of IRAN  
Director and Laboratory Manager Farough Life  
Sciences Research Laboratory  
No. 96, Parcham Street Tohid Square  
Tehran  
Iran (Islamic Republic of)  
Tel: +98 912 159 17 66  
Email: [Faroughlab@gmail.com](mailto:Faroughlab@gmail.com)

**COORDINATOR FOR NORTH AMERICA AND THE SOUTH WEST PACIFIC**

Coordonnateur pour l'Amérique du Nord et le Pacifique  
Sud-Ouest  
Coordinador para América del Norte y el Pacífico  
Sudoccidental

Mr Timothy Tumukon  
Director  
Department of Biosecurity Vanuatu  
Ministry of Agriculture PMB 9039  
Port Vila  
Vanuatu  
Tel: (+679) 7793867  
Email: [ttumukon@vanuatu.gov.vu](mailto:ttumukon@vanuatu.gov.vu)

**WORLD HEALTH ORGANIZATION (WHO)**

Organisation mondiale de la Santé (OMS)  
Organización Mundial de la Salud (OMS)

Dr Oleg Chestnov  
Assistant Director-General  
Noncommunicable Diseases and Mental Health (NMH)  
World Health Organization (WHO)  
20, Avenue Appia  
Geneva 27  
Switzerland  
Tel: +41227912723  
Email: [chestnovo@who.int](mailto:chestnovo@who.int)

Dr Kazuaki Miyagishima  
Director  
Department of Food Safety and Zoonoses (FOS)  
World Health Organization (WHO)  
20, Avenue Appia  
Geneva 27  
Switzerland  
Email: [miyagishimak@who.int](mailto:miyagishimak@who.int)

Dr Angelika Tritscher  
Coordinator  
Department of Food Safety and Zoonoses (FOS)  
World Health Organization (WHO)  
20, Avenue Appia  
Geneva 27  
Switzerland  
Tel: +41 22 7913569  
Email: [tritschera@who.int](mailto:tritschera@who.int)

Mrs Catherine Mulholland  
Administrator Codex Trust Fund  
Department of Food Safety and Zoonoses (FOS)  
World Health Organization (WHO)  
20, Avenue Appia  
Geneva 27  
Switzerland  
Tel: +41227913080  
Email: [mulhollandc@who.int](mailto:mulhollandc@who.int)

Dr Rei Nakagawa  
 Technical Officer  
 Department of Food Safety and Zoonoses (FOS)  
 World Health Organization (WHO)  
 20, Avenue Appia  
 Geneva 27  
 Switzerland  
 Tel: +41 22 791 3640  
 Email: [nakagawar@who.int](mailto:nakagawar@who.int)

Dr Chizuru Nishida  
 Coordinator  
 Nutrition for Health and Development  
 World Health Organization (WHO)  
 20, avenue Appia  
 Geneva 27  
 Switzerland  
 Tel: +41227913317  
 Email: [nishidac@who.int](mailto:nishidac@who.int)

Dr Egle Granziera  
 Senior Legal Officer  
 Office of the Legal Counsel  
 World Health Organization (WHO)  
 20, Avenue Appia  
 Geneva 27  
 Switzerland  
 Tel: +41 22 791 3680  
 Email: [granzierae@who.int](mailto:granzierae@who.int)

Dr Claudia Nannini  
 Legal Officer  
 Office of the Legal Counsel  
 World Health Organization (WHO)  
 20, Avenue Appia  
 Geneva 27  
 Switzerland  
 Tel: 0041 22 791 25 06  
 Email: [nanninic@who.int](mailto:nanninic@who.int)

**FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)**  
 Organisation des Nations Unies pour l'alimentation et l'agriculture (FAO)  
 Organización de las Naciones Unidas para la Alimentación y la Agricultura (FAO)

Dr Renata Clarke  
 Head, Food Safety and Quality Unit  
 Agriculture and Consumer Protection Department  
 FAO  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06 5705 2010  
 Email: [Renata.Clarke@fao.org](mailto:Renata.Clarke@fao.org)

**CODEX SECRETARIAT**  
 Secrétariat du Codex  
 Secretaría del Codex

Mr Tom Heilandt  
 Secretary Codex Alimentarius Commission  
 Joint FAO/WHO Food Standards Programme  
 Food and Agriculture Organization of the UN  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06 5705 4384  
 Email: [tom.heilandt@fao.org](mailto:tom.heilandt@fao.org)

Ms Annamaria Bruno  
 Senior Food Standards Officer  
 Joint FAO/WHO Food Standards Programme  
 Food and Agriculture Organization of the UN  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06570 56254  
 Email: [annamaria.bruno@fao.org](mailto:annamaria.bruno@fao.org)

Ms Gracia Brisco  
 Food Standards Officer  
 Codex Alimentarius Commission Joint FAO/WHO  
 Food Standards Programme  
 Food and Agriculture Organization  
 Tel: +39 06 570 52700  
 Email: [gracia.brisco@fao.org](mailto:gracia.brisco@fao.org)

Ms Verna Carolissen-mackay  
 Food Standards Officer  
 Joint FAO/WHO Food Standards Programme  
 FAO  
 Viale delle Terme di Caracalla Rome  
 Rome  
 Italy  
 Tel: +39 06 5705 5629  
 Email: [verna.carolissen@fao.org](mailto:verna.carolissen@fao.org)

Mr Patrick Sekitoleko  
 Food Standards Officer  
 Joint FAO/WHO Food Standards Programme  
 Food and Agriculture Organization of the United Nations (FAO)  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06 5705 6626  
 Email: [patrick.sekitoleko@fao.org](mailto:patrick.sekitoleko@fao.org)

Ms Lingping Zhang  
 Food Standards Officer  
 Joint FAO/WHO Food Standards Programme Food  
 and Agriculture Organization of the UN  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06570 53218  
 Email: [lingping.zhang@fao.org](mailto:lingping.zhang@fao.org)

Ms Anne Beutling  
 Associate Professional Officer  
 Joint FAO/WHO Food Standards Programme  
 Food and Agriculture Organization of the UN  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06 570 53528  
 Email: [anne.beutling@fao.org](mailto:anne.beutling@fao.org)

Mr David Massey  
 Special Advisor  
 Joint FAO/WHO Food Standards Programme  
 Food and Agriculture Organization of the UN  
 Viale delle Terme di Caracalla  
 Rome  
 Italy  
 Tel: +39 06 570 53465  
 Email: [david.massey@fao.org](mailto:david.massey@fao.org)

Mr Roberto Sciotti  
Record & Information Management Officer &  
Webmaster  
Joint FAO/WHO Food Standards Programme  
Food and Agriculture Organization of the UN  
Viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06 570 56141  
Email: [Roberto.Sciotti@fao.org](mailto:Roberto.Sciotti@fao.org)

Mr Giuseppe Di Chiera  
Programme Assistant Consultant  
Joint FAO/WHO Food Standards Programme  
Food and Agriculture Organization of the UN  
Viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06 570 52533  
Email: [giuseppe.dichiera@fao.org](mailto:giuseppe.dichiera@fao.org)

## Appendix II

## TIMELINE FOR THE DEVELOPMENT PROCESS OF STRATEGIC PLAN 2020-25

| When                                | Action   | By                              |
|-------------------------------------|--|---------------------------------|
| Second half 2016<br>First half 2017 | Suggestions for goals and objectives of a new Strategic Plan | FAO/WHO Coordinating Committees |
| First half 2017                     | First draft<br>(without implementation plan)                 | Chair and Vice Chairs           |
| First half 2017                     | Submission of comments on first draft                        | Members and Observers           |
| Second half 2017                    | Review   | CCEXEC73                        |
| Second half 2017                    | Finalisation of first draft<br>(without implementation plan) | Chair and Vice Chairs           |
| Second half 2017                    | Review   | CCEXEC74                        |
| First half 2018                     | Preparation of second draft<br>(with implementation plan)    | Chair and Vice Chairs           |
| First half 2018                     | Review   | CCEXEC75                        |
| Second half 2018<br>First half 2019 | Inputs on second draft                                       | FAO/WHO Coordinating Committees |
| First half 2019                     | Preparation of final draft                                   | Chair and Vice Chairs           |
| First half 2019                     | Comments   | Members and Observers           |
| First half 2019                     | Final review   | CCEXEC77                        |
| Second half 2019                    | Adoption   | CAC42                           |