

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 4

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON GENERAL PRINCIPLES

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CONSISTENCY OF THE RISK ANALYSIS TEXTS ACROSS THE RELEVANT COMMITTEES

Comments submitted by Costa Rica, the European Union, Ghana, the Republic of Korea, Philippines and the African Union

COSTA RICA

Costa Rica agradece a la Secretaría del Codex, a la FAO y a la OMS el estudio realizado. Sin embargo, considera que el documento CX/GP 16/30/4 no recoge las preocupaciones que en diversas oportunidades ha expresado en conjunto con otros países; por lo que solicita que se tomen en consideración en este CCGP30 y pueda cumplir con el acuerdo de la CAC37 y se aborden las preocupaciones planteadas al examinar la coherencia entre los principios para el análisis de riesgos aplicados por los diferentes comités, ya sea en el debate de este tema o bien, mediante un anexo a este documento.

En el 37 periodo de sesiones (2014):

45. La Comisión tomó nota de que en la 46.^a reunión del Comité sobre Residuos de Plaguicidas (CCPR) varias delegaciones habían respaldado en general el documento. La delegación de Costa Rica, haciendo uso de la palabra en calidad de Coordinadora del Comité Coordinador del Codex para América Latina y el Caribe (CCLAC) afirmó que, en la 46.^a reunión del CCPR, algunas delegaciones habían expresado reservas en el sentido de que el procedimiento revisado de examen seguía permitiendo la revocación de límites máximos del Codex para residuos de plaguicidas sin la aportación de datos científicos, aun admitiendo que el examen periódico había pasado a ser más flexible (Rep14/PR, párrafo 164). Consideraban que esto contravenía a los Principios de aplicación práctica para el análisis de riesgos en el marco del Codex Alimentarius y a los principios para el análisis de riesgos elaborados por otros comités del Codex.

46. La Comisión:

- i. Tomó nota del respaldo general a la aprobación del documento revisado.
- ii. Tomó nota de las reservas de Argentina, Brasil, Chile, Colombia, Costa Rica, Ecuador, Panamá y Uruguay sobre el procedimiento de examen periódico.
- iii. Pidió que, en su siguiente reunión, el CCGP abordara las preocupaciones planteadas al examinar la coherencia entre los principios para el análisis de riesgos aplicados por los diferentes comités. (Resaltado no es del original)
- iv. Recomendó la aprobación de los principios revisados y su inclusión en el Manual de procedimiento. (párr 45-46, REP14/CAC).

Posteriormente, el CCLAC19 (2014), expresó la opinión de que existían diferencias entre el CCPR y otros comités que aplicaban el análisis de riesgos en el establecimiento de normas de inocuidad de los alimentos, ya que el CCPR establecía un plazo específico de reevaluación de los plaguicidas, solicitaba información actualizada, y la ausencia de esa información suponía la revocación de los plaguicidas y/o los LMR correspondientes. Sin embargo, otros comités revocaban las normas de inocuidad únicamente cuando disponían de nueva información que compromete la salud humana. Por consiguiente, el Comité del Codex sobre Principios Generales (CCGP) debería considerar esta cuestión y formular recomendaciones sobre la forma de resolver esta diferencia cuando examine la coherencia entre los textos sobre análisis de riesgos de los distintos comités en su próxima reunión en 2015. (párrafo 64, REP15/LAC) pero no fue posible tener el documento disponible para el CCGP29.

En seguimiento al tema, para el CCGP30 se prepara el documento CX/GP16/30/4, con un breve análisis de la coherencia de los textos sobre análisis de riesgos en todos los comités pertinentes más no aborda las preocupaciones manifestadas por muchos de los países del CCLAC. Dichas preocupaciones se concretizan en lo manifestado en la reunión del CCPR46 (REP14/PR, párr.164).

Dado lo anterior, y en consonancia con el Manual de Procedimiento (23° edición), Principios de Aplicación Práctica para el Análisis de Riesgos Aplicables en el Marco del Codex Alimentarius:

10. Cuando haya pruebas de que existe un riesgo para la salud humana pero los datos científicos sean insuficientes o incompletos, la Comisión no debe proceder a elaborar una norma sino que examinará la conveniencia de elaborar un texto afín, como por ejemplo, un código de prácticas, siempre que tal texto esté respaldado por los datos científicos disponibles. (Resaltado no es parte del original)

12. Deben determinarse específicamente las necesidades y situaciones de los países en desarrollo que los órganos responsables han de tomar en cuenta en las distintas fases del análisis de riesgos. (Resaltado no es parte del original)

Costa Rica está de acuerdo con las recomendaciones planteadas a corto y mediano en plazo según el análisis en CX/GP 16/30/4 sin embargo reitera que se ha omitido cumplir con el mandato de la CAC37 para abordar las preocupaciones planteadas al examinar la coherencia entre los principios para el análisis de riesgos aplicados por los diferentes comités; aun cuando en el apéndice 2 del mismo documento se evidencian diferencias sustanciales en la gestión del riesgo (Risk Management); por ello Costa Rica solicita, complementar el documento CX/GP 16/30/4 con otro documento que aborde tales preocupaciones y examine la coherencia entre los textos de sobre análisis de riesgo en los comités del Codex, utilizando siempre la ciencia como pilar fundamental en la toma de decisiones del Codex.

EUROPEAN UNION

The European Union and its Member States (EUMS) thank the Codex Secretariat for the comprehensive analysis of the consistency of the different texts on risk analysis principles developed by Codex Committees.

The EUMS concur with the Codex Secretariat conclusion that there is no immediate need for a revision of the Codex risk analysis section of the Procedural Manual. Indeed, the different texts are broadly consistent with the overarching "*Working principles for risk analysis for application in the framework of the Codex Alimentarius*". Their revision merely to align their structure to the working principles would utilise the already limited resources of the specific Committees.

The EUMS generally support the Codex Secretariat short term recommendations, in particular the one concerning the reference to JEMNU as the primary source of scientific advice for CCNFSDU. The EUMS acknowledge the need to formally recognise the Joint FAO/WHO Expert Meeting on Nutrition (JEMNU) in order to align CCNFSDU with the current practice in other Codex Committees.

Concerning the medium term recommendations, the EUMS do not see a crucial need to undertake a substantial review of the Codex risk analysis section of the Procedural Manual, nor the working principles for risk analysis for application in the framework of the Codex Alimentarius.

In particular as regards an overhaul of the working principles for risk analysis for application in the framework of the Codex Alimentarius, the EUMS recall that in 2014, following a decision of CAC 35, CCGP 28 had "*agreed to consider the consistency of the risk analysis texts across the relevant committees at its next session in the light of a document, prepared by the Secretariat, which would compare and analyse the texts of the different committees*" (CCGP 28 report- paragraph 18).

A revision of the working principles would go beyond the expected exercise. It would need to be supported by a clear justification that does not appear to have emerged yet and would require a formal approval of the CAC, on the basis of terms of reference established by CCGP. Should this be considered necessary in the future, the EUMS are open to envisage this as work under the Codex Strategic Plan 2020-2025.

GHANA

Ghana wishes to commend the Codex Secretariat for conducting the review to ensure the application of consistent risk analysis principles in relevant Codex committees.

Position 1: We support the approach used for the review, the conclusions and short-term recommendations by the Codex Secretariat. Rationale 1: The review is vital since it helps promote the role of science in the Codex decision-making process. Harmonization of risk analysis framework across relevant Codex committees will ensure consistent decision-making. The approach taken by the Codex Secretariat to only deal with reordering of the structure according to the components of risk analysis rather than an amendment of the technical content of the risk analysis texts is appropriate and also consistent with the Terms of Reference of the CCGP.

Position 2: We support the medium-term recommendations for a possible review of the risk analysis section of the Procedural Manual and that this work could be considered within the framework of the upcoming Codex strategic plan 2020-2025. Rationale 2: The concept of risk analysis is rapidly evolving, moreover, considering that risk analysis is an important tool in the Codex-decision making process, a possible review is necessary to continuously assure the scientific basis of Codex standards.

REPUBLIC OF KOREA

The Republic of Korea would like to appreciate the Codex secretariat for preparing the document of "*Review of the consistency of risk analysis principles elaborate by the relevant Codex Committees*".

The Republic of Korea would like to make the following suggestions on this document. We understand that there are structural differences between risk analysis texts elaborated by the relevant committees and the Working Principles. Thus, we suggest to keep consistency of the main structural format (such as section titles) to facilitate understand. Risk analysis has three components; risk assessment, risk management and risk communication. The relevant committees conduct risk communication throughout the risk analysis. However, it seems that risk analysis texts are not reflected well on the risk communication activities of the relevant committees. Therefore, we suggest that it is needed to strengthen the content of risk communication in risk analysis texts based on experience of the committees when the substantial review on Codex risk analysis texts will be carried out under the upcoming Codex Strategic Plan 2020-2025.

CCCF

We agree the Codex secretariat's suggestion regarding agenda item 4: "*Codex Policy for Exposure of Contaminants and Toxins in Foods*" in para 17 should be corrected as "*Policy of the Codex Committee on Contaminants in Foods for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups*"

PHILIPPINES

Philippines can support the Secretariat's conclusions that at the moment, there is no immediate need for a revision of Section IV Risk Analysis of the Codex Procedural Manual.

There may be a need however for a clarification and provision of limits in risk management, in particular, in the consideration of other factors such as those relevant to health protection of consumers and promotion of fair trade practices, as further guidance to subsidiary bodies.

AFRICAN UNION

Issue: Discussions on the consistency of the risk analysis texts developed by different Codex Committees were first held during CCGP25. CCGP26 further discussed the subject of consistency and recommended the Committees concerned to review their risk analysis policies. The committees concerned finalized their review in 2014.

This document (CX/GP 16/30/4) concerns the review of the risk analysis texts developed by six committees and analyzes whether the texts are consistent with the "*Working principles for risk analysis for application in the framework of the Codex Alimentarius*" (Section IV of the Procedural Manual, 24th Edition). The review was conducted by the Codex Secretariat in collaboration with FAO/WHO and involved risk analysis texts developed by the CCCF, CCFA, CCFH, CCNFSDU, CCPR and CCRVDF.

Position 1: AU supports the approach used for the review, the conclusions and short-term recommendations by the Codex Secretariat.

Position 2: AU further supports the medium-term recommendations for a possible review of the risk analysis section of the Procedural Manual and that this work could be considered within the framework of the upcoming Codex strategic plan 2020-2025.

Rationale 1: The review was one of the activities of the Codex Strategic Plan 2008-2013 Activity 2.1. AU considers this work as very important since it consolidates the role of science in the Codex decision-making process. The work will ensure that risk analysis framework as applied by relevant Codex committees are harmonized throughout Codex. The approach taken by the Codex Secretariat to only deal with reordering of the structure according to the components of risk analysis rather than an amendment of the technical content of the risk analysis texts is appropriate and consistent with the Terms of Reference of the CCGP.

Rationale 2: Risk analysis is a dynamic field and its relevance as a tool for making science based-decisions should be reviewed periodically in the context of the state of the art.