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codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 12 (a)

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-eighth Session

FAO Headquarters, Rome, 4 – 9 July 2005

IMPLEMENTATION OF THE JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS

GENERAL IMPLEMENTATION STATUS

General Aspects

1. The 26th Session of the Codex Alimentarius Commission (July 2003) examined specific proposals that had originated from the Joint FAO/WHO Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards¹. The implementation status of those proposals endorsed by the 26th Session of the Commission and other decisions by the Commission related to the Joint FAO/WHO Evaluation is summarised in Tables 1 and 2.
2. The Commission is invited to note the progress being made in this matter and to provide any guidance to ensure the timely and continuous implementation of the proposals/decisions. In particular, the Commission may wish to endorse the recommendation of the 21st Session of the Committee on General Principles² on proposal No. 19 (use of facilitators) and note the discussion held in the Committee³ on proposals No. 12 and No. 32, as shown in Table 1.
3. In addition, the Commission may wish to express its views on how to deal with proposals No.35 (action-oriented reports of meetings which focus on decisions and not discussion) and No.36 (ways to take into account the opinions of smaller developing countries unable to be represented fully at Codex meetings)

¹ ALINORM 03/26/11 and its Addenda 1-6; ALINORM 03/41 paras. 149-183

² ALINORM 05/28/33 paras 60-61

³ ALINORM 05/28/33 paras 62-69 and 56-59

in Table 1, and provide advice on whether or not further work on these items is desirable by the Committee on General Principles.

4. In regard to Items 2, 3, and 4 contained in Table 2, it is noted that the Guide to the Procedure for the Revision and Amendment of Codex Standards was amended by the Commission in 2004 to include a reference to the critical review⁴. However, in order to ensure overall consistency between the sections of the Procedural Manual including those adopted or amended recently, and in accordance with its decision at the 26th Session⁵, the Commission may wish to request the Committee on General Principles to review the following three texts and consider their revision and/or simplification as appropriate, on the basis of a discussion paper to be prepared by the Codex Secretariat.

- Guide to the Consideration of Standards at Step 8 of the Procedure for the Elaboration of Codex Standards including Consideration of any Statements Relating to Economic Impact;
- Guide to the Procedure for the Revision and Amendment of Codex Standards; and
- Arrangements for the Amendment of Codex Standards Elaborated by Codex Committees which have Adjourned *sine die*.

Review of the Codex Committee Structure and Mandates of Codex Committees and Task Forces

5. This matter is addressed under Agenda Item 12(b) (see document ALINORM 05/28/9C Part II).

Review of the Regional Coordinating Committees

6. In accordance with the decision by the 26th Session of the Commission, the Secretariat submitted the proposals concerning the review of the Regional Coordinating Committees, for consideration by the 27th Session of the Commission. The 27th Session of the Commission agreed that a Circular Letter would be issued to all Codex members to invite government comments in the following areas⁶:

- (i) Role of Regional Coordinating Committees in furthering the objectives of the Codex Alimentarius Commission;
- (ii) Membership of Regional Coordinating Committees, including their current geographic coverage;
- (iii) Terms of reference of the Regional Coordinating Committees as set out in the Procedural Manual, including the relevance of developing regional standards;
- (iv) Effectiveness of Regional Coordinating Committees in respect of country participation record and of venues and meeting intervals (currently every two years);
- (v) Respective roles of the Regional Coordinator as *ex officio* Chairperson of the Regional Coordinating Committee and the Member(s) of the Executive Committee elected on a geographic basis, particularly within the framework of the Executive Committee; and
- (vi) Any other issues.

7. Circular Letters⁷ were sent to member governments and observer organizations to invite comments prior to the sessions of the Coordinating Committees of the respective region.

8. The matter was discussed, on the basis of the comments received, at the last sessions of the Coordinating Committees. It should be noted that not all questions contained in the Circular Letter were

⁴ ALINORM 04/27/41 Appendix II

⁵ ALINORM 03/26/11: Add.4 para. 31; ALINORM 03/41 para.178

⁶ ALINORM 04/27/41 para. 135

⁷ CL 2004/26-ASIA; CL 2004/29-NASWP; CL 2004/30-EURO; CL 2004/35-LAC; CL 2004/40-AFRICA; CL 2004/46-NEA

addressed in depth by all Coordinating Committees⁸. A brief summary of the Committees' deliberations by the Secretariat is provided below, together with proposals the Commission may wish to consider.

Role of Regional Coordinating Committees in furthering the objectives of the Codex Alimentarius Commission

9. All Coordinating Committees agreed on the importance of the role of Regional Coordinating Committees in facilitating regional coordination and communication as well as promoting capacity building at the national and regional levels. The role the Coordinating Committees can play in developing common positions on strategic matters within the respective region was highlighted in several Committees. Views were expressed in one Coordinating Committee that the agenda should include more concrete questions of interest to the region, rather than information items.

10. In this context, the Codex Secretariat wishes to draw the Commission's attention to its observation that in the most recent sessions of Coordinating Committees several countries proposed to discuss specific standard-setting issues for which the Coordinating Committees had no explicit mandate and which were principally being dealt with by a general subject committee, a commodity committee or the Commission. This situation may lead to multiplication of discussion fora on the same issue, without necessarily providing a benefit of facilitating consensus building at the principal committee or at the Commission.

11. The Commission is invited to reassert the important role the Coordinating Committees play in furthering the objectives of the Commission and to encourage countries to participate more actively and effectively in the work of Coordinating Committees. The Commission is also invited to encourage Coordinating Committees to consider inclusion, in their provisional agenda, of any particular items regarding problems arising from food control, food safety concerns and approaches for strengthening food regulatory systems, in accordance with the terms of reference of the Committees and preferably in consultation of the Regional Offices of FAO and WHO.

Membership of Regional Coordinating Committees, including their current geographic coverage

12. All Coordinating Committees appear to be largely satisfied with their actual geographic coverage. The membership of a Coordinating Committee is considered as a matter for decision by each member country. There was no request for creating a new Coordinating Committee.

Terms of reference of the Regional Coordinating Committees as set out in the Procedural Manual, including the relevance of developing regional standards

13. The Coordinating Committee for Latin America and the Caribbean (CCLAC) agreed that its terms of reference should be amended to include an additional bullet point: (i) To promote the adoption of regional positions on strategic subjects. The other Coordinating Committees were satisfied with the current terms of reference and did not recommend any revision to their terms of reference.

14. The Commission is invited to express its general view on the proposal from the CCLAC⁹, and, if appropriate, request the Committee on General Principles to consider the need for, and implications of the proposed amendment as well as whether such amendment should be introduced in the terms of reference of CCLAC only, or in the terms of reference of all Coordinating Committees for consistency.

15. Several Coordinating Committees questioned the usefulness of developing regional standards, in the light of the reduced interest in such standards under the WTO Agreements, although no Committee recommended the abolition of regional standard-setting activity at this stage.

16. The Commission may wish to request the Committee on General Principles to consider whether the terms of reference of the Regional Coordinating Committees should continue to include development of "regional standards for food products moving exclusively or almost exclusively in intra regional trade", and whether any amendment is desirable in the immediate or in the future.

⁸ CCASIA (ALINORM 05/28/15 paras 9-13); CCEURO (ALINORM 05/28/19 paras 7-15); CCAFRICA (ALINORM 05/28/28 paras 16-23); CCNASWP (ALINORM 05/28/32 paras 7 and 85-90); CCLAC (ALINORM 05/28/36 paras 48-68); and CCNE (ALINORM 05/28/40 paras 10-12)

⁹ ALINORM 05/28/36 para. 57

17. At the same time, the Commission may wish to invite Coordinating Committees to keep under review their programme of work, particularly as regards the development of regional standards if any, taking into account priorities in the work of the Committee.

Effectiveness of Regional Coordinating Committees in respect of country participation record and of venues and meeting intervals

18. In several Coordinating Committees, views were expressed concerning the opportunity for holding annual sessions of the Committees, given that the Commission has been meeting every year since 2003. In this regard, the Codex Secretariat pointed out that there would be significant cost implications on the Codex budget and that it would be difficult to include six additional Codex sessions in the biennial meeting schedule while maintaining the sessions of other Codex subsidiary bodies.

19. Some Coordinating Committees stressed the importance of strengthening the effectiveness of the Committees by using electronic communication facilities or convening inter-session meetings at the regional or sub-regional levels.

20. The Commission is invited to encourage Coordinating Committees to consider the use of complementary mechanisms, as appropriate and adapted to the need of the respective region, which would improve regional and/or sub-regional communication and coordination.

Respective roles of the Regional Coordinator as ex officio Chairperson of the Regional Coordinating Committee and the Member(s) of the Executive Committee elected on a geographic basis

21. Many Coordinating Committees noted that that was ambiguity in the role of Members of the Executive Committee elected on a geographic basis and that there was a need to clarify the respective roles of the Regional Coordinator and the Member of the Executive Committee elected on a geographic basis. While several countries made suggestions in this regard, no Coordinating Committee held firm views on how these two roles should be differentiated or combined.

22. The Commission may wish to request the Committee on General Principles to consider this matter at its next session and report its findings back to the 29th Session of the Commission.

Any other issues

23. Several Coordinating Committees stressed the importance of capacity building at the national level to allow developing countries and countries in transition economy to participate more actively in the work of Codex. The role of FAO and WHO in providing technical assistance was also highlighted.

24. The Commission may wish to encourage Regional Coordinators, FAO and WHO to consider organising regional seminars, workshops or other events in conjunction with the sessions of Coordinating Committees.

Conclusion

25. The Commission is invited to express its views on the subject areas outlined above, including the proposals mentioned, and to formulate any further recommendations as appropriate.

TABLE 1 : IMPLEMENTATION STATUS OF PROPOSALS ENDORSED BY THE 26TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Proposal No.	Title	Follow-up Actions Required
1	Annual meetings of the Commission	Implemented.
2	Follow-up and progress monitoring of the Implementation of the Evaluation	On-going at CCEXEC and CAC.
3	Priorities for implementation	None.
4	Acceptable levels of protection	None.
5	Review of the mandates of Codex Committees and Task Forces	On-going (see ALINORM 05/28/9C Part II).
6	Review of the Regional Coordinating Committees	On-going (see the present document)
7	Strategic and Managerial Functions of the Executive Committee	CCGP19 proposed amendment to the Procedural Manual; CAC27 amended the Elaboration Procedures; CAC28 to consider the amendment to the Rules of Procedure.
8	Budgetary, Planning and Programming Functions of the Executive Committee	CCGP19 proposed amendment to the Rules of Procedure; CAC28 to consider the proposed amendment.
9	Retention of the Executive Committee as a Strategic and Standards Management body	CCGP19 proposed amendment to the Procedural Manual; CAC27 amended the Elaboration Procedures; CAC28 to consider the amendment to the Rules of Procedure.
10	Removal of additional functions of the Executive Committee	CCGP19 proposed amendment to the Procedural Manual; CAC28 to consider the proposed amendment
11	Executive Committee Membership	CCGP19 proposed amendment to the Rules of Procedure; CAC28 to consider the proposed amendment.
12	Participation of observers in the Executive Committee	CCGP21 considered this matter ¹⁰ ; CAC and the Codex Secretariat to follow up.
13	Strategic Planning	On-going (see ALINORM 05/28/9A).
14	Critical review of proposals to undertake work	Implemented.
15	Monitoring progress of standards development	Implemented.
16	Standards management responsibility	None.
17	Time-bound decision making	Implemented (as part of critical review and monitoring of progress)
18	Simplified procedures for standards development	None.
19	Use of facilitators	CCGP21 considered this matter ¹¹ ; Committees to follow up.
20	Establishment of electronic working groups	CCGP21 finalised draft guidelines; CAC28 to consider the proposal.
21	Establishment of physical working groups	CCGP21 finalised draft guidelines; CAC28 to consider the proposal.
22	Adoption of Standards	None.
23	Responsibility for the procedural review	None (CCGP was identified as the responsible body).

¹⁰ ALINORM 05/28/33 paras 62-69

¹¹ ALINORM 05/28/33 paras 60-61

24	Amendment of the Codex Mandate	None.
25	Revision of the Rules and working procedures governing the Executive Committee	See Proposals Nos. 7, 8, 9, 10 and 11 above.
26	Subsequent revision of the Rules and working procedures governing the Executive Committee	See Proposal No. 12 above.
27	Right to address the Chair	CCGP21 proposed amendment to the Rules of Procedure; CAC28 to consider the proposal.
28	Observer Organizations	CCGP21 proposed amendment to the Procedural Manual; CAC28 to consider the proposal.
29	Chairpersons of Codex Committees and Task Forces	Implemented (Criteria adopted by CAC27)
30	Revision of Rule XI.4 ¹²	CCGP19 proposed amendment to the Procedural Manual; CAC28 to consider the proposal.
31	Separation of advice to host governments and advice on the conduct of meetings	Implemented (Revised Guidelines adopted by CAC27)
32	Co-chairmanship	CCGP21 considered this matter ¹³ ; being tested in some Committees; CAC to follow up.
33	Criteria for the selection of Chairpersons	See Proposal No. 29 above.
34	Determination of consensus	No immediate action required (the Commission agreed to maintain the <i>statu quo</i>); CCGP21 agreed not to undertake new work on the definition of "consensus" at this stage ¹⁴ .
35	Conduct of Meetings: Reports	Work to be undertaken by CCGP.
36	Conduct of Meetings: Country groupings	Work to be undertaken by CCGP.
37	Relations with OIE	On-going; CCGP21 finalised draft guideline on cooperation with IGOs; CAC28 to consider the proposal.
38	Criteria for the establishment of work priorities	CCGP21 proposed amendment to the Procedural Manual; CAC28 to consider the proposal.

TABLE 2 : OTHER DECISIONS OF THE 26TH SESSION OF THE COMMISSION (RELATED TO THE JOINT FAO/WHO EVALUATION) REGARDING THE CURRENT UNIFORM PROCEDURE FOR THE ELABORATION OF CODEX STANDARDS AND RELATED TEXTS¹⁵

No.	Title	Follow-up Actions Required
1	Subsequent Procedure Concerning Publication and Acceptance of Codex Standards	CCGP22 proposed amendments to the Procedural Manual; CAC28 to consider the proposal.
2	Guide to the Consideration of Standards at Step 8	Work to be undertaken by CCGP.
3	Guide to the Procedure for the Revision and Amendment of Codex Standards	Work to be undertaken by CCGP.
4	Arrangements for the Amendment of Codex Standards Elaborated by Codex Committees which have Adjourned <i>sine die</i> .	Work to be undertaken by CCGP.

¹² Currently Rule XII.4 in the 14th Edition of the Procedural Manual

¹³ ALINORM 05/28/33 paras 56-59.

¹⁴ ALINORM 05/28/33 paras 9-10.

¹⁵ ALINORM 03/26/11: Add.4 para. 31; ALINORM 03/41 para.178.