CODEX ALIMENTARIUS COMMISSION E

Food and Agriculture Organization of the United Nations

World Health Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - Fax: (+39) 06 5705 4593 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Item 11a **CX/RVDF 13/21/13**
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON RESIDUES OF VETERINARY DRUGS IN FOODS

Twenty-first Session

Minneapolis, Minnesota, United States of America, 26 – 30 August 2013

PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE OF CCRVDF

(replies to CL 2012/11 Part B, Point 6)

Comments Submitted from:

Australia, Brazil, Costa Rica, European Union, New Zealand, Norway and United States of America

AUSTRALIA

Australia does not support the additional point recommended for inclusion in the Terms of Reference. In our view it is too broad; it is not clear how it could be used in the future and it might have unintended consequences which in turn could hinder the efficient operation of the Committee.

Revised Risk Analysis Principles of the Committee were adopted by the CAC in 2012. These included Section 3.3 Evaluation of Risk Management Options. With the adoption of these principles, we note that the Committee has been able to continue to develop risk management guidance, as appropriate, for veterinary drugs for which JECFA has not been able to establish an ADI and/or to recommend a MRL, including those with specific human health concern.

The text in the risk analysis principles also allows the CCRVDF to refer a range of risk management options to JECFA to obtain guidance on the attendant risks and likely risk reductions. We therefore consider that the guidance available to the Committee is adequately covered in this regard.

In our view, the current TORs have not hindered the work of the Committee where it has considered it more appropriate to elaborate texts other than MRLs and codes of practice. We do not believe any further amendment of the Terms of Reference is required at this stage.

BRAZIL

General comments

Brazil agrees on the amendment to point (c) of the Terms of Reference, as proposed in Appendix II of the Report of the Twentieth Session, but understands that the inclusion of a new point (e), as proposed, is unnecessary.

Terms of reference:

(a) to determine priorities for the consideration of residues of veterinary drugs in foods;

(b) to recommend maximum levels of such substances;

(c) ***to consider other risk management matters in relation to the safety of veterinary drug residues in food, including the development of codes of practice as may be required;***

(d) to consider methods of sampling and analysis for the determination of veterinary drug residues in foods;

~~***(e) to consider risk management and communication recommendations when after assessment of a veterinary drug, the JECFA recommends no ADI and/or MRL due to specific human health concerns.***~~

COSTA RICA

Costa Rica considers that the actual CCRVDF mandate should be maintained, therefore it doesn't support the inclusion of points "c" and "e" proposed.

Costa Rica believes that the actual CCRVDF mandate covers all the specific mandate tasks, and it does not require additional points to accomplish them.

EUROPEAN UNION

The EU supports the amendment to point c of the terms of reference of CCRVDF, as proposed in Appendix II of REP12/RVDF. While it was confirmed at the last session of CCRVDF that the current terms of reference allow CCRVDF to consider risk management measures other than MRLs, it would be very useful to clearly spell this out in the terms of reference in order to avoid any confusion on this matter in the future.

If point c were amended as proposed, then the new point e would not be necessary as it refers to a specific case which would be covered by the amended point c.

NEW ZEALAND

New Zealand believes that a great deal of caution and consideration needs to apply to proposals to amend the terms of reference for Codex committees. In our view, the current Terms of Reference for the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) allow the Committee to provide appropriate risk management advice as it relates to the role of Codex relative to that of National Competent Authorities.

New Zealand notes that the ability for CCRVDF to advance the current work priorities inside its exisiting terms of reference has already been confirmed by the Codex Secretariat (REP12/RVDF, Paragraph 37) and reflected in the Commission's approval of ongoing work in this area. There is not any current proposal for new work that falls outside this scope. Therefore, we do not believe that any changes in the CCRVDF Terms of Reference are required.

New Zealand further believes that the proposal being put forward could if successful refocus the Committee's work away from the development of standards which largely facilitate trade while protecting human health towards work which is more trade restrictive and impinges on the risk management options and accountabilities of National Authorities.

This committee is already subject to increasing criticism for its lack of efficiency in developing international standards for those veterinary drugs that have been assessed by JECFA and multiple other countries as safe and which are already in common use throughout the world. To widen the terms of reference further to include areas of even greater controversy and potential lack of consensus when the committee is already having trouble delivering its core mandate would in New Zealand's opinion be extremely unwise.

Accordingly New Zealand opposes the changes being put forward.

NORWAY

Norway appreciates this opportunity to comment upon the Proposed Amendments to the Terms of Reference of CCRVDF.

General Comments:

We find it important to ensure consistency concerning the application of risk analysis throughout Codex documets. At present the Committee on Pesticide Residues, the Committee on Contaminants and the Committee on Additives all state in their Risk Analysis Principles that MRLs/MLs shall be considered only for those substances for which JMPR/JECFA has completed a full safety evaluation or risk assessment. We therefore have the following comments to point (e) in the proposed ToR.

Furthermore we are informed that the question of what procedure to follow, if critical data are missing, or sufficient information is not available to enable JMPR to give health based guidance, is currently under discussion in the Committee on Pesticide Residues (CCPR). As this issue may be seen as somewhat in line with the background for the proposed point (e) it may, in our opinion, be useful to look to the work in CCPR in order to be consistent.

Comments to point (c):

We are of the opinion that the proposed amendment to point (c) clarifies the purpose and content of this point. We would, however, suggest that the term matters be changed to measures (other than MRLs), as this is more in line with the subject addressed in this point.

Comments to point (e):

We are in doubt as to whether the proposed point (e) of the ToR is really necessary, or if the intention behind this new point is already covered by point (c) in the ToR. As we read point (c), it will not prevent the CCRVDF from elaborating an internationally accepted standard on how to handle residues of veterinary drugs, for which JECFA for different reasons has not been able to establish ADI and/or MRL. We therefore do not see the need for this proposed addition, point (e), to the Terms of Reference.

We would also like to point out that the ToR, in our opinion, should not list specific tasks.

UNITED STATES OF AMERICA

The United States strongly believes that the current Terms of Reference for the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) allow the Committee to give risk management advice. In particular we believe that the current paragraph (c) “to develop codes of practice as may be required”; allows this. The United States believes that Codex committees should be extraordinarily cautious and parsimonious in making changes to their terms of reference.

However, as the committee has proposed two changes to the terms of reference. In considering the proposed changes, the language provided in the amended paragraph (c) “to consider other risk management matters in relation to the safety of veterinary drug residues in food, including the development of codes of practice as may be required” is succinct and flexible. The United States supports the edits proposed in the amended paragraph (c). The United States believes that the language provided in paragraph (e) is thus unnecessary, and does not support the addition of this paragraph to the terms of reference.