

CODEX ALIMENTARIUS COMMISSION

REPORT OF THE TWENTY-EIGHTH SESSION
Rome, 4 – 9 July 2005

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-eighth Session
FAO Headquarters, Rome, Italy, 4 – 9 July 2005

Report

EXECUTIVE SUMMARY

The Commission:

- a) Adopted amendments to the Rules of Procedure and other amendments to the Procedural Manual, and recommended amendments to the Statutes of the Codex Alimentarius Commission for endorsement by the FAO Conference and by the World Health Assembly;
- b) Adopted over 20 new or revised Codex standards or related texts, including the Code of Hygienic Practice for Meat;
- c) Approved a number of new work proposals and proposals for discontinuation of work;
- d) Requested FAO and WHO to continue to give high priority, in the regular budgets, to Codex and Codex-related activities, while expressing serious concern on the WHO budgetary outlook for the provision of scientific advice in the 2006-2007 biennium;
- e) Agreed on the structure of and timeline for the preparation of a new Strategic Plan 2008-2013;
- f) Endorsed a number of recommendations arising from the Review of Codex Committee Structure and mandates of Codex Committees and Task Forces;
- g) Deferred the decision on whether to start the elaboration of a standard on Parmesan cheese to a future (non dated) session, and deferred to 29th Session the decision on the establishment of a proposed Codex Task Force on antimicrobial resistance;
- h) Welcomed that the Trust Fund had become operational, expressed its appreciation to the donor countries, and requested that the criteria used in the distribution of funds be kept under review;
- i) Expressed its appreciation to FAO and WHO for their ongoing activities in support of Codex, namely provision of scientific advice and capacity building in food safety and quality;
- j) Elected the following Officers of the Commission:
 - **Chairperson:** Mr Claude Mosha (United Republic of Tanzania),
 - **Vice-chairpersons:** Ms Karen Hulebak (United States of America), Ms. Noraini Mohd. Othman (Malaysia) and Mr Wim van Eck (The Netherlands)
- k) Elected the following Members of the Executive Committee on a geographic basis:
 - **Africa:** Cameroon
 - **Asia:** India
 - **Latin American and the Caribbean:** Mexico
 - **Europe:** Belgium
 - **Near East:** Egypt
 - **North America:** Canada
 - **South-West Pacific:** New Zealand
- l) Appointed the following Coordinators:
 - **Africa:** Morocco
 - **Asia:** Republic of Korea
 - **Europe:** Switzerland
 - **Latin America & the Caribbean:** Argentina
 - **Near East:** Jordan
 - **North America & South-West Pacific:** Samoa

TABLE OF CONTENTS

	Pages
INTRODUCTION	1
ADOPTION OF THE AGENDA (Agenda Item 1)	1
REPORT BY THE CHAIRPERSON ON THE 55 th and 56 th SESSIONS OF THE EXECUTIVE COMMITTEE (Agenda item 2)	1
REPORTS OF FAO/WHO REGIONAL COORDINATING COMMITTEES (Agenda Item 3)	2
AMENDMENTS TO THE PROCEDURAL MANUAL OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 4)	2
Proposed Amendments to the Rules of Procedure	2
Proposed Amendments to the Statutes of the Codex Alimentarius Commission	5
Proposals to Amend Other Sections of the Procedural Manual	5
Draft Revised Criteria for the Establishment of Work Priorities	6
Draft Guidelines on Physical Working Groups and Draft Guidelines on Electronic Working Groups	6
Draft Revised Principles concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission	6
Draft Guidelines for Cooperation with International Intergovernmental Organizations	6
DRAFT STANDARDS AND RELATED TEXTS AT STEP 8 OF THE PROCEDURE (Agenda Item 5)	7
Fish and Fishery Products	7
Food Import and Export Inspection and Certification Systems	7
Fats and Oils	7
Meat Hygiene	7
Nutrition and Foods for Special Dietary Uses	8
Pesticide Residues	8
Residues of Veterinary Drugs in Foods	8
Fruit and Vegetable Juices	9
PROPOSED DRAFT STANDARDS AND RELATED TEXTS AT STEP 5 (Agenda Item 6)	10
Asia	10
Food Additives and Contaminants	11
Food Labelling	11
Pesticide Residues	12
Residues of Veterinary Drugs in Foods	12
Quick Frozen Foods	12
WITHDRAWAL OR REVOCATION OF EXISTING CODEX STANDARDS AND RELATED TEXTS (Agenda Item 7)	13
Food Additives and Contaminants	13

Pesticide Residues	13
PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 8)	13
Codex Alimentarius Commission/Food Labelling	14
Fats and Oils	14
Fish and Fishery Products	14
Fresh Fruits and Vegetables	14
Processed Fruits and Vegetables	15
FINANCIAL AND BUDGETARY MATTERS (Agenda Item 9)	15
STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 10)	16
PROPOSED SCHEDULE OF CODEX SESSIONS 2005-2007 (Agenda Item 11)	17
IMPLEMENTATION OF THE JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS (Agenda Item 12a)	17
REVIEW OF THE CODEX COMMITTEE STRUCTURE AND MANDATES OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 12b)	19
MATTERS ARISING FROM REPORTS OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 13)	22
27 th Session of the Codex Alimentarius Commission	22
55 th Session of the Executive Committee	23
Amendment to the Standard for Canned Sardines and Sardine Type Products	25
Food Import and Export Inspection and Certification Systems	25
Methods of Analysis and Sampling	25
Food Additives and Contaminants	25
Food Labelling	26
Fresh Fruits and Vegetables	26
RELATION BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 14)	26
A. International Intergovernmental Organizations	26
B. International Non-governmental Organizations	28
FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 15)	28
OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 16)	29
Part I : Outcomes of Recent FAO/WHO Expert Meetings	29
Part II : Progress Report on the FAO/WHO Consultative Process for the Provision of Scientific Advice to Codex and Member Countries	29

Part III : Status of Requests for Scientific Advice	30
Part IV : Capacity Building in Food Safety and Quality	30
WHO Global Strategy on Diet, Physical Activity and Health	30
International Health Regulations	31
World Health Assembly Resolution on Infant and Young Children Nutrition	31
APPOINTMENT OF REGIONAL COORDINATORS (Agenda Item 17)	31
ELECTION OF OFFICERS OF THE COMMISSION AND ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE (Agenda Item 18)	32
DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES AND <i>AD HOC</i> TASK FORCES (Agenda Item 19)	32
OTHER BUSINESS (Agenda Item 20)	33

APPENDICES

	Page
I. List of Participants	35
II. Amendments to the Rules of Procedure of the Codex Alimentarius Commission	83
III. Amendments to the Statutes of the Codex Alimentarius Commission	87
IV. Amendments to the Procedural Manual	88
V. List of Standards and Related Texts adopted by the Twenty-eighth Session of the Codex Alimentarius Commission	115
VI. List of Draft Standards and Related Texts adopted at Step 5 by the Twenty-eighth Session of the Codex Alimentarius Commission	118
VII. List of Standards and Related Texts Revoked by the Twenty-eighth Session of the Codex Alimentarius Commission	120
VIII. List of Approved New Work	122
IX. List of Discontinued Work	123
X. Current Chairmanship of Codex Subsidiary Bodies	124

INTRODUCTION

1. The Codex Alimentarius Commission held its Twenty-eighth Session at FAO Headquarters, Rome, Italy, from 4 to 9 July 2005. Dr Stuart Slorach (Sweden), Chairperson of the Commission presided over the session, assisted by the Vice-Chairpersons Dr Claude J. S. Mosha (Tanzania), Dr Hiroshi Yoshikura (Japan) and Mr Paul Mayers (Canada). The Session was attended by 492 delegates, alternates and advisors from 121 Members, and 41 international governmental and non-governmental organizations including UN agencies. A list of participants, including the Secretariat, is given in Appendix I to this report.

2. The Session was opened by Mr David Harcharik, Deputy Director-General, FAO and Dr Kerstin Leitner, Assistant Director-General – Sustainable Development and Healthy Environments, WHO, respectively.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

3. The Commission adopted the Provisional Agenda as its Agenda for the Session with the understanding that Item 17 “Appointment of Regional Coordinators” be discussed immediately following Item 3 “Reports of FAO/WHO Regional Coordinating Committees”.

4. The Commission noted the division of competence between the European Community and its Member States, presented by the Delegation of the European Community as LIM.3 and LIM.3 Add.1, according to Rule II.5 of the Rules of Procedure. The Delegation of the European Community informed the Commission that the positions taken by the European Community were also supported by Bulgaria and Romania, for which the accession treaty to the EC had been signed and officially published.

REPORT BY THE CHAIRPERSON ON THE 55th and 56th SESSIONS OF THE EXECUTIVE COMMITTEE (Agenda item 2)²

5. In accordance with Rule IV.5 of the Rules of Procedure, the Chairperson reported to the Commission on the outcome of the 55th and 56th Sessions of the Executive Committee, as follows.

6. The 55th Session of the Executive Committee had considered in particular the Strategic Planning of the Commission, the progress in the implementation of the Joint FAO/WHO *Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards*; and the consultants’ Preliminary Report on the Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces.

7. The 56th Session of the Executive Committee had provided advice to the Commission in particular on the following issues: the proposals for new work and discontinuation of work; the implementation of the FAO/WHO *Evaluation*; the review of the Codex Committee structure; financial and budgetary matters; and matters arising from Codex Committees, FAO and WHO.

8. The Commission endorsed the recommendations of the Executive Committee concerning the distribution of documents³ and agreed that the proposal of New Zealand concerning a process for the elaboration of risk-based standards for microbiological hazards be forwarded to the Committee on Food Hygiene for consideration⁴.

9. As regards Codex future work on antimicrobial resistance, the Commission discussed the proposal of the Executive Committee to hold an in-session working group during the Commission, to further examine the scope and terms of reference contained in the working documents and provide its findings to the Commission.

10. Several delegations expressed their concern with the establishment of a working group during the present session as their delegates were not experts in the area of antimicrobial resistance and could not usefully participate in a detailed discussion by the proposed working group. The Commission agreed that no working group would formally be established during the current session but noted that members could hold informal discussions if needed, given that the matter had been under consideration in Codex for some time.

¹ ALINORM 05/28/1; ALINORM 05/28/1A; ALINORM 05/28/1B; CAC/28 LIM 3 and CAC/28 LIM 3-Add.1 (Statement of Competence and Voting Rights submitted by the European Community and its Member States)

² ALINORM 05/28/3 and ALINORM 05/28/3A

³ ALINORM 05/28/3A, paras 88-89

⁴ ALINORM 05/28/3A, paras 90-92

REPORTS OF FAO/WHO REGIONAL COORDINATING COMMITTEES (Agenda Item 3)⁵

11. The Commission noted the reports of the latest sessions of the Coordinating Committees presented by their respective Coordinators. The Coordinating Committees expressed their gratitude for the capacity building activities of FAO and WHO and their appreciation for the Codex Trust Fund. They expressed the hope that the use of the Trust Fund would be expanded to cover training and technical assistance. The Coordinating Committees also discussed food legislation and food control systems in their regions, the Code of Ethics for International Trade, consumer participation in Codex activities and the role of coordinating committees in Codex.

12. The Delegation of Morocco stated that the Coordinating Committee for Africa had requested clarification of the roles of the Regional Coordinating Committees and the Members of the Executive Committee elected on a geographical basis. At the next session, the Coordinating Committee was expected to adopt a Strategic Plan for the Coordinating Committee for Africa.

13. The Delegation of the Republic of Korea reported that the Coordinating Committee for Asia was currently developing several proposed draft standards. The Delegation indicated that an FAO/WHO workshop on Functional Foods had been held in conjunction with the last session of the Committee, providing a venue for useful exchange of information.

14. The Delegation of the Slovak Republic noted that the Coordinating Committee for Europe had discussed, among other things, issues related to the compatibility of data reporting formats for risk assessment. Appreciation was expressed for the seminar organized by the Netherlands in cooperation with the Government of the Slovak Republic, and for FAO's and WHO's efforts to facilitate participation of countries in transition in that region in Codex work.

15. The Delegation from Argentina indicated that the Coordinating Committee for Latin America and the Caribbean was implementing a Regional Strategic Plan. A Circular Letter had been distributed to determine if the Committee should proceed with the elaboration of Guidelines for Food Safety in Tourist Zones. The Committee had noted that the newly established Food Safety Institute of the Americas could provide useful training and capacity building activities in the region.

16. The Delegation of Jordan stated that proposed draft Regional Guidelines for National Codex Committees and Codex Contact Points had been put forward by the Coordinating Committee for the Near East for adoption by the Commission. Also, the Committee had sent three proposed draft Regional Standards for adoption by the Commission at Step 5.

17. The Delegation of Samoa informed the Commission that the Coordinating Committee for North America and the South West Pacific had endorsed a Strategic Plan for the Region. The Committee had supported the enlargement of the Executive Committee to include Regional Coordinators as full members and had identified a need to clarify the roles of the Regional Coordinators and that of the members of the Executive Committee elected on a geographic basis.

AMENDMENTS TO THE PROCEDURAL MANUAL OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 4)⁶

Proposed Amendments to the Rules of Procedure

18. The Commission recalled that, following the recommendations of the 26th Session of the Commission concerning the follow-up to the Joint *FAO/WHO Evaluation*, the Committee on General Principles had proposed several amendments to the Rules of Procedure. However, the 27th Session of the Commission had not been able to adopt these amendments due to the absence of a quorum.

19. The Commission determined that the quorum specified in Rule V.6 for the amendment of the Rules of Procedure was constituted⁷. In accordance with Rule VII.7 and XIV.1 of the Commission's Rules of Procedure

⁵ ALINORM 05/28/15, ALINORM 05/28/19, ALINORM 05/28/28, ALINORM 05/28/32, ALINORM 05/28/36, ALINORM 05/28/40

⁶ ALINORM 05/28/4, ALINORM 05/28/4A (comments of Australia, Brazil, European Community, United States), CAC/28 LIM 13 (comments of Canada, Japan, European Community), CAC/28 LIM 16 (comments of India), CAC/28 LIM 27 (comments of Malaysia)

⁷ The number of Codex Member Countries $[171] / 2 + 1 = 86.5$; Rounded down to 86

and Rule XII.7 of the General Rules of FAO, the Commission proceeded to a roll-call vote for each amendment to the Rules of Procedure. The results of the vote are presented for each amendment as they were considered separately.

Amendments to current Rules III and IV.1 concerning the enlargement of the Executive Committee and to current Rule XII on matters related to budget and expenses.

20. The Commission noted that there was general support for the amendments to current Rule III. Officers, including new a Rule IV. Coordinators and current Rule IV.1, allowing the participation of the Coordinators as Members in the Executive Committee and to current Rule XII. Budget and Expenses, and proceeded to a roll call vote with the following results.

Votes in favour: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, DPR Korea, Denmark, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Guinea, Guinea Bissau, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Lithuania, Malaysia, Mali, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Samoa, Saudi Arabia, Serbia and Montenegro, Singapore, Slovak Republic, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, United States of America, Vanuatu, Venezuela, Vietnam, Zambia, Zimbabwe

Votes against: None

Abstaining: None

Tally: 92 votes cast, 92 in favour, 0 against, 0 abstentions (majority required 61)

Result: The amendment was adopted

Amendments to current Rule IV.2 concerning the enlargement of the Executive Committee and the functions of the Executive Committee and consequential amendments to current Rule X.

21. The Delegation of India, referring to its written comments (LIM 16) expressed the view that the functions and responsibilities of the Executive Committee in the proposed Rule V (current Rule IV.2) went beyond the recommendations made by the 26th Session of the Commission as a follow up to the *FAO/WHO Evaluation*, that they could not be managed by the Executive Committee itself, and would require a delegation of its responsibilities to various sub-committees, which might result in decreased transparency, inclusiveness and efficiency. The Delegation therefore proposed to delete from Rule V.2 the responsibilities relating to (i) General orientation and (ii) Study of special problems; and that the role of the Executive Committee in the management of the Commission's programme of standards development should be limited to the critical review of new work against criteria adopted by the Commission for the establishment of work priorities.

22. This proposal was supported by the Delegation of Malaysia and several other delegations who pointed out that it would clarify the functions of the Executive Committee. Several delegations expressed their concern with the establishment of sub-committees as this would create an additional burden on the Executive Committee and might limit its efficiency and transparency. It was also proposed to make it clear that sub-committees would be established only on a temporary basis.

23. Several other delegations supported the adoption of the amendments as proposed by the Committee on General Principles as they resulted from extensive discussion and would strengthen and clarify the role of the Executive Committee. In this regard, the Commission noted that the Committee of General Principles had agreed to consider at its next session a discussion paper to be prepared by India on the Rules of Procedure and the Procedures for the Elaboration of Codex Standards and Related Texts, as well as the concept of consensus.

24. After some further discussion, the Commission agreed to proceed to a roll call vote on the proposal to amend Rule V.2, as submitted by the Committee on General Principles, and the consequential amendments to Rule X, with the following results.

Votes in favour:	Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Denmark, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Guinea, Guinea Bissau, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kenya, Lesotho, Lithuania, Mali, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Niger, Norway, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Samoa, Saudi Arabia, Serbia and Montenegro, Slovak Republic, Spain, Sudan, Sweden, Switzerland, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, United States of America, Vietnam, Zambia
Votes against:	Bhutan, India, Indonesia, Jamaica, Kuwait, Malaysia, Nigeria, South Africa, Thailand
Abstaining:	Iran, Singapore, Vanuatu, Venezuela
Tally:	87 votes cast, 78 in favour, 9 against, 4 abstentions (majority required 59)
Result:	The amendment was adopted

25. The Delegation of Zimbabwe later expressed its support in favour of the amendment.

Amendment to current Rule VIII.5 Observers

26. The Commission recalled that following the request of the 26th Session of the Commission, the 20th Session of the Committee on General Principles had considered an amendment to Rule VIII referring to the advice of the Executive Committee on the participation of NGOs in the work of the Commission. This amendment had also been reviewed by the 76th Session of the FAO Committee on Constitutional and Legal Matters. The Commission supported the amendment and proceeded to a roll call vote with the following results.

Votes in favour:	Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, DPR Korea, Denmark, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Guinea, Guinea Bissau, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Lithuania, Malaysia, Mali, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovak Republic, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, United States of America, Vietnam, Zambia, Zimbabwe
Votes against:	None
Abstaining:	Vanuatu, Venezuela
Tally:	93 votes cast, 93 in favour, 0 against, 2 abstentions (majority required 63)
Result:	The amendment was adopted

Amendment to current Rule V. Sessions on the right to address the Chair

27. The Commission supported this amendment and proceeded to a roll call vote with the following results.

Votes in favour:	Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, DPR Korea, Denmark, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Guinea, Guinea Bissau, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Lithuania, Malaysia, Mali, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Samoa, Saudi Arabia, Serbia and Montenegro, Singapore, Slovak Republic, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, United States of America, Vietnam, Zambia, Zimbabwe
Votes against:	None
Abstaining:	Senegal, Vanuatu, Venezuela
Tally:	94 votes cast, 94 in favour, 0 against, 3 abstentions (majority required 48)
Result:	The amendment was adopted

28. The Commission noted that the amendments to the Rules of Procedure would enter into force only after their approval by the Directors-General of FAO and WHO (Rule XIV.1). The amendments to the Rules as adopted by the Commission are presented in Appendix II to the present report.

Proposed Amendments to the Statutes of the Codex Alimentarius Commission

29. The Commission determined that the quorum specified in Rule V.6 for the amendment of the Statutes was constituted.

30. The Commission agreed, by consensus, to propose the deletion of the reference to the Acceptance Procedure in Article 1 (d) and (e) of the Statutes of the Codex Alimentarius Commission, and to recommend the adoption of this amendment by the FAO Conference and the World Health Assembly.

31. The Commission noted that the amendments to the Statutes would enter into force only after their approval by the FAO Conference and the World Health Assembly. The amendments proposed are presented in Appendix III to the present report.

Proposals to Amend Other Sections of the Procedural Manual

Amendments to the Procedures for the Elaboration of Codex Standards and Related texts, the General Principles of the Codex Alimentarius, the Guidelines for the Acceptance Procedure for Codex Standards, and the Terms of Reference of Subsidiary Bodies

32. The Delegation of Australia, while supporting the abolition of the acceptance procedure, expressed the view that paragraph 4 of the Guidelines for the Acceptance Procedure described important principles of the Codex Alimentarius and provided guidance to member countries on how to implement or give regard to Codex standards in developing national regulations. The Delegation therefore proposed to retain the paragraph, with the deletion of the sentence referring to acceptance, as a new paragraph in the General Principles of the Codex Alimentarius after paragraph 3 Nature of Codex Standards. This position was supported by several delegations and one observer.

33. The Delegation of the United Kingdom, speaking on behalf of the Member States of the European Community present at the session, expressed the view that this paragraph related to a procedure being abolished; it implied that Codex should not be involved with human health issues, which was not consistent with the emphasis put on Codex activities in the field of food safety and nutrition; and it assumed that Codex would not be involved in import issues, which was not consistent with the mandate of the Committee on Food Import and Export Inspection and Certification Systems. The Delegation therefore proposed to delete the entire paragraph as initially proposed by the Committee on General Principles.

34. After some discussion, the Commission agreed to delete all sections related to acceptance and to request the Committee on General Principles to review the General Principles of Codex to consider how the principles reflected in paragraph 4 could be integrated into the General Principles of Codex, taking into account the written comments made by Australia and other members.

35. The Delegation of Chile, supported by other delegations, expressed the view that the use of Codex standards should be monitored in order to provide useful information on how Codex standards were adopted or taken into account at the national level, as an alternative to the acceptance procedure. It was also proposed that the Secretariat should work with the WTO Secretariat to consider how to monitor information on the use of Codex standards.

36. The Commission adopted the amendments proposed by the Committee on General Principles concerning the abolition of the Acceptance Procedure, with an additional amendment to paragraph h) of the terms of reference of Coordinating Committees, as proposed in the written comments of the European Community, replacing the reference to “member countries” with “members”.

Draft Risk Analysis Principles Applied by the Committee on Food Additives and Contaminants

37. The Commission agreed with the proposal of the Delegation of Malaysia, supported by several delegations, to add the words “as approved by the Commission” at the end of the second sentence of paragraph 1 a) of the Scope and adopted the Draft Risk Analysis Principles with this amendment.

Draft CCFAC Policy for Exposure Assessment for Contaminants and Toxins in Foods and Foods Groups

38. The Commission noted the position of the European Community, while not opposing the inclusion of paragraph 8 in the Draft CCFAC Policy, that only in certain cases do such comparative exposure assessments of proposed maximum levels provide useful information enabling CCFAC to perform a consistent policy on the prevention and reduction of the contamination of the food chain. The Commission adopted the Draft CCFAC Policy as proposed.

Draft Revised Criteria for the Establishment of Work Priorities

39. The Delegation of the United States, while not opposing the adoption of the revised Criteria, pointed out that the establishment of a clear and concise set of criteria and their strict application were critical to the management of Codex work. The Delegation expressed the view that the review of the Codex committee structure and mandates might lead to significant changes in the subsidiary bodies and working priorities and therefore the revision of the Criteria should be suspended until the review had been completed. This position was supported by the delegation of Japan, who reserved its position on the adoption of the revised criteria at this stage, proposing that consideration of the matter be pursued in the Committee on General Principles.

40. The Commission adopted the Draft Revised Criteria as proposed and noted that the Criteria could be further reviewed later if required in the light of the review of Codex Committee structure and mandates.

Draft Guidelines on Physical Working Groups and Draft Guidelines on Electronic Working Groups

41. The Commission adopted both Draft Guidelines as proposed.

Draft Revised Principles concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission

42. The Commission adopted the Draft Revised Principles as proposed and noted that they would enter into force when the revised Rule VIII. entered into force.

Draft Guidelines for Cooperation with International Intergovernmental Organizations

43. The Commission adopted the Guidelines with the following editorial amendments proposed by some delegations for clarification purposes: in paragraph 3, referring to “international” intergovernmental body or organization; and in paragraphs 5 and 6 and the preceding sub-title, referring to “cooperating international intergovernmental organization”

44. The amendments to the Procedural Manual as adopted by the Commission are presented in Appendix IV to the present report.

DRAFT STANDARDS AND RELATED TEXTS AT STEP 8 OF THE PROCEDURE (Agenda Item 5)⁸

45. The Commission **adopted** the Draft Standards and Related Texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5 with a recommendation to omit steps 6 and 7 and those submitted at Step 5 of the Accelerated Procedure) as presented in Appendix V to this report.

46. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Fish and Fishery Products***Proposed Draft Code of Practice for Fish and Fishery Products (Shrimps and Prawns; Cephalopods; Transport; Retail; and relevant Definitions)⁹***

47. The Commission **adopted** the Proposed Draft Sections with the amendments proposed by the Committee on Food Hygiene to the Section on Shrimps and Prawns and the amendments proposed in the written comments of Brazil and the United Kingdom, supported by the European Community.

Food Import and Export Inspection and Certification Systems***Proposed Draft Principles for Electronic Certification¹⁰***

48. The Commission **adopted** the proposed draft Principles as proposed by the Committee and noted that the application of electronic certification was not mandatory and that the Principles aimed at providing guidance to those countries wishing to implement an electronic certification system. The Commission **agreed** to attach the Principles, as an Appendix, to the Codex *Guidelines for Generic Official Certificate Formats and the production and Issuance of Certificates* (CAC/GL 38-2001).

Fats and Oils***Proposed Draft Amendment to the Standard for Named Vegetable Oil; Amendment of Sesameseed Oil¹¹***

49. The Commission noted that the proposal for amendments to the scope and fatty acid compositions in the Proposed Draft Amendment put forward by the Delegation of China at the current session had not previously been considered by the Committee on Fats and Oils. The Commission **adopted** the Proposed Draft Amendment to Sesameseed Oil as proposed by the Committee and agreed that the proposal from China would be considered at the next session of the Committee on Fats and Oils.

Meat Hygiene***Draft Code of Hygienic Practice for Meat¹²***

50. The Commission **adopted** the proposed draft Code with the following amendments recommended by the Chairperson of the Codex Committee on Meat Hygiene:

- Para. 111, 5th dot point in the box to read:
“Microbiological performance objectives or performance criteria, process criteria or microbiological criteria that are regulatory requirements”.
- Para. 118, 2nd dot point in the box to read:
“Monitoring achievement of performance objectives or performance criteria”.

⁸ ALINORM 05/28/5; ALINORM 05/28/5A (comments of Argentina, Australia, Brazil, Canada, Cuba, Egypt, Guatemala, Mexico, United Kingdom, United States of America, Venezuela, CRN, IADSA and NHF); ALINORM 05/28/5, Add.1; ALINORM 05/28/5, Add. 2; CAC/28 LIM 4 (comments of Australia, Brazil, China, Israel, Japan, New Zealand, Russia, United States of America and IFU); CAC/28 LIM 8 (comments of European Community); CAC/28 LIM 11 (comments of European Community); CAC/28 LIM 15 (comments of Lebanon); CAC/28 LIM 21 (comments of EPHM); CAC/28 LIM 22 (comments of Thailand); CAC/28 LIM 25 (comments of Indonesia); CAC/28 LIM 27 (comments of Malaysia); CAC/28 LIM 28 (comments of Thailand); CAC/28 LIM 29 (comments of NHF); CAC/28 LIM 30 (comments of Argentina)

⁹ ALINORM 05/28/18, Appendix III

¹⁰ ALINORM 05/28/30, Appendix II

¹¹ ALINORM 05/28/17, Appendix III

¹² ALINORM 05/28/16, Appendix II; CAC/28 LIM 31 (Changes to the Code of Hygienic Practice for Meat recommended by the Chairperson of CCMH)

Nutrition and Foods for Special Dietary Uses

Draft Guidelines for Vitamin and Mineral Food Supplements¹³

51. The Delegation of China suggested to include a specific definition for “provitamins” in the Guidelines and to add the following sentence after paragraph 3.1.1 “Member Countries could further decide categories of vitamins/provitamins and minerals that should be presented in food supplements depending on population’s own dietary habits on the basis of provisions mentioned above”. The Commission however noted that there were no specific numerical limits included in the Guidelines and that the establishment of safe upper limits could be considered by governments, as appropriate, based on risk assessments.

52. One observer proposed to return the draft Guidelines to the Committee on Nutrition and Foods for Special Dietary Uses because: neither the Scope nor the Preamble gave any indication of the purpose of the Guidelines, as required by the Procedural Manual; the draft Guidelines referred to a list of vitamins and minerals recognized by FAO/WHO that did not exist; the Guidelines did not apply to jurisdictions that regulated vitamins and minerals as drugs; and the changes requested by the Delegation of China were substantial, requiring the draft to be returned to the Committee as per the Procedural Manual.

53. Another observer pointed out that the work on the draft Guidelines had been carried out for more than ten years and it provided a solid basis for international regulation on this complex issue and encouraged the Commission to adopt the Guidelines as proposed.

54. After some discussion, the Commission agreed to insert the term “only” in the third sentence of the Scope to add clarity and **adopted** the Guidelines.

Pesticide Residues

Draft and Proposed Draft Maximum Residue Limits for Pesticides (MRLs)¹⁴

55. The Commission noted the concerns expressed by the Delegation of the European Community for the draft MRL for deltamethrin (135) on leafy vegetables regarding the acute intake and for the draft MRLs for carbosulfan (145) on mandarin, oranges and potato, which should be subject to further evaluation by JMPR of the opinion of the European Food Safety Authority on variability factors. The Commission decided to return these MRLs to Step 6 for consideration by the Committee on Pesticide Residues and **adopted** all other draft MRLs as proposed by the Committee.

56. The Delegation of Cuba expressed its reservation for the draft MRL for carbofuran (096) in maize for safety reasons, and for the draft the MRLs for clorpyrifos (017) for potatoes, which was higher than the national standard.

Proposed Draft Interim MRLs Advanced for Adoption at Step 8 (I)¹⁵

57. To the question raised by one delegation regarding the status of the Interim Codex MRLs under WTO, the Representative of WTO stated that Interim MRLs elaborated by Codex could assist Members when provisionally taking measures in accordance with Article 5.7 of the SPS Agreement. This matter however was subject to interpretation by WTO Committees and the dispute settlement body.

58. The Commission **adopted** the proposed draft Interim MRLs as proposed by the Committee, with the understanding that these MRLs would be valid for the period of four years. The Delegation of the European Community reserved its position on this decision.

Residues of Veterinary Drugs in Foods

Proposed Draft Code of Practice to Minimize and Contain Antimicrobial Resistance¹⁶

59. The Delegations of Tunisia and Cuba, proposed to delete from Section entitled “Distribution of veterinary antimicrobials drugs in veterinary medicine” references to “other suitably trained person authorised in accordance to national legislation”, arguing that only veterinarians should be responsible for the prescription of veterinary antimicrobial drugs. The Commission however acknowledged that in some countries the legislation

¹³ ALINORM 05/28/26, Appendix II

¹⁴ ALINORM 05/28/24, Appendix II and Appendix III

¹⁵ ALINORM 05/28/24, Appendix V

¹⁶ ALINORM 05/28/31, Appendix VIII

allowed this responsibility to authorized persons other than veterinarians and **adopted** the proposed draft Code as proposed by the Committee. The Delegations of Tunisia and Cuba reserved their position on this decision.

Fruit and Vegetable Juices

Draft General Standard for Fruit Juices and Nectars¹⁷

60. In considering the Standard for adoption at Step 8, the Commission acknowledged that a few matters concerning the endorsement of certain provisions and technical comments arising from some members and observers needed to be addressed or clarified as follows:

Sections 3.4 and 9 – Methods of Analysis

61. The Commission approved the proposal of the Committee on Methods of Analysis and Sampling¹⁸ to include an additional paragraph in Section 3.4 – Verification of Composition, Quality and Authenticity to allow for the endorsement of methods of analysis for composition, quality and authenticity listed in Section 9¹⁹. These methods would not be part of the adopted Standard at this stage but would subsequently be included in the Standard by the Commission after the endorsement by the Committee on Methods of Analysis and Sampling.

Section 4 - Food Additives

62. The Commission agreed to transfer the list of endorsed food additive provisions from the General Standard for Fruit Juices and Nectars to the General Standard for Food Additives and include the reference to the General Standards for Food Additives (GSFA) under the Section on Food Additives of the Standard, noting that there was full correspondence between the products covered by the Standard and the food category system of the GSFA.

63. The Commission also noted that this approach was consistent with the development of the GSFA although this might not be the case for other commodities which might require the list of additive provisions be retained in the commodity standard until the GSFA was completed in the future. The Commission therefore agreed to request CCFAC to examine the matter of how the endorsed list of additive provisions of commodity standards could systematically be incorporated into the GSFA.

Section 5 – Processing Aids

64. The Commission noted that the three processing aids that might entail allergenicity, i.e. isinglass and sodium/potassium caseinates, had been endorsed by CCFAC conditional to labelling for ingredient declaration. As processing aids were exempted from labelling declaration in the General Standard for the Labelling of Prepackaged Foods, this additional labelling requirement needed to be further endorsed by the Committee on Food Labelling. The Commission noted that these three processing aids would be included in the adopted Standard after endorsement by CCFL.

65. The Delegation of Cuba noted that there might be a need to further clarify the footnotes to sulphur dioxide vis-à-vis which fruit juices and nectars they applied to.

Section 6.1 – Pesticide Residues

66. The Observer from IFU stated that most of the maximum residue limits for pesticide residues developed by the Committee on Pesticide Residues applied to raw agricultural commodities. In addition, there were only a limited number of fruit juices for which maximum limits for certain pesticide residues had been established. The Observer also indicated that the matter of how maximum pesticide residue limits for raw agricultural commodities could apply to their corresponding processed commodities should further be clarified by CCPR. The Commission agreed to request CCPR to consider the opportunity for developing generally applicable guidance or principles in this matter.

¹⁷ ALINORM 05/28/39, Appendix II

¹⁸ ALINORM 05/28/9D-Add.1, para. 6

¹⁹ ALINORM 04/27/23, paras. 85 - 91 and Appendix VI

Annex to the Standard - Footnotes to apple, pineapple and orange juices on Brix Levels

67. The Commission agreed to refer to “countries” instead of “geographical areas” and “origin” and amended the footnotes applying to apple, pineapple and orange juices accordingly. The Commission agreed to a proposal of the delegation of the United States to add the word “and” between “11.8-11.2” and “consistent” under the column “minimum Brix level for reconstituted fruit juices and reconstituted purees” for orange as it reflected the original decision of the Task Force.

Minimum Brix Level for Pineapple Juice

68. The Delegation of Thailand noted that Brix levels varied widely in the country and thus, it would be more appropriate to set a range of values ranking from 11.00 to 12.8 as in the case of orange juice. The Delegation, while agreeing to retain the current value of 12.8°Brix in the Standard, proposed to transfer into the Table of the Annex the footnote allowing countries consistently producing pineapple juices to apply a Brix level below 12.8 but not lower than 10. The Commission agreed to this proposal and made consequential amendments to the footnotes applying to apple and orange juices for consistency.

69. The Commission **adopted** the draft General Standard for Fruit Juices and Nectars with the amendments to Section 3.4 and the footnotes to apple, pineapple and orange juices while noting that the provisions pending further endorsement would be considered at the 29th Session of the Commission.

Draft Minimum Brix Level for Reconstituted Juice and Reconstituted Purée and Minimum Juice and/or Purée Content for Fruit Nectars (%v/v) - grape, guava, mandarine/tangerine, mango, passion fruit and tamarind (Indian date) juices/nectars²⁰

Proposed draft Minimum Brix Level for Reconstituted Juice and Reconstituted Purée and Minimum Juice and/or Purée Content for Fruit Nectars (%v/v) - orange, lemon, lime and pineapple juices/nectars²¹

70. The Commission **adopted** the draft and proposed draft Minimum Brix Levels for Reconstituted Juice and Reconstituted Purée and Minimum Juice and/or Purée Contents for Fruit Nectars with the amendment to the footnotes on pineapple and orange juices (see paras. 67 - 68), for their inclusion in the Annex of the General Standard for Fruit Juices and Nectars.

PROPOSED DRAFT STANDARDS AND RELATED TEXTS AT STEP 5 (Agenda Item 6)²²

71. The Commission **adopted** the Proposed Draft Standards and Related Texts at Step 5 submitted by its subsidiary bodies at Step 5 as presented in Appendix VI to this report and advanced them to Step 6. The Commission noted that technical comments raised during the session would be referred to the relevant Committees for their consideration. The Commission encouraged members and observers that have submitted comments in writing or orally at the session to submit these comments at Step 6 of the Procedure.

72. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Asia

Proposed Draft Standard for Ginseng Products²³

73. The Delegations of India, Thailand and Malaysia expressed their opposition to the adoption of the Proposed Draft Standard for Ginseng Products at Step 5. Referring to the guidance by the 27th Session of the Commission, these delegations pointed out that the current provisions in the proposed draft standard extended beyond foods as they also referred to extracted and concentrated ginseng, which required to address the issue of

²⁰ ALINORM 05/28/39, Appendix III

²¹ ALINORM 05/28/39, Appendix IV

²² ALINORM 05/28/6; ALINORM 05/28/6A (comments of Brazil, Canada, Egypt, Guatemala, Lebanon, United States, IADSA); CAC/28 LIM 5 (comments of Australia, China, Cuba, European Community, Indonesia, Japan, Kenya, the United States of America, IACFO, ICBA, ICGMA, IFAC, ELC, OEITFL, WPTC); CAC/28 LIM 10 (comments of Argentina); CAC/28 LIM 22 (comments of Thailand); CAC/28 LIM 24 (comments of European Community); CAC/28 LIM 25 (comments of Indonesia); CAC/28 LIM 26 (comments of Argentina); CAC/28 LIM 27 (comments of Malaysia); CAC/28 LIM 28 (comments of Republic of Korea)

²³ ALINORM 05/28/15 Appendix II

high levels of active compounds and should therefore be redrafted so that the standard would cover only foods. The Delegation of India stated that the current draft standard was not generic and that the types of Ginseng covered in Section 2.1 should not be limited to a single variety of *Panax ginseng*. The Delegation of the Republic of Korea pointed out that the above concerns had already been considered at the 14th Session of the Coordinating Committee for Asia, and stressed that it would be more efficient to draft a standard for ginseng products with a priority given to *Panax ginseng* C.A Meyer and then to elaborate a standard for other species of ginseng based on experience and expertise accumulated in the future.

74. The Commission **agreed** to return the Proposed Draft Standard for comments at Step 3 and requested that the Coordinating Committee for Asia address the issues above at its next session.

Food Additives and Contaminants

Proposed Draft Maximum Level for Total Aflatoxins in Unprocessed Almonds, Hazelnuts and Pistachios²⁴

75. The Delegation of Norway expressed its reservation to the proposed draft maximum level, which was higher than the level in their legislation (10 µg/kg). The Delegation indicated that Norway would continue to use this lower level because: the high carcinogenic and genotoxic effect of aflatoxins called for the application of the ALARA principles; the Code of Practice for the Prevention and Reduction of Aflatoxins Contamination in Tree Nuts would allow for further reduction in the level of contamination; the publicizing of nutritional values of these products might lead to an increased intake of these products; and, the sorting and processing of pistachios and hazelnuts, contrary to peanuts, did not significantly reduce the aflatoxins levels.

76. The Commission **adopted** the Proposed Draft Maximum Level at Step 5 as proposed by the Committee and advanced it to Step 6. The Delegation of the European Community stated that their possible future acceptance of this level would depend on the outcome of the ongoing discussion on the maximum level for total aflatoxins in processed almonds, hazelnuts and pistachios.

Proposed Draft Maximum levels for Cadmium in Marine Bivalve Molluscs (excluding oysters and scallops) and in cephalopods (without viscera) and in polished rice²⁵

77. The Commission **adopted** the Proposed Draft Maximum Levels for cadmium at Step 5 as proposed by the Committee and advanced them to Step 6. It noted the reservation of the Delegations of China, the European Community, Egypt, Norway, Nigeria, Singapore and Switzerland, concerning the maximum levels of cadmium in polished rice. The Commission noted the concern of the Delegations of South Africa, Thailand and Chile, supported by several other delegations, regarding the maximum levels of cadmium in marine bivalve molluscs, which were considered too low to be practicable, and in cephalopods and gastropods, and should be set at a level based on ALARA principles; the need to better define the range of species to which the maximum levels were applicable in order to avoid trade barriers created by levels set by national legislations; and the use of these levels for processed products, such as dried molluscs. These delegations suggested that these issues need to be further considered by the CCFAC.

Food Labelling

Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients²⁶

78. The Delegation of the United States expressed its objection to the adoption of the Proposed Draft Amendment at Step 5 as four significant provisions remained in square brackets. The Delegation pointed out that divergent views still existed on several issues of principle requiring considerable discussion and therefore proposed to return the Proposed Draft to Step 3 for further consideration by the Committee. This position was supported by several delegations and some observers.

79. The Delegation of Malaysia supported the adoption of the amendment at Step 5, as there had been consensus in the Committee on the advancement of the Proposed Draft to Step 5; significant progress had been made on the text after extensive discussion; and the remaining issues could be addressed by further discussion in the Committee. This position was supported by several delegations and some observers.

²⁴ ALINORM 05/28/12, Appendix XXII

²⁵ ALINORM 05/28/12, Appendix XXVI

²⁶ ALINORM 05/28/22, Appendix II

80. After an extensive discussion, the Commission recognized that there was no consensus on the adoption of the Proposed Draft Amendment at Step 5 and **agreed** to return it to Step 3 for further consideration by the Committee on Food Labelling.

Pesticide Residues

Proposed Draft Maximum Residue Limits (MRLs)²⁷

81. The Chairperson of the CCPR informed the Commission that a number of MRLs for trifloxystrobin proposed by the 2004 JMPR and presented in the draft report of the Committee had been inadvertently omitted in Appendix VI of ALINORM 05/28/24. The Commission adopted the proposed MRLs including the above at Step 5 and advanced them to Step 6.

Proposed Draft Maximum Residue Levels in/on Dried Chili Peppers and Spices²⁸

82. The Commission adopted the proposed draft MRLs for Dried Chili peppers including the MRLs for spices at Step 5 and advanced them to Step 6. The Commission noted that the MRL for monocrotophos (054) and pirimiphos-methyl (086) were already deleted by the CCPR and that the list of MRLs in Appendix VII of ALINORM 05/28/24 should be corrected accordingly.

Proposed Draft Guidelines on the Estimation of Uncertainty of Results²⁹

83. The Delegation of China expressed its concern regarding the estimation of uncertainty and indicated that the global food trade was impeded by the absence of internationally agreed value of confidence and compliance levels and suggested that this problem should be considered during further elaboration of the Guidelines by the Committee. The Delegation of Argentina suggested to revise Sections 5.2.1 and 5.2.2 regarding the established levels of confidence for exported products and for those traded in the domestic market to avoid creation of a double standard for foods depending on their destination.

84. The Commission **adopted** the proposed draft Guidelines at Step 5 as proposed by the Committee and advanced them to Step 6 with the understanding that the above comments would be considered by the next Session of the Committee.

Proposed Draft Risk Analysis Principles Applied by the Committee on Pesticide Residues³⁰

85. The Commission noted that concern regarding inconsistency between the proposed principle of the selection of experts for JMPR and the relevant principle for selection of experts presented in Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius Commission would be considered during further elaboration of the document and **adopted** the Proposed Draft Risk Analysis Principles at Step 5 as proposed by the Committee.

Residues of Veterinary Drugs in Foods

Proposed Draft Maximum Residue Limits for Veterinary Drugs³¹

86. The Commission **adopted** the Proposed Draft Maximum Residue Limits at Step 5 as proposed by the Committee and advanced them to Step 6 and noted the reservation of the Delegation of the United States concerning the maximum residue limit for pirlimycin in cattle milk.

Quick Frozen Foods

Recommended International Code of Practice for the Processing and Handling of Quick Frozen Foods³²

87. The Commission noted that work on quality provisions of the Code had been carried out by correspondence, coordinated by the US Secretariat. The Commission also noted that all the quality provisions in square brackets had been removed although a few pending comments of this nature still needed to be addressed. The Commission further noted that some provisions involving both quality and safety aspects required further

²⁷ ALINORM 05/28/24, Appendix VI

²⁸ ALINORM 05/28/24, Appendix VII

²⁹ ALINORM 05/28/24, Appendix XII

³⁰ ALINORM 05/28/24, Appendix XIII

³¹ ALINORM 05/28/31, Appendix V

³² ALINORM 05/28/6-Add.1

work or clarification to enable finalization of the quality provisions. In this regard, some countries expressed concern as regards the application of DAP (Defect Action Point) analysis vis-à-vis HACCP system.

88. The Commission **endorsed** the recommendation of the Executive Committee³³ to return the Code to Step 3 for circulation, comments and finalization by correspondence as per those quality provisions identified in the sections containing provisions addressing both safety and quality, with a view to its adoption at Step 5 at the 29th Session of the Commission. It was **agreed** that the Codex Secretariat would cooperate with the US Secretariat in the preparation of the Circular Letter inviting comments at Step 3. Subsequent work on the Code would be transferred to the Committee on Food Hygiene for finalization of hygiene/safety provisions.

WITHDRAWAL OR REVOCATION OF EXISTING CODEX STANDARDS AND RELATED TEXTS (Agenda Item 7)³⁴

89. The Commission **approved** the revocation from the *Codex Alimentarius* of previously adopted texts as summarized in Appendix VII to this report. The following paragraphs provide additional information on the decisions taken on certain items.

Food Additives and Contaminants

List of Individual Codex Maximum/Guideline Levels for Contaminants and Toxins³⁵

90. The Commission noted that Codex Maximum/Guideline Levels for Contaminants and Toxins were incorporated in Schedule I of the General Standard for Contaminants and Toxins in Foods (GSCTF), which had not been officially forwarded for adoption by the Commission. Therefore, the Commission **agreed** to postpone the revocation of individual Codex Maximum/Guideline Levels as proposed by the Committee to its next session, pending submission by CCFAC of Schedule I of the General Standard for Contaminants and Toxins in Foods (GSCTF) to the Commission.

General Principles for the Use of Food Additives (CAC/MISC 1-1972)³⁶

91. The Commission while **approving** the revocation of General Principles for the Use of Food Additives (CAC/MISC 1-1972), **agreed** to delete the reference to these Principles from paras 3, 4 and 6 of “Relations between Commodity Committees and General Committees – Food Additives and Contaminants”) in the Procedural Manual, as proposed by the Committee.

Pesticide Residues

Codex Maximum Residue Limits for Pesticides Recommended for Revocation³⁷

92. The Commission noted that the draft MRL for deltamethrin (135) for leafy vegetables of 2 mg/kg had not been adopted at Step 8 and was returned to Step 6 for further consideration (see para. 55) and **agreed** to revoke the MRLs as proposed by the Committee, with the exception of the Codex MRL for deltamethrin (135) for Leafy vegetables (0.5 mg/kg).

PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 8)³⁸

ELABORATION OF NEW STANDARDS AND RELATED TEXTS

93. The Commission **approved** the elaboration of new standards and related texts as summarized in Appendix VIII to this report. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

³³ ALINORM 05/28/3A, paras. 19-21

³⁴ ALINORM 05/28/7; CAC/28 LIM 8 (comments of European Community); CAC/28 LIM 10 (comments of Argentina)

³⁵ ALINORM 05/28/12, Appendix XVIII and para. 124

³⁶ ALINORM 05/28/12, para. 55 and Appendix VI

³⁷ ALINORM 05/28/24, Appendix VIII.

³⁸ ALINORM 05/28/8; ALINORM 05/28/8-Add. 1; ALINORM 05/28/3A, paras 7-16 and Appendix II; CAC/28 LIM 23 (comments of China); CAC/28 LIM 25 (comments of Indonesia); CAC/28 LIM 27 (comments of Malaysia)

27th Session of the Codex Alimentarius Commission/Food Labelling

Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods³⁹

94. The Commission recalled that its last session had not endorsed the proposal for new work on the revision of the Guidelines and had agreed to consider this issue further at the 28th session. The Commission **endorsed** the proposal of the Executive Committee that the question of the revision of the Guidelines should be referred back to the Committee on Food Labelling for further consideration, taking into account its overall programme of work⁴⁰.

Fats and Oils

Proposed Draft Amendment to the Codex Standard for Named Vegetable Oil; Low Linolenic Acid Soyabean Oil; Mid-Oleic Acid Soyabean Oil⁴¹

95. The Commission endorsed the recommendation of the Executive Committee and did not approve this proposal as new work⁴². The Commission **agreed** to request the Committee on Fats and Oils to consider what general approach would best address the present and future requests in an efficient and continuous manner, which would not entail the initiation of new work.

Proposed Draft Amendment to the Codex Standard for Named Vegetable Oil; Amendment to Total Carotenoids in Unbleached Palm Oil⁴³

96. The Delegation of Malaysia, supported by the Delegation of Indonesia, requested to extend the scope of the proposed amendment to total carotenoids in unbleached palm olein. However, the Commission **endorsed** the recommendation of the Executive Committee⁴⁴ and approved the original proposal as new work.

Proposed Draft Amendments to the Codex Standard for Named Vegetable Oils: Palm kernel stearin and Palm kernel olein⁴⁵

97. Several members supported approval of this proposal as new work in view of the importance of these oils in trade and the fact that the Committee on Fats and Oils would not meet before 2007. However, the Commission **endorsed** the recommendation of the Executive Committee that this proposal should, in the first instance, be submitted to the Committee on Fats and Oils for review⁴⁶.

Fish and Fishery Products

Proposed Draft Code of Practice on the Processing of Scallop Meat⁴⁷

98. The Delegation of Australia drew the attention of the Commission to a related issue that had been raised in the Executive Committee and pointed out that in commodity standards, description, composition and quality factors should reflect natural variations in these factors on a global basis in order to ensure that the standard was applicable on a world-wide basis and to ensure that they were not more trade restrictive than necessary to fulfil their objective. It was noted that the approach taken by the Committee on Fish and Fishery Products whereby a statement of principle replaced a numerical value in the Proposed Draft Standard for Quick Frozen Scallop Adductor Meat, could be used to facilitate the standard setting process. The Commission **supported** this view.

Fresh Fruits and Vegetables

Proposed draft revision to the Standard for Sweet Cassava⁴⁸

99. The Commission noted the request of the Committee on Fresh Fruits and Vegetables to revise the Standard for Sweet Cassava - Section 1 Definition of produce and Section 3 - Provisions concerning sizing

³⁹ ALINORM 04/27/41, para. 102

⁴⁰ ALINORM 05/28/3A, para. 9

⁴¹ ALINORM 05/28/8, Appendix V

⁴² ALINORM 05/28/3A, para. 13

⁴³ ALINORM 05/28/8, Appendix VI

⁴⁴ ALINORM 05/28/3A, para. 8 and Appendix II

⁴⁵ CAC/28 LIM 18 (Proposed draft Amendments to the Codex Standard for Named Vegetable Oils: Palm kernel stearin and Palm kernel olein. Prepared by Malaysia)

⁴⁶ ALINORM 05/28/3A, para. 14

⁴⁷ ALINORM 05/28/18, para. 114

⁴⁸ ALINORM 05/28/35, para 94 and Appendix VIII

including consequential amendments to relevant sections of the Standard derived from the revisions to sections 1 and 3 to accommodate other varieties of cassava fit for human consumption.

100. The Commission noted divergent views on how to proceed with the standardization of varieties of cassava other than those covered by the Standard. The Delegation of Costa Rica, supported by a number of delegations, expressed concern that the inclusion of bitter varieties of cassava might have major implications to the provisions for the varieties of cassava presently covered by the Standard. These delegations further noted that the coexistence of both produce used for different purposes in the same Standard might create confusion. Some delegations noted that health concern associated with the level of hydrogen cyanide in bitter varieties should be taken into account when considering the standardization of these varieties. The Delegation of Nigeria and other delegations supported Codex work on bitter varieties of cassava in order to avoid or reduce technical barriers to trade.

101. The Commission **agreed** to initiate new work on the standardization of bitter varieties of cassava, as a separate standard, with the understanding that the Committee might consider, at a later stage, the possibility of having a single Standard applicable to both types of cassava, consistent with the Codex approach to develop more horizontal and inclusive standards when possible.

DISCONTINUATION OF WORK

102. The Commission **approved** the discontinuation of work as summarized in Appendix IX to this report. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Processed Fruits and Vegetables

Proposed draft Standard for Soy Sauce⁴⁹

103. The Commission noted views in favour of and against the standardization of this product and recognized that, at present, there was no consensus to continue to work on a Codex Standard for Soy Sauce. The Commission noted that the scope and definition of the product varied widely across national legislations, that there were presently no major health risks associated with this product and that safety issues could be or were already being addressed in the relevant horizontal committees.

104. The Commission **endorsed** the recommendation of the Executive Committee⁵⁰ to discontinue work on soy sauce within Codex, with the understanding that such decision would not prevent the Commission from revisiting this matter in the future and reconsider the amenability of the product for standardization, noting that consumers' protection from fraudulent practices should be one of the factors to be taken into account when reassessing the need for standardizing this product.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 9)⁵¹

105. The Commission noted the Codex budget proposal for 2006-2007 as contained in Table 1 of the working document. The Secretariat drew attention of the Commission to the fact that the budget proposal was based on the Zero Real Growth (ZRG) scenario of FAO, one of the budgetary scenarios to be discussed by the FAO governing bodies, including the FAO Conference in November 2005. If the ZRG budget proposal was approved by the FAO Conference, Codex would be able to basically maintain the same level of activities as in the 2004-2005 biennium by making some further cost savings.

106. The Commission also noted a report of FAO/WHO budgets for scientific support to Codex, prepared by FAO and WHO, presented as an information document in response to the request of the 54th Session of the Executive Committee⁵².

107. The Representative of FAO called the attention of the Commission to the effort made by FAO governing bodies to assign high priority to the provision of scientific advice to Codex by increasing the funds allocated to these activities from the regular budget. The Representative also referred to the FAO activities designed to assist developing countries in enhancing their capacity to participate more effectively in Codex work.

⁴⁹ ALINORM 05/28/8-Add.1; ALINORM 05/28/8-Add.3 (comments of Japan)

⁵⁰ ALINORM 05/28/3A, para. 16

⁵¹ ALINORM 05/28/9; CAC/28 INF 15

⁵² ALINORM 04/27/4, para. 44

108. The Representative of WHO informed the Commission that the budget contribution to Codex from WHO regular budget in 2004-2005 had increased 26% compared to that in 2002-2003, similarly to FAO, pursuant to the outcome of Codex Evaluation which highlighted the importance of the Codex activities for human health. With respect to the WHO budget for the provision of scientific advice, the Representative indicated that WHO had given higher priority to promoting expert advice regarding food derived from biotechnology and microbiological risk assessment in foods.

109. Many delegations expressed their serious concern on WHO's budgetary outlook for the activities related to the provision of scientific advice during the next biennium, with particular reference to JECFA, JMPR and JEMRA. Members and observers unanimously stated that high priority should be given by parent organizations to Codex and Codex-related activities and that these activities should be fully protected from any budget cuts. FAO and WHO should finance these activities at a level that meets the demand of Codex members, primarily through the regular budgets rather than using extra-budgetary resources.

110. In response to the concern expressed by many delegations, the Representative of WHO urged members to enhance coordination between different ministries and departments at the national level, with a view to raising this issue in the governing bodies of WHO so that the latter could recognize the current problem and take appropriate action to address it.

111. The Commission noted the views expressed by several delegations from developing countries that the translation of Codex documents should be made available in a timely manner so that member countries could fully prepare themselves for deliberations of Codex sessions, and that due attention should be paid to those countries whose infrastructure would not allow for receiving Codex documents only through electronic means.

STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 10)⁵³

112. The Commission recalled that its 27th Session had agreed to initiate the preparation for a new Strategic Plan for the period 2008-2013⁵⁴ and that the 55th Session of the Executive Committee had discussed the structure and format of the Plan as well as ways to further proceed with the development of the Plan.

113. The Commission noted of the recommendation of the 55th Session of the Executive Committee⁵⁵, as follows:

- A new Strategic Plan would comprise three parts: the first part (Part 1) broadly stating Commission-wide objectives, the second part (Part 2) listing achievable outputs covering the areas for priority action by subsidiary bodies and the third part (Part 3) setting out the working timetables by subsidiary bodies with the indication of a timeframe for each of the activities being undertaken, planned frequency of meetings of the subsidiary body as well as relevance to the outputs defined in Part 2;
- The third part of the Plan should be regularly updated with appropriate input from the subsidiary bodies and be organized in such way to facilitate the standards management function of the Executive Committee; and
- The draft Plan to be prepared by the Executive Committee be submitted, after review by Codex Committees and Coordinating Committees as appropriate, to the Commission for final adoption by 2007.

114. The Commission noted that a Circular Letter⁵⁶ had been sent to solicit early inputs from Codex Members and observers, with the deadline of 10 July 2005.

115. The Delegation of the United States strongly supported the endorsement of the suggested structure of and the course of action for the preparation of the Plan, given the significant thrust the plan would give to the work of the Commission.

116. The Delegation of the United Kingdom, speaking on behalf of the Member States of the European Community, supported the recommendation of the Executive Committee regarding the proposed structure and timeline for the preparation of the Plan and stated that the new Strategic Plan should take into consideration capacity of FAO and WHO to provide scientific advice in support of Codex, the strengthening of cooperation

⁵³ ALINORM 05/28/9B, CAC/28 LIM 24 (comments of European Community)

⁵⁴ ALINORM 04/27/41 paras 120-123

⁵⁵ ALINORM 05/28/3 paras 8-14

⁵⁶ CL 2005/9-EXEC

with other international standard-setting organizations and the need for demarcation of work between Codex and relevant international organizations.

117. The Commission endorsed the proposed structure of and the timeline for the preparation of the Strategic Plan 2008-2013. It was also agreed that a working Group comprising the Chairperson and three Vice Chairpersons of the Commission would meet in September 2005 in order to prepare a preliminary draft of the Strategic Plan 2008-2013 to be presented to the 57th Session of the Executive Committee, taking into accounts the comments received from members and observers.

PROPOSED SCHEDULE OF CODEX SESSIONS 2005-2007 (Agenda Item 11) ⁵⁷

118. The Commission considered the tentative schedule that had been established taking into account the decision of the 26th Commission to hold one meeting of the Commission and two meetings of the Executive Committee per year, and the information provided by host countries of Codex Committees and Task Forces. The Commission noted the changes in the dates and venues proposed by some host countries and noted that some further changes might be made to the schedule.

119. The Delegation of the United Kingdom, speaking on behalf of the Member States of the European Community, commented that there was a concentration of meetings in the period March-May and asked if the Secretariat and the host countries could try to spread these meetings more evenly over the year.

120. The Commission endorsed the schedule of meetings with the understanding that it would be distributed as an information document after further confirmation of the date and place of Codex sessions and would be updated on the Codex website on an ongoing basis.

IMPLEMENTATION OF THE JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS (Agenda Item 12a) ⁵⁸

General Implementation Status

121. The Commission noted the status of the implementation of the recommendations of the Evaluation and discussed whether some recommendations required further action, or a confirmation of earlier decisions.

Proposal 12 - Participation of Observers in the Executive Committee

122. The Commission recalled that the Committee on General Principles had agreed not to proceed with the consideration of the active participation of Observers in the Executive Committee, but to consider the possibilities of publicizing the proceedings using Internet facilities. The Secretariat informed the Commission that it was currently studying the feasibility of making the audio recording of the proceedings of the Commission available on the Codex website on an experimental basis. When all financial and practical aspects had been solved, the extension of these arrangements to the recording of the Executive Committee's proceedings could be considered.

Proposal 19 - Use of Facilitators

123. The Commission supported the conclusion of the 21st Session of the Committee on General Principles that Committees consider the use of facilitators on an experimental basis.

Proposal 32 - Co-chairmanship

124. The Commission agreed that co-chairmanship should be tested on a case-by-case basis and encouraged committees to consider this practice. The Commission noted some positive outcomes of co-chairmanship experienced at the latest session of the Committee on Food Hygiene (co-hosted by the United States and Argentina) and of the Committee on Fish and Fishery products (co-hosted by Norway and South Africa).

Proposal 34 – Determination of Consensus

125. The Delegation of Chile, supported by other delegations, expressed the view that further consideration should be given to the definition of the term “consensus” as it was essential to facilitate decisions and to ensure consistency in the decision process. The Commission noted that the 22nd Session of the Committee on General

⁵⁷ ALINORM 05/28/8B, CAC/28 LIM 24 (comments of European Community)

⁵⁸ ALINORM 05/28/9C Part I, ALINORM 05/28/3A, paras. 30-49

Principles had agreed to consider proposals from the Delegation of India that included the definition of consensus at its next session.

Proposal 35 - Conduct of Meetings: Reports

Proposal 36 - Country Groupings

126. As proposed by the Executive Committee, the Commission agreed that no further revision was recommended to the Procedural Manual.

Other Decisions of the 26th Session of the Commission (Table 2)

127. The Commission considered the proposals in Table 2 of the working document concerning other recommendations of the 26th Session of the Commission related to the Evaluation. The Commission agreed that, since the abolition of the Acceptance Procedure had been decided at the present session, the Committee on General Principles should undertake the review of the three other sections of the Procedural Manual mentioned in Table 2, on the basis of a document to be prepared by the Secretariat at its next session.

Review of the Regional Coordinating Committees

128. The Commission recalled that, following the recommendations of the 27th Session of the Commission, a Circular Letter had been distributed to Codex members to invite comments on the role and relevance of Regional Coordinating Committees, that were subsequently discussed in all Coordinating Committees. The Commission considered the working document that included a brief summary of the Coordinating Committees' deliberations and proposals for consideration by the Commission, and the recommendations of the Executive Committee.

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

129. The Commission agreed to reassert the important role the Coordinating Committees play in furthering the objectives of the Commission and encourage countries to participate more actively and effectively in the work of Coordinating Committees. The Commission further agreed to encourage Coordinating Committees to consider 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.

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

130. The Commission noted that the Coordinating Committee for Latin America and the Caribbean had proposed to amend its mandate to include "the adoption of regional positions on strategic subjects". The Delegation of India, supported by some delegations, expressed the view that the proposed amendment extended to the mandate of all other Coordinating Committees, pointing out that this was not in any way a contradiction to the existing mandate, but only a more precise expression of the same. Other delegations pointed out that further clarification should be required as to the implications of such an amendment, and that the proposal was already covered by the current terms of reference. The Commission therefore agreed to refer the proposed amendment to the terms of reference of the CCLAC and its possible extension to the other Coordinating Committees to the Committee on General Principles for further consideration.

131. The Commission agreed that Coordinating Committees were invited to keep under review their programme of work, taking into account priorities of Committees' work.

Membership of Regional Coordinating Committees, including their current geographic coverage

132. The Commission agreed that no further action needed to be taken on this matter.

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

133. The Commission agreed to retain the current periodicity of meetings of Coordinating Committees and invited Coordinating Committees to consider the use of complementary mechanisms 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

134. The Commission recognized the need for clarification of the respective roles of the Coordinator and the Member elected on a geographical basis, especially in view of the new status of the Coordinator as Member of the Executive Committee. The Commission therefore agreed to recommend that the Committee on General Principles consider this issue at its next session and develop proposals for consideration by the 29th Session of the Commission.

Any other issues

135. The Commission agreed to encourage Regional Coordinators, FAO and WHO to consider organizing relevant regional events such as seminars or workshops in conjunction with the sessions of Coordinating Committees.

REVIEW OF THE CODEX COMMITTEE STRUCTURE AND MANDATES OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 12b)⁵⁹

136. The Commission recalled that as the follow up to a recommendation of the Joint FAO/WHO Evaluation of the Codex Alimentarius Commission and Other FAO and WHO Work on Food Standards conducted in 2002, a review of the Codex Committee Structure and Mandates of Codex Committees and Task Forces had been undertaken by a team of consultants⁶⁰.

137. The consultants' final report had been sent as a Circular Letter to all members and observers for comment. The 56th Session of the Executive Committee reviewed the recommendations in the consultants' final report in light of the comments received from members and observers in reply to the Circular Letter.

138. The Commission, taking into consideration the recommendations of the Executive Committee⁶¹, endorsed the following recommendations⁶²:

[1] A formal prioritization should be undertaken of all new work proposals, before resources are allocated.

[2] Steps should be taken to increase the proportion of work done by correspondence.

[3] A time limit should be set for the completion of each new project.

[8] Steps currently being taken to encourage collegial working within the Codex Secretariat should be encouraged.

[9] Maximum use should be made of working groups, bilateral, or other low-level contacts between sessions to reduce the time needed to reach consensus in plenary meetings.

139. The Delegation of Malaysia stressed that prioritization of new work proposals and resource allocations for standards development should take into consideration the interests of developing countries.

140. The Commission agreed that when work was done through correspondence or through working groups, due regard should be given to language coverage, geographical balance of participants and access conditions to Internet facilities, especially in developing countries. Some Members indicated that electronic working groups were more efficient for the initial stages of standards development than in the later stages.

141. Some delegations emphasized that time limits should be applied with certain flexibility and that the science-base of Codex texts and the consensus-building process of Codex should not be compromised.

142. The Commission further endorsed the following recommendations:

⁵⁹ ALINORM 5/28/9C Part II (comments of Australia, European Community, Japan, New Zealand, Consumers International, 49th Parallel Biotechnology Consortium, International Council of Beverages Associations, International Dairy Federation, International Federation of Environmental Health, International Federation of Fruit Juice Producers and the World Organisation for Animal Health); ALINORM 5/28/9C Part II Add. 1 (comments of Canada and the United States); CAC/28 LIM 9 (comments of Brazil, Cuba and India); CAC 28/ LIM 20 (comments of Republic of Korea); CAC/28 LIM 23 (comments of China); CAC/28/LIM 24 (comments of the European Community); CAC/28 LIM 27 (comments of Malaysia)

⁶⁰ ALINORM 03/25/3, para. 108 - 110

⁶¹ ALINORM 05/28/3A, para. 50-67

⁶² The numbers attached to each recommendation refer to those in Section 13 of the Consultants' Final Report (CL-2005/12-CAC)

[13] All committees should be encouraged to adopt a more systematic approach to self-management.

[14] CCFAC should be split into separate Additives and Contaminants committees.

[15] The General Standard for Food Additives (GSFA) should be the single authoritative reference point for food additives and this should be made clear in all commodity standards.

143. The Delegation of the Netherlands, as host government of the Committee on Food Additives and Contaminants, stated that the current workload of the Committee was too heavy and the large number of working groups that needed to operate under the present framework raised concern from the viewpoint of transparency. The Delegation supported the recommendation to split the Committee into two, and offered to host the Contaminant Committee. The Delegation of Brazil also expressed its interest in hosting the new Contaminant Committee. The Commission requested the Secretariat to prepare the Terms of Reference for each of the new committees and present them at the next sessions of the Committee on General Principles and the Committee on Food Additives and Contaminants, with a view to their adoption and the designation of host countries at the next session of the Commission.

144. Several Members requested clarification of Recommendation 15. The Commission noted that under the current Codex rules and procedures, Commodity Committees had the mandate to develop the lists of additives taking into account technological needs and to submit them for endorsement by CCFAC. The Commission recognized that the GSFA, still under development, would become the single authoritative reference point for food additives when completed and the ongoing work of the Committee on Food Additives and Contaminants in this regard.

145. The Commission endorsed the following recommendations by further modifying those recommended by the Executive Committee:

[16] All requests from the Codex subsidiary bodies for JECFA advice on additives and contaminants should be routed exclusively through the Additives or Contaminants Committees and requests for JECFA advice on residues of veterinary drugs through the Committee on Residues of Veterinary Drugs in Food.

[7] Regular informal meetings of Codex chairs and vice chairs of the Commission should be encouraged in conjunction with Codex sessions. Provisions of secretarial support could be considered to produce a summary of the main points discussed, which could be made available to all Codex Members. The Codex Secretariat is encouraged to explore the use of Internet technologies to facilitate continued communication among Codex Chairs.

146. With regard to Recommendation 16 above, the Commission noted that the Commission itself had the authority to request scientific advice from FAO and WHO on any relevant subject. In relation to Recommendation 7, an observer expressed concern about possible lack of transparency. The Commission noted that the outcome of these meetings would be made available to all members and observers.

147. The Commission agreed with the Executive Committee's view and did not support the following recommendations in the Consultants' Final Report:

[10] All standard-setting work should be subject to a greater degree of management oversight. Specifically, a new Commodities Management Committee should be established to manage the preparation and updating of commodity standards.

[12] The circumstances in which the Executive Committee, or some other body, should carry out a similar management role for other committees should be carefully considered by the Commission.

[17] Consideration should be given to re-writing the terms of reference of the Committee on Methods of Analysis and Sampling and re-assigning responsibility for specifying methods of analysis and sampling to the committee specifying the relevant limits.

[20] Provision for the drafting of regional standards should be removed from the terms of reference of the Regional Coordinating Committees.

148. The Commission agreed that the Executive Committee should play a pivotal role in exercising standards management oversight. While agreeing to retain the current terms of reference for the Committee on Methods of Analysis and Sampling, the Commission agreed with the view of the Executive Committee that the terms of

reference of the Committee on Food Hygiene should clearly state that it could address methods related to microbiological specifications, currently referred to in a footnote in the Procedural Manual.

149. The Commission agreed with the view of the Executive Committee that development of regional standards be retained in the terms of reference of Coordinating Committees, while noting that care should be taken so that proposals to convert regional standards into worldwide standards did not hinder the work programme management of commodity committees.

150. The Commission agreed that there was no need to take specific action on the following recommendations:

[5] Codex should review its remit to ensure that it conforms more closely to the current expectations of its members, having particular regard to the implications of the WTO Agreements.

[19] The Committee on Meat Hygiene should now be wound up. The Committee on Food Hygiene should consider the possibility for drafting a set of general guidelines to help rationalize hygiene provisions in commodity standards.

151. The Commission noted that the Draft Code of Hygienic Practice for Meat had been adopted at the present session of the Commission and the Committee on Meat Hygiene would be adjourned *sine die*.

152. In relations to Recommendation 5, many delegations stressed that Codex should maintain its independence from WTO and remain true to its dual objectives, i.e. to protect the health of consumers and to ensure fair practices in the food trade while basing its work on sound science.

153. The Commission recalled that the Commission had reviewed its relations to WTO in conjunction with the 1991 FAO/WHO Conference of Food Standards and Chemicals in Food, the 2002 Codex Evaluation and the ongoing revision work of the Code of Ethics in International Trade in Food.

154. The Commission concluded that there was no support for Codex to review its remit, while acknowledging the need to maintain close collaboration with the SPS and TBT Committees of WTO, given the status of Codex standards as international reference points in the framework of these Agreements as well as the need to maintain independence from WTO..

155. The Commission agreed that the following recommendations required further study.

[4] Whenever possible, committees should be given enabling terms of reference only. They should be reactivated as necessary to undertake defined tasks and adjourned *sine die* once the task is completed.

[6] The relevance of the work of other international standards setting bodies should be determined, and a clear statement of demarcation lines made clear to all participants.

[11] All commodity committees and task forces should be given simple terms of reference which should be revised for a limited period only, to assign specific tasks to the committees.

[18] The Commission should consider carefully whether nutrition should play a role in Codex, and if so, what that role should be.

156. The Commission agreed that the role of Codex in nutrition should be considered in light of the role Codex could play in the implementation of WHO's Global Strategy on Diet, Physical Activity and Health (see paras. 228233).

157. The Delegation of Argentina expressed the view that it would be necessary to convene an FAO/WHO workshop, on the same lines as the one convened for the provision of scientific advice to Codex, the object of which would be to discuss in depth and on a wide basis the structural changes required to respond to future challenges. The Delegation also pointed out that it would be important that the Codex Secretariat should also give their opinion in this respect on the basis of their experience.

158. The Commission agreed that a Circular Letter be sent to members and observers to solicit comments on Recommendations 4, 6, and 11 above, particularly in the context of possible re-organization of Codex commodity work, including combining committees and adjusting the frequency/interval of meetings, while further analysing the workload of commodity committees as well as the relationship between vertical committees and horizontal committees. The Commission agreed to consider this issue at its next session in the light of comments received.

159. The Commission noted that consideration could be given to convening a workshop in conjunction with the next session of the Committee on General Principles, in order to allow countries to exchange their views on this matter in a broad context.

MATTERS ARISING FROM REPORTS OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 13)⁶³

160. The Commission **noted** several matters arising from the reports of Codex Committees and Task Forces, including those matters arising from the previous session of the Commission and the Executive Committee, as contained in working documents ALINORM 04/27/10D and ALINORM 04/27/10D-Add.1.

161. The following paragraphs provide additional information on the comments made and decisions taken on certain items.

27th Session of the Codex Alimentarius Commission

***Future Work on Animal Feeding in Codex*⁶⁴**

162. The Commission recognised in general the value for Codex to continue work on animal feeding due to its importance for the protection of consumers' health. However, it could not come to an agreement as to the recommendation of the 55th Session of the Executive Committee to postpone consideration of new work until 2008.

163. Some delegations strongly supported this recommendation in order to allow governments and industry to implement the requirements of the recently adopted Codex Code of Practice on Good Animal Feeding (CAC/GL 54-2004) and gaining experience in order to better identify areas where additional work was needed.

164. Other delegations were of the opinion that it was urgent for Codex to continue work on animal feeding and ensure the safety of products of animal origin, noting that postponing consideration of new work until 2008 would result in an undue delay of Codex work. In addition, it was stated that a Task Force was a preferred mechanism to bring available expertise together on a priority basis, compared to the use of existing Codex Committees.

165. The Commission noted the willingness of the Government of Denmark to host the Task Force again, if it was re-established and the proposal of the Delegation of Switzerland to start work on the application of HACCP system for feed and feed ingredients. The Commission also noted that the OIE was prepared to collaborate with Codex on future work in this area.

166. The Commission could not come to a conclusion on when to start future work on animal feeding. It **agreed** to defer consideration of this matter until its next Session.

***Proposal for a New Standard on Parmesan Cheese*⁶⁵**

167. The Commission recalled that this matter had been referred from its 27th session and agreed on the need to make progress on this matter beyond the discussion of its last session by focusing on elements that would allow making a decision on the issue, while taking into account the arguments that were put forward previously for and against the development of a new Standard for Parmesan⁶⁶. The Commission noted that there continued to be a diversity of views on this matter.

168. The Delegation of the European Community, supported by many delegations, stated that it opposed the development of a Codex Standard for parmesan cheese, stressing that the name "parmesan" should not be considered as a generic term as it was a geographical indication in the territory of the European Community. The Delegation underlined that it did not seek to use Codex procedures to prevent the use of "Parmesan" as a generic

⁶³ ALINORM 05/28/9D; ALINORM 05/28/9D-Add.1; CAC/28 LIM 7 (comments of the European Community); CAC/28 LIM 19 (comments of the Republic of Korea); CAC/28 LIM 24 (comments of the European Community); CAC/28 LIM 30 (comments of Argentina)

⁶⁴ ALINORM 04/27/41, para. 171; ALINORM 05/28/3A, paras 68-69; CL 2004/33-CAC "Request for comments on Future Areas of Work on Animal Feeding"

⁶⁵ ALINORM 04/27/41, paras. 146-150 and Appendix X; CAC/28 INF 16 "Questions raised by the Codex Committee on Milk and Milk Products"

⁶⁶ ALINORM 04/27/41, paras 148 and 149.

term in those countries where this was the case. The Delegation proposed, in turn, to revise the Codex Standard for Extra Hard Grating Cheese (Codex Stan C 35-1978). The Delegation stated that the Commission would not be able to reach consensus as long as the term “parmesan” was used in the Standard.

169. Many other delegations, which spoke in favour of new work on a Standard for Parmesan, stressing that Codex must function as a rule-based organization, stated that the proposal for a new Standard on Parmesan cheese met both Codex Criteria for Establishing New Work Priorities and CCMMP criteria for the development and/or revision of the standards for cheese. These delegations recognised that Parmesan should be considered as a generic term. They referred to the opinion of the Legal Offices of FAO and WHO that “from a strictly legal point of view, there were no requirements to the effect that aspects of intellectual property protection be considered as criteria to be taken into consideration by Codex when deciding on acceptance of new work or adopting standards”.

170. The Representative of WIPO, referring to the exchange of correspondence between WIPO and FAO Legal Office, noted that the opinion of the FAO and WHO Legal Offices had given rise to concerns in the international intellectual property rights community and stated that international obligations for the protection of intellectual property rights in general, and of industrial property rights in particular, were stipulated in a number of international treaties administered by WIPO.

171. After an extensive debate, the Chairperson of the Commission summarised the discussion that the request for the elaboration of a new standard for Parmesan was considered to have met the CCMMP criteria for the development and/or revision of the standards for cheese and that, according to the advice provided by the Legal Offices of FAO and WHO, there was no legal impediment to the elaboration of such a standard.

172. The Delegation of the European Community expressed its reservation on the Chairperson’s summary, stating that in the view of the delegation, the legal opinion of FAO and WHO was not complete. The Delegation of Italy, supported by the Delegation of the European Community, stated that in its view the CCMMP criteria had not been met.

173. Many delegations supported the Chairperson’s summary. The Delegation of the United States stated that the credibility of Codex should not be undermined.

174. Recognising its inability to reach a decision on whether or not new work should start on the elaboration of a standard for parmesan, the Commission **agreed** to hold the issue in abeyance for possible future consideration. The Commission further encouraged those parties interested in the subject to continue informal consultations among themselves in order to determine whether and how a decision on this issue might be reached. The Commission noted that the issue could be raised at a future session of the Commission if a Member wished to do so.

175. In response to the request of the Chairperson of the CCMMP on the status of the discussion of this item in the Committee, it was clarified that the report of the Commission would be brought to the attention of the CCMMP and that, while the Commission decided to hold the issue in abeyance and not to provide specific instructions to the CCMMP, nothing would prevent Members of the Commission from bringing up this matter at future sessions of the CCMMP.

176. The Delegation of the United States reserved its position on the conclusion of the discussion.

55th Session of the Executive Committee

Future Work on Antimicrobial Resistance⁶⁷

177. The Commission recalled that antimicrobial resistance had been a subject of discussion within Codex for some time and reaffirmed the importance and urgency for Codex to start work on antimicrobial resistance related to non-human use of antimicrobials. The Commission recalled that, upon its request, two joint FAO/OIE/WHO Expert Workshops⁶⁸ had been held in 2003 and 2004.

⁶⁷ ALINORM 05/328/3, paras 42-52; ALINORM 05/28/3A, paras 70-74; CAC/28 LIM. 32 (Summary of the informal sharing of ideas regarding proposed terms of reference for future Codex work on antimicrobial resistance)

⁶⁸ Joint WHO/FAO/OIE Expert Workshop on Non-human Antimicrobial Usage and Antimicrobial Resistance, Geneva, 1 – 5 December 2003; 2nd Joint FAO/OIE/WHO Workshop on Non-human Antimicrobial Usage and Antimicrobial Resistance: Management Options, Oslo, Norway, 15-18 March 2004

178. The Commission noted that other international organisations had already been working on the issue of antimicrobial resistance, in particular: WHO for aspects related to the clinical and non-clinical use of antimicrobials and human health, and OIE for aspects related to animal health. It was also noted that the Commission had adopted the Code of Practice to Minimise and Contain Antimicrobial Resistance⁶⁹ at the present session (see para. 59). The Delegation of Switzerland proposed to combine the circular letter with a data request on projects which are already underway, with the aim of avoiding duplication of work and to accelerate progress.

179. The Commission reaffirmed that any Codex work on antimicrobial resistance should stay in the remit of the Commission's mandate, should be based on sound science and follow risk analysis principles, should take full account of the work of other organisations to avoid duplication of work, and should recognise the importance of a holistic approach to solving the question at hand.

180. Many delegations, in favour of the establishment of a new Task Force, were of the opinion that work should start as soon as possible. However, it was noted that the calendar of Codex meetings for 2006-2007 might not allow for the inclusion of an additional meeting before 2007.

181. The Director-General of OIE highlighted the importance of antimicrobial resistance and reiterated support for joint action by Codex and OIE in setting international standards to contain antimicrobial resistance. He informed the Commission that the 73rd OIE General Session (May 2005) had adopted international standards on antimicrobial resistance and that a series of meetings were planned to prepare additional texts to be submitted at the next OIE General Session in 2006. The Director-General expressed the willingness of OIE to collaborate with FAO, WHO and Codex on this matter.

182. The Commission took note of a summary of an "Informal sharing of ideas regarding proposed terms of reference for future Codex work on antimicrobial resistance", as contained in CAC/28 LIM. 32. The Commission supported the proposal in general, which was considered as providing a good basis for determining future Codex work on antimicrobial resistance. It was however suggested that Codex future work should have a clear focus on public health and ensure a holistic approach to solving the question at hand, should address antimicrobials in general so as to cover the use of pesticides and additives and not be restricted solely to antimicrobial drugs, should also include animal feed. The scope should take into account ongoing work in other international organisations, in particular OIE and should adhere to the Working Principles for Risk Analysis in the Framework of the Codex Alimentarius.

183. The Commission noted that, according to the "Criteria for the Establishment of Subsidiary Bodies of the Codex Alimentarius Commission"⁷⁰, before the Commission could establish a Task Force, the Commission needed: to agree upon a name of the Task Force; to define the terms of reference that should be limited to the immediate task at hand and clearly state the objective(s) to be achieved with the indication of either (i) the number of sessions to be convened, or (ii) the date (year) by which the work was expected to be completed.

184. The Commission **agreed**, in principle, to the establishment of an *ad hoc* Intergovernmental Task Force to deal with the issue related to antimicrobial resistance. It was **agreed** that a final decision as to its establishment would be taken at the next session. In order to facilitate this decision, the Commission agreed that the Codex Secretariat in collaboration with FAO and WHO would prepare a Circular Letter based on the proposal in LIM 32, taking account the above discussion, in order to request comments on what should be the specific terms of reference of such a Task Force.

185. Many delegations welcomed the offer of the Republic of Korea to host the Task Force if it was to be established. The Commission also welcomed the proposed active participation of the OIE in the future work of Codex on this matter.

186. The Delegation of Argentina, while not objecting to this conclusion, stated that the Commission, in making a final decision on the establishment of an *ad hoc* Task Force, should give due consideration to the implications of establishing an additional Codex body in view of the limited resources available to developing countries, and that it was important to closely analyse whether the activities proposed could not be undertaken by existing Codex subsidiary bodies.

⁶⁹ ALINORM 05/28/31, Appendix VIII

⁷⁰ Codex Alimentarius Commission, Procedural Manual (pages 69-70) – 14th Edition

Amendment to the Standard for Canned Sardines and Sardine Type Products

187. The Commission noted the views of the CCNASWP and the CCLAC concerning the inclusion of *Clupea bentincki* in the Standard for Canned Sardines and Sardine Type Products. The Delegation of Chile expressed its concern with the delay in the standard setting process initiated in 1996, having complied with all the requirements established by the Committee on Fish and Fishery Products, and asked the Commission to give priority to the question of the inclusion of *Clupea bentincki* as a sardine type species in order to achieve progress. The Delegation of Morocco recalled that this question was still under consideration in the CCFFP and informed the Commission that on the initiative of the Chair of the Committee, informal contacts were underway with the Delegation of Chile in order to find a compromise solution to this question by the next session of the said Committee. The Commission noted that this question was under consideration in the Committee on Fish and Fishery Products and recommended that the Committee address it as a matter of priority.

Food Import and Export Inspection and Certification Systems

Clarification of the Reference to “A Reasonable Interval” in the Codex Guidelines for Food Import Control System⁷¹

188. The Commission **adopted** the addition of a footnote to reference to the “WTO decision WT/MIN (01)17” to paragraph 35 of the Codex Guidelines for Food Control System (CAC/GL 47-2003), as proposed by the Committee.

Committee on Methods of Analysis and Sampling

Year of Publication⁷²

189. The Commission **agreed** with the proposal of the Committee to include a footnote to the Recommended Methods of Analysis (CAC/STAN 234) to the effect that “the most updated version of the method should be used, in application of ISO/IEC 17025: 1999”, as analysts are required to use the most updated version of methods of analysis in application of ISO/IEC 17025:1999, referred to in the Guidelines for the Assessment of the Competence of Testing Laboratories Involved in the Import and Export Control of Foods (CAC/GL 27).

190. The Delegation of Japan pointed out that the Principles for the Establishment or Selection of Codex Sampling Procedures in the Procedural Manual referred to the Sampling Plans for Prepackaged Foods (CAC/STAN 233), that had been superseded by the General Guidelines on Sampling adopted in 2004. The Delegation therefore proposed that the Committee on General Principles and the Committee on Methods of Analysis and Sampling consider the review and possible update of the entire section to take into account the adoption of the new Guidelines. The Commission **agreed** that this matter should be considered by the next session of the Committee on General Principles.

Food Additives and Contaminants

Mandate of the CCFAC⁷³

191. The Commission **agreed** that the proposal of the Committee for the revision of its terms of reference in relation to sampling plans would be taken into account in the drafting of the terms of reference for the Committees on Food Additives and on Contaminants and Toxins in Food (see para. 143).

General Standard on Food Additives

192. The Commission agreed to amend Annex B (Food Category System) of the General Standard for Food Additives by including coconut water as an example in the description of food category 14.1.2.1 (Fruit Juices) as proposed by the CCFAC.

⁷¹ ALINORM 05/28/30, para. 114

⁷² ALINORM 05/28/23, paras. 84-88

⁷³ ALINORM 05/28/12, para. 9 and Appendix II

General Standard for Contaminants and Toxins in Foods (GSCTF)⁷⁴

193. The Commission **agreed** to revoke the maximum levels for lead in specific commodity Codex standards for processed meat products, as proposed by the Committee.

Provision of Scientific Advice⁷⁵

194. The Commission **noted** the concern expressed by CCFAC with regard to the serious budgetary situation of WHO for JECFA activities (see also para. 109).

Committee on Food Labelling***Country of Origin Labelling***⁷⁶

195. The Commission **noted** that the Committee on Food Labelling had agreed not to undertake new work on country of origin labelling and that consideration of this Agenda Item should be discontinued.

Reference to Acceptance in Codex Standard⁷⁷

196. The Commission **agreed** that the references to acceptance in the General Standard for the Labelling of Prepackaged Foods should be deleted as a consequential amendment to the abolition of the Acceptance Procedure.

Committee on Fresh Fruits and Vegetables***Notification of Acceptance in Codex standards for fresh fruits and vegetables***⁷⁸

197. The Commission **agreed** to delete the footnotes to Sections 1 - Definition of produce and 7.2 - Non-retail containers on the notification of acceptance throughout Codex standards for fresh fruits and vegetables, for consistency with its previous decision to abolish the Acceptance Procedure in the Procedural Manual (see paras. 32-36).

Revisions (specific) of Codex standards for fresh fruits and vegetables⁷⁹

198. The Commission noted the request of the Committee on the possibility to establish a more expeditious procedure for revising Codex standards for fresh fruits and vegetables when considering minor changes such as additions and/or deletions of some provisions (e.g. the introduction of new varieties) for which the presentation of a project document might not be considered imperative. The Commission noted that a similar situation might arise in relation to updating of other commodity standards.

199. The Commission **agreed** that this matter should be considered in a general context and requested the Committee on General Principles to look into this issue at its next session.

RELATION BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 14)⁸⁰A. Relations between the Codex Alimentarius Commission and other International Intergovernmental Organizations***World Organization for Animal Health (OIE)***⁸¹

200. The Director-General of the OIE informed the Commission of the OIE activities relevant to the work of Codex, the recent conclusion of two new mutual agreements with FAO and WHO, the work of the OIE Animal

⁷⁴ ALINORM 05/28/12, para. 119 and Appendix XVII

⁷⁵ ALINORM 05/28/12, para. 224

⁷⁶ ALINORM 05/28/22, para. 85

⁷⁷ ALINORM 05/28/22, para. 28

⁷⁸ ALINORM 05/28/9D-Add.1 para. 22

⁷⁹ ALINORM 05/28/9D-Add.1 para. 30

⁸⁰ ALINORM 05/28/9E; CAC/28 INF 1 (International Non-Governmental Organizations in Observer Status with the Codex Alimentarius Commission – Report of the Codex Secretariat), CAC/28 LIM 24 (comments of European Community)

⁸¹ CAC/28 INF 3 (Information on Activities of the World Organization for Animal Health, OIE, Relevant to Codex)

Production Food Safety Working Group, whose membership included several experts having Codex background and from FAO and WHO, the adoption in May 2005 of the Strategic Plan for the period 2006-2010 with emphasis on the development of science-based standards and methods for the prevention, control and eradication of animal diseases. The Representative indicated that the collaboration between the OIE and Codex should continue in the areas such as animal identification and traceability; testing, inspection and certification; prevention of antimicrobial resistance; good farming practice; and, control of salmonellae and other food borne pathogens.

201. The Commission expressed its appreciation for the active participation of OIE in the work of Codex and reiterated its interest for strengthening this cooperation. The importance of close coordination between the OIE and Codex to avoid duplication, gaps and conflicts in the work of the two organizations was stressed.

202. The Commission **endorsed** the following recommendation of the 55th Session of the Executive Committee related to the collaboration between Codex and OIE⁸²:

- OIE be encouraged to continue to participate actively in the standard-setting work of the Commission, namely through the work of relevant subsidiary bodies of the Commission;
- OIE be invited to regularly submit, to relevant Codex subsidiary bodies, reports on its activities relevant to the work of these subsidiary bodies, while these subsidiary bodies continue to seek ways to improve cooperation with OIE in their respective area of work and inform the Executive Committee of their decisions/recommendations accordingly; and
- OIE be invited to submit a summary report to the regular sessions of the Commission on its activities of relevance to the work of the Commission, including the outcome of the OIE Working Group on Animal Production Food Safety.

203. The Commission also **noted** the recommendation of the Executive Committee that the effectiveness of cooperative arrangements being made between Codex and OIE as above should be reviewed by the 30th Session of the Commission (2007) with a view to considering if further arrangements would be necessary or desirable, including those provisions mentioned in paragraph 13 of the Draft Guidelines.

International Atomic Energy Agency (IAEA)⁸³

204. The Representative of the IAEA informed the Commission of the activities of the Joint FAO/IAEA Division of Nuclear Techniques in Food and Agriculture relevant to the work of Codex. These activities included development of preparedness and response to nuclear emergencies affecting agriculture as well as collaborative efforts with the Codex Committees, particularly the Codex Committee on Food Additives and Contaminants in the elaboration of the revised Codex Guideline Levels for Radionuclides.

World Trade Organization (WTO)⁸⁴

205. The Representative of the WTO drew the attention of the Commission to its written submission and provided an update of activities arising from the WTO Committee on Sanitary and Phytosanitary Measures (SPS Committee), including the review of the SPS Agreement, continuing cooperation with Codex, IPPC and OIE, discussion on special and differential treatment as well as examples of recent trade concerns and disputes settlement cases. The Representative also informed the Commission of WTO technical assistance activities, including those provided under the framework of the Standards and Trade Development Facility (STDF) aimed at assisting in the implementation of international standards by developing country members.

206. Some delegations stressed the need for establishing mechanisms to strengthen communication between Codex and WTO for matters covered by both the SPS Agreement and the Agreement on Technical Barrier to Trade (TBT). In this regard, it was noted that the Codex Secretariat was regularly representing the Commission in both the SPS and TBT Committee meetings and cooperating with WTO in training activities at the regional level. The Representative of WTO, in turn, was attending key Codex session as an observer. The issues of how to monitor the use of Codex standards by countries was identified as an area requiring further study.

⁸² ALINORM 05/28/3, paras 97-98

⁸³ CAC/28 INF 7 (Information on Activities of the Joint FAO/AIEA Division of Nuclear Techniques in Food and Agriculture Relevant to Codex)

⁸⁴ CAC/28 INF 8 (Activities of the SPS Committee and other WTO Activities Relevant to Food Safety in 2004 to the Present)

B. Relations between the Codex Alimentarius Commission and International Non-governmental Organizations

207. In accordance with Article 6 of the Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission, the Secretary reported to the Commission on cooperation with NGOs, as presented in ALINORM 05/28/9E and in CAC/28 INF/1.

208. The Delegation of the United Kingdom, speaking on behalf of the Member States of the European Community, expressed their support for the Bureau européen des unions de consommateurs (BEUC) to gain observer status.

Relations with International Organization for Standardization (ISO)⁸⁵

209. The Commission was informed that in accordance with the decisions of the Executive Committee and the Commission, contacts for information exchange were maintained between the Codex Secretariat and ISO, and that detailed information on ISO activities was presented in CAC/28 INF/ 2.

210. The Observer from ISO informed the Commission that the recently adopted ISO Strategic Plan 2005-2010, Objectives 4 and 5, called for increased collaboration between ISO and intergovernmental standard setting bodies such as Codex. The Observer highlighted the work of ISO in relevant areas, especially Technical Committee 34 (Food products), including three items of relevance to Codex: food irradiation (ISO/AWI 22810), traceability in feed and food chain (ISO/CD 22519), and food safety management systems (ISO/DIS 22000). In addition, ISO developed generic horizontal standards to document agreed procedures for the assessment of conformity that could be relevant to the work of the CCFICS. ISO had also developed an action plan for developing countries and carried out technical cooperation activities with UNIDO and ITC. The Observer pointed out that Codex and ISO activities were complementary and looked forward to continued cooperation with the Commission.

211. Several delegation stressed the importance of ISO work to provide standards that could be used at the national level and supported further cooperation with ISO in relevant areas of work.

212. The Delegation of the United States, supported by other delegations, expressed its concerns with the possible duplication of work or the development of contradictory standards between ISO and Codex and proposed that relevant Codex Committees monitor the work of ISO in their respective areas of work, in order to optimise the use of resources and avoid duplication.

213. The Commission **supported** continued cooperation and coordination with ISO and agreed that the Codex Secretariat should maintain its contacts with ISO and report regularly to the Commission on ISO activities of relevance to Codex work.

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 15)⁸⁶

214. The Commission, noting the 2004 annual report of the Trust Fund and the information paper incorporating the Fifth Progress Report prepared by FAO and WHO, expressed its appreciation to the progress made in the operation of the Fund, to the efforts being made FAO and WHO and to the donors making financial contributions. The Commission encouraged current donors to continue to provide funds to the Trust Fund and invited other countries to consider contributing to the Fund in order to ensure its sustainability.

215. Some members expressed their wish that the Trust Fund be also used to assist other activities of importance at the regional level, including capacity building, training and workshops, with particular reference to the strengthening of Codex Contact Points and National Codex Committees. Other members stressed that the Trust Fund should be used exclusively for assisting the participation of developing countries to Codex meetings, including the meetings of working groups. The Delegation of Switzerland proposed to enlarge this agenda item in the future, and noted that a list of contributions for the Trust Fund and other items would help to imply priorities and to motivate potential donors.

216. Some members stated that the criteria for determining the groupings of beneficiary countries should be reconsidered. Some members further proposed to develop guidelines for the operation of the Trust Fund, in order to make the process more transparent.

⁸⁵ CAC/INF 2 (Communication from ISO – Report of Activities Relevant to Codex).

⁸⁶ ALINORM 05/28/9F, CAC/28 INF 12

217. In reply to these questions, the Representative of WHO clarified that the Trust Fund had been designed to ensure effective participation of developing countries in Codex work and that training activities would also be covered by the Trust Fund, as per specific requests of some donors to this effect. The Representative indicated that capacity building projects should in general be funded by other resources such as STDF operated by several international organizations including FAO and WHO, but not by the Codex Trust Fund.

218. The Commission noted that an information meeting on the Trust Fund convened by FAO and WHO on 8 July and open to all delegates would provide an opportunity to exchange views among countries and with the trust fund secretariat and assist in solving certain administrative and logistic problems that had emerged from the operation of the Trust Fund.

OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 16)⁸⁷

Part I : Outcomes of Recent FAO/WHO Expert Meetings

219. The Representative of FAO, also speaking on behalf of WHO, informed the Commission of the major outcomes of the FAO and WHO expert meetings and related activities carried out since the last Session of the Commission, including those of JECFA, JEMRA, JMPR, ad hoc meetings, consultations and related projects. He highlighted the new reporting format (see ALINORM 05/28/9G) providing a brief summary of the outcome of each meeting and a hyperlink to the report. He also informed the Commission that the report of the FAO/WHO Nutrient Risk Assessment Workshop: a Model for Establishing Upper Levels of Intake for Nutrients and Other Related Substances, held in May 2005, would be published shortly.

220. With reference to the Joint FAO/WHO Technical Workshop on residues of veterinary drugs without ADI/MRL, the Commission noted the request of the Delegation of India to implement as a priority the recommendations of the last session of the CCRVDF on this subject (ALINORM 05/28/31, paras. 173-176)

221. The Representative of FAO further informed the Commission of the planned FAO/WHO expert review on the use of the lactoperoxidase system for milk and milk products and (Rome, November 2005), and of the FAO/WHO expert consultation on practical risk management strategies based on microbiological risk assessment outputs.

Part II : Progress Report on the FAO/WHO Consultative Process for the Provision of Scientific Advice to Codex and Member Countries

222. The Representative of FAO presented a report on progress made on this matter, including the following action:

- the elaboration of a draft procedural guideline compiling all written procedures followed by FAO and WHO in relation to the provision of scientific advice;
- the establishment of an FAO/WHO internal task force to review management options and consider improved coordination;
- the preparation of review papers to address procedures for the selection of experts, to consider factors associated with enhanced openness of meetings, and to improve procedures for the use of data;
- explore new approaches to enhance participation of experts and the use of data from developing countries in the elaboration of international scientific advice.

⁸⁷

ALINORM 05/28/9G, CAC/28 LIM 6 (Implementation of the WHO Global Strategy on Diet, Physical Activity and Health: Action that could be taken by Codex, WHO), CAC/28 INF 4 (The International Portal for Food Safety, Animal and Plant Health, submission from FAO), CAC/28 INF 5 (Capacity Building for Food Quality and Safety; Selected Activities of FAO and WHO, July 2004-June 2005), CAC/28 INF 13 (Report of GF3-E discussion forum), CAC/28 INF 13-Add.1, CAC/28 INF 14 (Background to the World Health Assembly Resolution on International Health Regulations), ALINORM 05/28/3A, ALINORM 05/28/9C Part II (comments of the United States of America), CAC/28 LIM 24 (comments of the European Community), CAC/28 LIM 27 (comments of Malaysia).

223. The final step of the consultative process would be implemented in 2006 in the form of an expert consultation or an intergovernmental meeting to prepare feasible recommendations for consideration by FAO and WHO.

Part III : Status of Requests for Scientific Advice

224. The Representative of FAO referred to the list of pending requests for scientific advice contained in Table 1 annexed to ALINORM 05/28/9G. The Commission was informed that the list was not in priority order and that FAO and WHO would continue to use the criteria established by the 55th Session of the Codex Executive Committee to prioritise these requests.

225. The Delegation of the Netherlands expressed concern about the impact on the work of CCFAC of the lack of funds in WHO to convene future regular JECFA sessions. The Delegation of Malaysia requested that the information provided in the table on the status of the expert consultation on the safety and regulatory problems related to functional foods be corrected to also include the origin of the request, i.e. the 13th Session of CCASIA.

226. In response to the request that an additional criterion be added to the existing criteria for the prioritization to give consideration to the specific needs of developing countries, the Commission noted that the existing criteria adequately covered this matter and that the criteria could be further reviewed later, if required, in the light of experience with the application of existing criteria.

227. The Commission expressed its appreciation to FAO and WHO for their continuous effort to provide scientific advice to Codex in a timely and effective way.

Part IV : Capacity Building in Food Safety and Quality

228. The Commission was informed of FAO/WHO activities in capacity building in the field of food safety (CAC/28/INF 5) which covered three main areas, namely: (i) the organization of global and regional/sub-regional conferences, workshops and seminars on food safety related matters; (ii) field projects; and, (iii) guidance and training tools.

WHO Global Strategy on Diet, Physical Activity and Health

229. The Representative of WHO drew the attention of the Committee to the fact that the Global Strategy on Diet, Physical Activity and Health had been developed at the request of Member States of WHO to reduce morbidity and mortality due to non-communicable disease and that the paper LIM-6 had been prepared at the request of the 55th Session of the Executive Committee⁸⁸. The Representative pointed out that the World Health Assembly (WHA) Resolution 57.17 endorsed the above strategy and called upon the Codex Alimentarius Commission “to continue to give full consideration, within the framework of its operational mandate, to evidence-based action it might take to improve the health standards of foods consistent with the aims and objectives of the strategy”. The Representative of WHO referred to the potential work to be undertaken by the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses and emphasized that coordinated work was needed to implement the Global Strategy.

230. The Delegation of the United Kingdom, speaking on behalf of the Member States of the European Community present at the session, pointed out that clear and understandable nutrition labelling can help consumers to make healthier choices. General consideration should be given to the integration of nutrition issues into Codex work and in that context the report mentioned in para. 14 of the WHO discussion paper would be welcome.

231. The Delegation of the United States expressed the view that this question should be approached carefully in view of the multi-factorial nature of non-communicable diseases, including life-long dietary patterns, that several recommendations of the Global Strategy should be implemented at the national level, such as consumer education, but were not within the mandate of Codex, and that Codex work on nutrition and labelling issues should proceed within its terms of reference.

232. Several observers while supporting the implementation of the WHO Global Strategy on Diet, Physical Activity and Health, proposed that stakeholders, including consumers organizations, be consulted if a more focused document was to be developed by WHO. One observer expressed the view that there was scope within the mandate of Codex for the nutritional issues raised by the Global Strategy to be integrated into Codex work.

⁸⁸

ALINORM 05/28/3 para.90

233. The Representative of WHO reaffirmed that stakeholders would be involved in the follow-up to the Global Strategy by WHO and in the development of a revised WHO submission to be presented to the next session of the Commission.

234. The Commission noted that the potential areas for action by Codex identified in the LIM paper was mainly relevant for the work of the Committee on Food Labelling and the Committee on Nutrition and Foods for Special Dietary Uses and after some discussion **agreed** with the recommendation of the 56th Session of the Executive Committee, to ask the WHO, in cooperation with FAO, to produce a more focused document for consideration by these Committees, including specific proposals for new work. The Commission agreed that its next session would consider further the implementation of the Global Strategy, taking into account the views and proposals put forward by these Committees.

International Health Regulations

235. The Representative from WHO informed the Commission that the World Health Assembly had adopted a major revision of the International Health Regulations in May 2005, that would enter into force in June 2007, as presented in INF 14.

236. The Representative indicated that the broader scope of application was a key change from the current IHR addressing only three diseases, as the new IHR(2005) provided a legal framework for detection and response to public health emergencies of international concern irrespective of the origin or source.

237. The Representative pointed out that the IHR(2005) contained new emphasis on establishing the national capacities required for both effective detection and response to public health emergencies and implementing public health measures at points of entry.

World Health Assembly Resolution on Infant and Young Children Nutrition

238. The Representative of WHO informed the Commission that the Fifty-eighth World Health Assembly had adopted the resolution on Infant and young-child nutrition (*WHA 58.32*) which endorsed the WHO global strategy for infant and young children feeding. The Resolution urged Member Governments to ensure that caregivers were informed that powdered infant formula may contain pathogenic microorganisms and that powdered infant formula must be prepared and used appropriately so as to minimize risks; and, where applicable that this information is conveyed through an explicit warning on the packaging. The Resolution also urged Member Governments to work closely with relevant entities, including manufacturers, to continue to reduce the contamination of pathogens, including *Enterobacter sakazakii* in powdered infant formula. The Resolution requested WHO in collaboration with FAO to develop specific guidelines on this issue. The Resolution urged Member Governments to ensure that nutrition and health claims were not permitted on breast milk substitutes except where specifically provided for in national legislation.

239. The Representative indicated that the resolution also requested the Codex Alimentarius Commission to give full consideration, when establishing standards, guidelines and recommendations, to resolutions of the Health Assembly that are relevant in the framework of its operational mandate and urgently complete its on-going work on addressing the risk of microbiological contamination of powdered infant formula; to establish appropriate microbiological criteria on *E. sakazakii* and other relevant microorganisms in powdered infant formula; and to provide guidance on safe handling of the product.

240. The Representative indicated that the WHA had also requested the Director-General of WHO to report to the Health Assembly each even year, along with the status of the implementation of the International Code of Marketing of Breast-milk Substitutes report, on progress in the consideration of matters referred to the Codex Alimentarius Commission for its action.

APPOINTMENT OF REGIONAL COORDINATORS (Agenda Item 17)

241. In accordance with Rule III.4 (a) and (b) of the Commission's Rules of Procedure, and on the basis of the nominations made by the Coordinating Committees⁸⁹, the following Members of the Commission were appointed as Coordinators to hold office from the end of the current session to the end of the second succeeding regular session of the Commission.

⁸⁹ ALINORM 05/28/15, paras. 104 - 110; ALINORM 05/28/19, paras. 73 - 79; ALINORM 05/28/28, paras. 129 - 138; ALINORM 05/28/32, para. 95; ALINORM 05/28/36, para 99; ALINORM 05/28/40 para. 156.

Africa: Morocco
 Asia: Republic of Korea
 Europe: Switzerland
 Latin America & the Caribbean: Argentina
 Near East: Jordan
 North America & South-West Pacific: Samoa

ELECTION OF OFFICERS OF THE COMMISSION AND ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE (Agenda Item 18)⁹⁰

242. The Commission **elected** the following persons to hold office from the end of its present Session to the end of the next regular session of the Commission.

Chairperson: Dr Claude J.S. MOSHA (United Republic of Tanzania)

Vice-Chairpersons: Dr Karen HULEBAK (United States of America)

Ms NORAINI Mohd. Othman (Malaysia)

Dr Wim VAN ECK (The Netherlands)

243. The following Members of the Executive Committee were **elected** on a geographic basis for the period from the end of the current session to the end of the second succeeding regular session of the Commission:

Africa: Cameroon
 Asia: India
 Europe: Belgium
 Latin America & the Caribbean: Mexico
 Near East: Egypt
 North America: Canada
 South-West Pacific: New Zealand

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES AND *AD HOC* TASK FORCES (Agenda Item 19)⁹¹

244. The Commission **confirmed** the designation of the Host Governments as listed in the Appendix X to this report. It also confirmed the dissolution of the *Ad Hoc* Intergovernmental Task Force on Fruit and Vegetable Juices, which had completed its work⁹² and congratulated Brazil for the work accomplished. The Commission further agreed to adjourn the Committee on Meat Hygiene *sine die*⁹³ and confirmed Japan as host country for the *Ad Hoc* Intergovernmental Task Force on Foods derived from Biotechnology.

⁹⁰ ALINORM 05/28/2

⁹¹ ALINORM 05/29/9H

⁹² ALINORM 05/28/39; CAC/28 LIM2 (Report of the Chairman of the Ad Hoc Intergovernmental Task Force on Fruit Juices)

⁹³ ALINORM 05/28/16

245. The Delegation of the United Kingdom informed the Commission that the country would not seek to remain the host country for the Committee on Sugars, which was expecting to soon complete the current work by correspondence, and for the Committee on Fats and Oils after its forthcoming session in 2007. The Delegation of Malaysia expressed its interest in serving as the host country of the Committee on Fats and Oils after 2007. The Delegation of the Netherlands informed the Commission that the country would not wish to host the Committee on Food Additives after the splitting of the current Committee on Food Additives and Contaminants, as well as the Committee on Pesticide Residues after its next session in 2006.

OTHER BUSINESS (Agenda Item 20)

246. The Commission noted that its 29th Session would be held in Geneva from 3 to 8 July 2006, subject to further confirmation.

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APPENDIX II

AMENDMENTS TO THE RULES OF PROCEDURE OF THE CODEX ALIMENTARIUS
COMMISSION

(New text and numbering appear in bold)

RULE III. OFFICERS

1. The Commission shall elect a Chairperson and three Vice-Chairpersons from among the representatives, alternates and advisers (hereinafter referred to as “delegates”) of the Members of the Commission; it being understood that no delegate shall be eligible without the concurrence of the head of his delegation. They shall be elected at each session and shall hold office from the end of the session at which they were elected until the end of the following regular session. The Chairperson and Vice-Chairpersons may remain in office only with the continuing endorsement of the respective Member of the Commission of which they were a delegate at the time of election. The Directors-General of FAO and WHO shall declare a position vacant when advised by the Member of the Commission that such endorsement has ceased. The Chairperson and Vice-Chairpersons shall be eligible for re-election but after having served two consecutive terms shall be ineligible to hold such office for the next succeeding term.
2. The Chairperson, or in his absence a Vice-Chairperson, shall preside at meetings of the Commission and exercise such other function as may be required to facilitate the work of the Commission. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
3. When neither the Chairperson nor the Vice-Chairperson are able to serve and, on the request of the outgoing Chairperson, during elections for the Chairperson, the Directors-General of FAO and WHO shall appoint a staff member to act as Chairperson, until either a temporary Chairperson or a new Chairperson has been elected. Any temporary Chairperson so elected shall hold office until the Chairperson or one of the Vice-Chairpersons is able to serve again.
4. The Commission may appoint one or more rapporteurs from among the delegates of the Members of the Commission.
5. The Directors-General of FAO and WHO shall be requested to appoint from the staffs of their organizations a Secretary of the Commission and such other officials, likewise responsible to them, as may be necessary to assist the officers and the Secretary in performing all duties that the work of the Commission may require.

RULE IV. COORDINATORS

1. The Commission may appoint a Coordinator from among the Members of the Commission for any of the geographic locations enumerated in **Rule V.1** (hereinafter referred to as “regions”) or for any group of countries specifically enumerated by the Commission (hereinafter referred to as ‘groups of countries’), whenever it may find, on the basis of a proposal of a majority of the Members of the Commission which constitute the region or group, that work for the Codex Alimentarius in the countries concerned so requires.
2. Appointment of Coordinators shall be made exclusively on the proposal of a majority of the Members of the Commission which constitute the region or group of countries concerned. Coordinators shall hold office from the end of the session of the Commission at which they were appointed until not later than the end of the third succeeding regular session, the precise term being determined by the Commission in each instance. After having served two consecutive terms, the Coordinators shall be ineligible to hold such office for the next succeeding term.

3. The functions of the Coordinators shall be:

- (i) to assist and coordinate the work of the Codex Committees set up under **Rule XI.1(b)(i)**¹ in their region or group of countries in the preparation of draft standards, guidelines and other recommendations for submission to the Commission;
- (ii) to assist the Executive Committee and the Commission, as required, by advising them of the views of countries and recognized regional intergovernmental and non-government organizations in their respective regions on matters under discussion or of interest.

~~(d) In order to carry out their functions, Coordinators shall participate in the Executive Committee as Observers.~~

RULE V. EXECUTIVE COMMITTEE²

1. The Executive Committee shall consist of the Chairperson and the Vice-Chairpersons of the Commission, and the Coordinators appointed on the basis of Rule IV together with seven further Members elected by the Commission at regular sessions from among the Members of the Commission, one each coming from the following geographic locations: Africa, Asia, Europe, Latin America and the Caribbean, Near East, North America, South-West Pacific. Not more than one delegate from any one country shall be a member of the Executive Committee. Members elected on a geographic basis shall hold office from the end of the session of the Commission at which they were elected until the end of the second succeeding regular session and shall be eligible for re-election, but after having served two consecutive terms shall be ineligible to hold such office for the next succeeding term.

2. The Executive Committee shall, between sessions of the Commission, act on behalf of the Commission as its executive organ. In particular, the Executive Committee may make proposals to the Commission regarding general orientation, strategic planning, and programming of the work of the Commission, study special problems and shall assist in the management of the Commission's programme of standards development, namely by conducting a critical review of proposals to undertake work and monitoring the progress of standards development.

3. The Executive Committee shall consider specific matters referred to it by the Directors-General of FAO and WHO as well as the estimate of expenditure for the Commission's proposed programme of work as described in Rule XIII.1³.

4. The Executive Committee may establish such sub-committees from among its Members as it may deem necessary to enable it to exercise its functions as effectively as possible. Such sub-committees should be limited in numbers, carry out preparatory work and report to the Executive Committee. The Executive Committee shall appoint one of the Vice-Chairpersons of the Commission to serve as chairpersons of any such sub-committee. Consideration should be given to an appropriate geographical balance in the membership of sub-committees.

5. The Chairperson and Vice-Chairpersons of the Commission shall be respectively the Chairperson and Vice-Chairpersons of the Executive Committee.

6. Sessions of the Executive Committee may be convened as often as necessary by the Directors-General of FAO and WHO, in consultation with the Chairperson. The Executive Committee shall normally meet immediately prior to each session of the Commission.

7. The Executive Committee shall report to the Commission.

¹ Rule X.1 (b)(i) in the 14th Edition of the Procedural Manual. Changes in numbering are due to the presentation of the section on Coordinators as a separate Rule IV.

² Rule IV in the 14th Edition of the Procedural Manual.

³ Rule XII.1 in the 14th Edition of the Procedural Manual

RULE XIII. BUDGET AND EXPENSES⁴

1. The Directors-General of FAO and WHO shall prepare for consideration by the Commission at its regular sessions an estimate of expenditure based on the proposed programme of work of the Commission and its subsidiary bodies, together with information concerning expenditures for the previous financial period. This estimate, with such modifications as may be considered appropriate by the Directors-General in the light of recommendations made by the Commission, shall subsequently be incorporated in the Regular Budgets of the two Organizations for approval by the appropriate governing bodies.
2. The estimate of expenditure shall make provisions for the operating expenses of the Commission and the subsidiary bodies of the Commission established under **Rule XI.1(a) and XI.1(b)(ii)**⁵ and for the expenses relating to staff assigned to the Programme and other expenditures incurred in connection with the servicing of the latter.
3. **The estimate of expenditure shall make provision for the travel expenses (including a daily subsistence allowance) of members of the Executive Committee from developing countries for the purpose of participating in meetings of the Executive Committee.**
4. The operating costs of subsidiary bodies established under **Rule XI.1(b)(i)**⁵ (Codex Committees) shall be borne by each Member accepting the Chair of such a body. The estimate of expenditure may include a provision for such costs involved in preparatory work as may be recognized as operating expenses of the Commission in accordance with the provisions of Article 10 of the Statutes of the Commission.
5. **Except as provided for in Rule XIII. 3, the estimate of expenditure shall make no provision for expenses, including travel, incurred by delegations of the Members of the Commission or of observers referred to in Rule IX⁶, in connection with their attendance at sessions of the Commission or its subsidiary bodies.** Should experts be invited by the Directors-General of FAO or WHO to attend sessions of the Commission and its subsidiary bodies in their individual capacity, their expenses shall be borne out of the regular budgetary funds available for the work of the Commission.

Consequential Amendments to the Rules of Procedure

Rule X Subsidiary Bodies

[1. – 4.]

5. Subsidiary bodies may only be established by the Commission except where otherwise provided in these Rules. Their terms of reference and reporting procedures shall be determined by the Commission, ~~except where otherwise provided in these Rules.~~

[6. – 9.]

10. The Members who shall be responsible for appointing Chairpersons of subsidiary bodies established under Rule X.1(b)(i) and Rule X.1(b)(ii) shall be designated at each session by the Commission, ~~except where otherwise provided in these Rules,~~ and shall be eligible for re-designation. All other officers of subsidiary bodies shall be elected by the body concerned and shall be eligible for re-election.

[11.]

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

⁵ Rule X.1(a) and X.1 (b) in the 14th Edition of the Procedural Manual.

⁶ Rule VIII in the 14th Edition of the Procedural Manual.

RULE V. SESSIONS**New Paragraph 5**

In plenary meetings of the Commission, the representative of a Member may designate an alternate who shall have the right to speak and vote in the name of his or her delegation on any question. Moreover, upon the request of the representative or any alternate so designated, the Chairperson may allow an adviser to speak on any particular point.

(Current paragraphs 5 and 6 shall be renumbered accordingly)

RULE VIII. OBSERVERS

[1. – 4.]

5. Participation of intergovernmental organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitutions of FAO or WHO, as well as by the applicable regulations of FAO or WHO on relations with intergovernmental organizations; such relations shall be handled by the Director-General of FAO or WHO, as appropriate.

6. Participation of international non-governmental organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution of FAO or WHO, as well as by applicable regulations of FAO or WHO on relations with international non-governmental organizations. Such relations shall be handled by the Director-General of FAO or WHO, as appropriate, on the advice of the Executive Committee. The Commission shall develop and keep under review principles and criteria concerning the participation of international non-governmental organizations in its work, consistent with the applicable regulations of FAO or WHO.

APPENDIX III

AMENDMENTS TO THE STATUTES OF THE CODEX ALIMENTARIUS COMMISSION

ARTICLE 1

The Codex Alimentarius Commission shall, subject to Article 5 below, be responsible for making proposals to, and shall be consulted by, the Directors-General of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) on all matters pertaining to the implementation of the Joint FAO/WHO Food Standards Programme, the purpose of which is:

- (a) protecting the health of the consumers and ensuring fair practices in the food trade;
- (b) promoting coordination of all food standards work undertaken by international governmental and non governmental organizations;
- (c) determining priorities and initiating and guiding the preparation of draft standards through and with the aid of appropriate organizations;
- (d) finalizing standards elaborated under (c) above and, ~~after acceptance by governments,~~ publishing them in a Codex Alimentarius either as regional or world wide standards, together with international standards already finalized by other bodies under (b) above, wherever this is practicable;
- (e) amending published standards, ~~as after~~ appropriate, ~~survey~~ in the light of developments.

APPENDIX IV

AMENDMENTS TO THE PROCEDURAL MANUAL

AMENDMENTS TO THE PROCEDURES FOR THE ELABORATION OF CODEX STANDARDS
AND RELATED TEXTS

Note: These procedures apply to the elaboration of Codex standards and related texts (e.g, codes of practice, guidelines, etc.) adopted by the Codex Alimentarius Commission as recommendations for governments

INTRODUCTION

Paragraphs 1 to 8 : Unchanged

9. Codex standards and related texts are published and are sent to governments as well as to international organizations to which competence in the matter has been transferred by their Member States (see Part 5 of this document).

PART 1 to 4 : Unchanged

PART 5. SUBSEQUENT PROCEDURE CONCERNING PUBLICATION AND ACCEPTANCE OF CODEX STANDARDS

The Codex standard **or related text** is published and issued to all Member States and Associate Members of FAO and/or WHO and to the international organizations concerned. ~~Members of the Commission and international organizations to which competence in the matter has been transferred by their Member States notify the Secretariat of the status or use of the Codex standard in accordance with the notification acceptance procedure set out in paragraph 4, paragraph 5 or paragraph 6 of the General Principles of the Codex Alimentarius, whichever is appropriate. Member States and Associate Members of FAO and/or WHO that are not Members of the Commission are also invited to notify the Secretariat if they wish to accept the Codex standard.~~

~~The Secretariat publishes periodically details of notifications received from governments and from international organizations to which competence in the matter has been transferred by their Member States with respect to the acceptance or otherwise of Codex standards and in addition to this information an appendix for each Codex standard (a) listing the countries in which products conforming with such standard may be freely distributed, and (b) where applicable, stating in detail all specified deviations which may have been declared in respect to acceptance.~~

The above mentioned publications will constitute the *Codex Alimentarius*.

~~The Secretariat examines deviations notified by governments and reports periodically to the Codex Alimentarius Commission concerning possible amendments to standards which might be considered by the Commission in accordance with the Procedure for the Revision and Amendment of Recommended Codex Standards.~~

Subsequent Procedure Concerning Publication, Acceptance and Possible Extension of Territorial Application of the Regional Standard

The Codex Regional Standard is published and issued to all Member States and Associate Members of FAO and/or WHO and to the international organizations concerned. ~~Members of the region or group of countries~~

~~concerned notify the Secretariat of the status and use the Codex Regional Standard in accordance with the notification procedure set out in Section 4 of the General Principles of the Codex Alimentarius. Other Members of the Commission may likewise notify the Secretariat of their use of the standard or of any other measures they propose to adopt with respect thereto, and also submit any observations as to its application. Member States and Associate Members of FAO and/or WHO that are not Members of the Commission are invited to notify the Secretariat of the status or use of the Codex standard.~~

It is open to the Commission to consider at any time the possible extension of the territorial application of a Codex Regional Standard or its conversion into a World-wide Codex Standard. ~~in the light of all notifications received.~~

Arrangements for the Amendment of Codex Standards Elaborated by Codex Committees which have Adjourned *sine die*

1. The need to consider amending or revising adopted Codex standards arises from time to time for a variety of reasons amongst which can be:

- (a) changes in the evaluation of food additives, pesticides and contaminants;
- (b) finalization of methods of analysis;
- (c) editorial amendments of guidelines or other texts adopted by the Commission and related to all or a group of Codex standards e.g. "Guidelines on Date Marking", "Guidelines on Labelling of Non-retail Containers", "Carry-over Principle";
- (d) consequential amendments to earlier Codex standards arising from Commission decisions on currently adopted standards of the same type of products;
- (e) consequential and other amendments arising from either revised or newly elaborated Codex standards and other texts of general applicability which have been referenced in other Codex standards (Revision of General Principles of Food Hygiene, Codex Standard for the Labelling of Prepackaged Foods);
- (f) technological developments or economic considerations e.g. provisions concerning styles, packaging media or other factors related to composition and essential quality criteria and consequential changes in labelling provisions;
- ~~(g) modifications of standards being proposed following an examination of government notifications of acceptances and specified deviations by the Secretariat as required in accordance with the Procedure for the Elaboration of Codex standards i.e. "Subsequent Procedure concerning Publication and Acceptance of Codex Standards", page 88.~~

2. The "Guide to the Procedure for the Revision and Amendment of Codex Standards" (see page 27) covers sufficiently amendments to Codex standards which have been elaborated by still active Codex Committees [and those mentioned] ~~under paragraph 1 (g) above.~~ In the case of amendments proposed to Codex standards elaborated by Codex Committees which have adjourned *sine die*, the procedure places an obligation on the Commission to "determine how best to deal with the proposed amendment". In order to facilitate consideration of such amendments, ~~in particular, those of the type mentioned in para. 1 (a), (b), (c), (d), (e) and (f),~~ the Commission has established more detailed guidance within the existing procedure for the amendment and revision of Codex standards.

3. In the case where Codex committees have adjourned *sine die*:

- (a) the Secretariat keeps under review all Codex standards originating from Codex Committees adjourned *sine die* and to determine the need for any amendments arising from decisions of the Commission, in particular amendments of the type mentioned in para. 1(a), (b), (c), (d) and those of (e) if of an editorial nature. If a need to amend the standard appears appropriate then the Secretariat should prepare a text for adoption in the Commission;

(b) amendments of the type in para. (f) and those of (e) of a substantive nature, the Secretariat in cooperation with the national secretariat of the adjourned Committee and, if possible, the Chairperson of that Committee, should agree on the need for such an amendment and prepare a working paper containing the wording of a proposed amendment and the reasons for proposing such amendment, and request comments from Member Governments: (a) on the need to proceed with such an amendment and (b) on the proposed amendment itself. If the majority of the replies received from Member Governments is affirmative on both the need to amend the standard and the suitability of the proposed wording for the amendment or an alternative proposed wording, the proposal should be submitted to the Commission with a request to approve the amendment of the standard concerned. In cases where replies do not appear to offer an uncontroversial solution then the Commission should be informed accordingly and it would be for the Commission to determine how best to proceed.

AMENDMENTS TO THE GENERAL PRINCIPLES OF CODEX ALIMENTARIUS

Purpose of the Codex Alimentarius

1. The Codex Alimentarius is a collection of internationally adopted food standards presented in a uniform manner. These food standards aim at protecting consumers' health and ensuring fair practices in the food trade. The Codex Alimentarius also includes provisions of an advisory nature in the form of codes of practice, guidelines and other recommended measures intended to assist in achieving the purposes of the Codex Alimentarius. The publication of the Codex Alimentarius is intended to guide and promote the elaboration and establishment of definitions and requirements for foods to assist in their harmonization and in doing so to facilitate international trade.

Scope of the Codex Alimentarius

2. The Codex Alimentarius includes standards for all the principle foods, whether processed, semi-processed or raw, for distribution to the consumer. Materials for further processing into foods should be included to the extent necessary to achieve the purposes of the Codex Alimentarius as defined. The Codex Alimentarius includes provisions in respect of food hygiene, food additives, pesticide residues, contaminants, labelling and presentation, methods of analysis and sampling. It also includes provisions of an advisory nature in the form of codes of practice, guidelines and other recommended measures.

Nature of Codex Standards

3. Codex standards contain requirements for food aimed at ensuring for the consumer a sound, wholesome food product free from adulteration, correctly labelled and presented. A Codex standard for any food or foods should be drawn up in accordance with the Format for Codex Commodity Standards and contain, as appropriate, the criteria listed therein.

Acceptance of Codex Commodity Standards

~~4.A. — A Codex standard may be accepted by a country in accordance with its established legal and administrative procedures in respect of distribution of the product concerned, whether imported or home produced, within its territorial jurisdiction in the following ways:~~

~~(i) — Full acceptance~~

- ~~(a) Full acceptance means that the country concerned will ensure that a product to which the standard applies will be permitted to be distributed freely, in accordance with (c) below, within its territorial jurisdiction under the name and description laid down in the standard, provided that it complies with all the relevant requirements of the standard.~~
- ~~(b) The country will also ensure that products not complying with the standard will not be permitted to be distributed under the name and description laid down in the standard.~~
- ~~(c) (e) The distribution of any sound products conforming with the standard will not be hindered by any legal or administrative provisions in the country concerned relating to the health of the consumer or to other~~

food standard matters except for considerations of human, plant or animal health which are not specifically dealt with in the standard.

(ii) — Acceptance with specified deviations

Acceptance with specified deviations means that the country concerned gives acceptance, as defined in paragraph 4.A(i), to the standard with the exception of such deviations as are specified in detail in its declaration of acceptance; it being understood that a product complying with the standard as qualified by these deviations will be permitted to be distributed freely within the territorial jurisdiction of the country concerned. The country concerned will further include in its declaration of acceptance a statement of the reasons for these deviations, and also indicate:

- (a) whether products fully conforming to the standard may be distributed freely within its territorial jurisdiction in accordance with paragraph 4.A(i);
- (b) whether it expects to be able to give full acceptance to the standard and, if so, when.

(iii) — Free distribution

A declaration of free distribution means that the country concerned undertakes that products conforming with a Codex commodity standard may be distributed freely within its territorial jurisdiction insofar as matters covered by the Codex commodity standard are concerned.

B. — A country which considers that it cannot accept the standard in any of the ways mentioned above should indicate:

- (i) whether products conforming to the standard may be distributed freely within its territorial jurisdiction;
- (ii) in what ways its present or proposed requirements differ from the standard, and, if possible the reasons for these differences.

C. (i) A country which accepts a Codex standard according to one of the provisions of 4.A is responsible for the uniform and impartial application of the provisions of the standard as accepted, in respect of all home-produced and imported products distributed within its territorial jurisdiction. In addition, the country should be prepared to offer advice and guidance to exporters and processors of products for export to promote understanding of and compliance with the requirements of importing countries which have accepted a Codex standard according to one of the provisions of 4.A.

— (ii) Where, in an importing country, a product claimed to be in compliance with a Codex standard is found not to be in compliance with that standard, whether in respect of the label accompanying the product or otherwise, the importing country should inform the competent authorities in the exporting country of all the relevant facts and in particular the details of the origin of the product in question (name and address of the exporter), if it is thought that a person in the exporting country is responsible for such non-compliance.

Acceptance of Codex General Standards

5.A. — A Codex general standard may be accepted by a country in accordance with its established legal and administrative procedures in respect of the distribution of products to which the general standard applies, whether imported or home-produced, within its territorial jurisdiction in the following ways:

(i) — Full acceptance

Full acceptance of a general standard means that the country concerned will ensure, within its territorial jurisdiction, that a product to which the general standard applies will comply with all the relevant requirements of the general standard except as otherwise provided in a Codex commodity standard. It also means that the distribution of any sound products conforming with the standard will not be hindered by any legal or administrative provisions in the country concerned, which relate to the health of the consumer or to other food standard matters and which are covered by the requirements of the general standard.

(ii) — Acceptance with specified deviations

Acceptance with specified deviations means that the country concerned gives acceptance, as defined in paragraph 5.A(i), to the general standard with the exception of such deviations as are specified in detail in its declaration of acceptance. The country concerned will further include in its declaration of acceptance a statement of the reasons for these deviations, and also indicate whether it expects to be able to give full acceptance to the general standard and, if so, when.

(iii) — *Free distribution*

A declaration of free distribution means that the country concerned undertakes that products conforming with the relevant requirements of a Codex general standard may be distributed freely within its territorial jurisdiction insofar as matters covered by the Codex general standard are concerned.

B. — A country which considers that it cannot accept the general standard in any of the ways mentioned above should indicate in what ways its present or proposed requirements differ from the general standard, and if possible, the reasons for these differences.

C. (i) A country which accepts a general standard according to one of the provisions of paragraph 5.A is responsible for the uniform and impartial application of the provisions of the standard as accepted, in respect of all home produced and imported products distributed within its territorial jurisdiction. In addition, the country should be prepared to offer advice and guidance to exporters and processors of products for export to promote understanding of and compliance with the requirements of importing countries which have accepted a general standard according to one of the provisions of paragraph 5.A.

— (ii) Where, in an importing country, a product claimed to be in compliance with a general standard is found not to be in compliance with that standard, whether in respect of the label accompanying the product or otherwise, the importing country should inform the competent authorities in the exporting country of all the relevant facts and in particular the details of the origin of the product in question (name and address of the exporter), if it is thought that a person in the exporting country is responsible for such non-compliance.

Acceptance of Codex Maximum Limits for Residues of Pesticides and Veterinary Drugs in Food

6.A. — A Codex maximum limit for residues of pesticides or veterinary drugs in food may be accepted by a country in accordance with its established legal and administrative procedures in respect of the distribution within its territorial jurisdiction of (a) home produced and imported food or (b) imported food only, to which the Codex maximum limit applies in the ways set forth below. In addition, where a Codex maximum limit applies to a group of foods not individually named, a country accepting such Codex maximum limit in respect of other than the group of foods, shall specify the foods in respect of which the Codex maximum limit is accepted.

(i) — *Full acceptance*

Full acceptance of a Codex maximum limit for residues of pesticides or veterinary drugs in food means that the country concerned will ensure, within its territorial jurisdiction, that a food, whether home-produced or imported, to which the Codex maximum limit applies, will comply with that limit. It also means that the distribution of a food conforming with the Codex maximum limit will not be hindered by any legal or administrative provisions in the country concerned which relate to matters covered by the Codex maximum limit.

(ii) — *Free distribution*

A declaration of free distribution means that the country concerned undertakes that products conforming with the Codex maximum limit for residues of pesticides or veterinary drugs in food may be distributed freely within its territorial jurisdiction insofar as matters covered by the Codex maximum limit are concerned.

B. — A country which considers that it cannot accept the Codex maximum limit for residues of pesticides or veterinary drugs in foods in any of the ways mentioned above should indicate in what ways its present or proposed requirements differ from the Codex maximum limit and, if possible, the reasons for these differences.

C. — ~~A country which accepts a Codex maximum limit for residues of pesticides or veterinary drugs in food according to one of the provisions of paragraph 6.A should be prepared to offer advice and guidance to exporters and processors of food for export to promote understanding of and compliance with the requirements of importing countries which have accepted a Codex maximum limit according to one of the provisions of paragraph 6.A.~~

D. — ~~Where, in an importing country, a food claimed to be in compliance with a Codex maximum limit is found not to be in compliance with the Codex maximum limit, the importing country should inform the competent authorities in the exporting country of all the relevant facts and, in particular, the details of the origin of the food in question (name and address of the exporter), if it is thought that a person in the exporting country is responsible for such non-compliance.~~

Withdrawal or Amendment of Acceptance

7. — ~~The withdrawal or amendment of acceptance of a Codex standard or a Codex maximum limit for residues of pesticides or veterinary drugs in food by a country shall be notified in writing to the Codex Alimentarius Commission's Secretariat who will inform all Member States and Associate Members of FAO and WHO of the notification and its date of receipt. The country concerned should provide the information required under paragraphs 4.A(iii), 5.A(iii), 4.B, 5.B or 6.B above, whichever is appropriate. It should also give as long a notice of the withdrawal or amendment as is practicable.~~

Revision of Codex Standards

48. The Codex Alimentarius Commission and its subsidiary bodies are committed to revision as necessary of Codex standards and related texts to ensure that they are consistent with and reflect current scientific knowledge and other relevant information. When required, a standard or related text shall be revised or removed using the same procedures as followed for the elaboration of a new standard. Each member of the Codex Alimentarius Commission is responsible for identifying, and presenting to the appropriate committee, any new scientific and other relevant information which may warrant revision of any existing Codex standards or related texts.

GUIDELINES FOR THE ACCEPTANCE PROCEDURE FOR CODEX STANDARDS

The importance of a response to every notification

1. — ~~The Codex Alimentarius is the record of Codex Standards and of acceptances or other notifications by Member Countries or international organizations to which competence in the matter has been transferred by their Member States. It is revised regularly to take account of the issue of new or amended standards and the receipt of notifications. It is important that governments respond to every issue of new or amended standards. Governments should aim at giving formal acceptance to the standards. If acceptance or free circulation cannot be given unconditionally, the deviations or conditions, and the reasons, can be included in the response. Early and regular responses will ensure that the Codex Alimentarius can be kept up to date so as to serve as an indispensable reference for governments and international traders.~~

2. — ~~Governments should ensure that the information in the Codex Alimentarius reflects the up to date position. When changing national laws or practices the need for a notification to the Codex Secretariat should always be kept in mind.~~

3. — ~~The Codex procedure for elaboration of standards enables governments to participate at all stages. Governments should be able to make an early response to the issue of a Codex standard and should do their utmost to be ready to do so.~~

The Codex Alimentarius: not a substitute for, or alternative to, referring to national legislation

4. — ~~Every country's laws and administrative procedures contain provisions which it is essential to understand and comply with. It is usually the practice to take steps to obtain copies of relevant legislation~~

and/or to obtain professional advice about compliance. The Codex Alimentarius is a comparative record of the substantive similarities and differences between Codex Standards and corresponding national legislation. The Codex Standard will not normally deal with general matters of human, plant or animal health or with trade marks. The language which is required on labels will be a matter for national legislation and so will import licences and other administrative procedures.

5. The responses by governments should show clearly which provisions of the Codex Standard are identical to, similar to or different from, the related national requirements. General statements that national laws must be complied with should be avoided or accompanied by details of national provisions which require attention. Judgement will sometimes be required where the national law is in a different form or where it has different provisions.

Obligations under the Acceptance Procedure

6. The obligations which a country undertakes under the acceptance procedure are included in paragraph 4 of the General Principles. Paragraph 4.A(i)(a) provides for free distribution of conforming products, 4.A(i)(b) with the need to ensure that products which do not conform may not be distributed "under the name and description laid down". Paragraph 4.A(i)(c) is a general requirement not to hinder the distribution of sound products, except for matters relating to human, plant or animal health, not specifically dealt with in the standard. Similar provisions are included in Acceptance with Specified Deviations.

7. The essential difference between acceptances and notifications of free distribution is that a country which accepts, undertakes to enforce the Codex standard and to accept all the obligations set out in the General Principles subject to any specified deviations.

8. The Codex Committee on General Principles (CCGP) and the Commission (CAC) have reviewed the acceptance procedure and notifications by governments on a number of occasions. While recognizing that difficulties can arise from time to time in reconciling the obligations of the acceptance procedure with the laws and administrative procedures of a Member Country, the CCGP and the CAC have determined that the obligations are essential to the work and status of the CAC and that they should not be weakened in any way. The purpose of these guidelines therefore is to assist governments when they are considering how, in the light of the objectives of the acceptance procedure, to respond to Codex Standards.

The return of the response

9. The principal decision which is required is whether to notify an acceptance according to one of the methods prescribed, or non acceptance as provided for in 4.B. Free distribution (4.A(iii)) does not carry with it the obligation to prevent non conforming products from being circulated, and it may be useful in cases where there is no corresponding national standard and no intention to introduce one.

The need for an informed, responsible judgement when comparing the Codex Standard with national laws

10. There will be some occasions when the detail in the Codex Standard is identical with national laws. Difficulties will arise however when national laws are in a different form, contain different figures or no figures at all, or in cases where there may be no standard in the country which corresponds in substance to the Codex Standard. The authority responsible for notifying the response to the CAC is urged to do its best to overcome any such difficulties by the exercise of its best endeavours and to respond, after such consultations as may be appropriate with the national organizations. The grounds on which the judgement has been based can be made clear in the notification. It may well be that they will not be such as to justify an acceptance, because of the obligations to stop the distribution of non conforming products, but a statement of free circulation should be possible on the basis of the facts and practices of each case. If there was a court decision or change in the law or practice subsequently, an amending response should be made.

Presumptive standards

11. A presumptive standard is one which is assumed to be the standard in the absence of any other. (A presumption in law is the assumption of the truth of anything until the contrary is proved.) Some countries have said that a Codex MRL is the presumptive limit for a pesticide residue. Countries may be able and willing to regard a Codex Standard as the presumptive standard in cases where there is no corresponding standard, code of practice or other accepted expression of the “nature, substance or quality” of the food. A country need not apply the presumption to all the provisions of the standard if the details of its additives, contaminants, hygiene or labelling rules are different from those in the standard. In such a case the provisions in the Codex Standard defining the description, essential composition and quality factors relating to the specified name and description could still be the presumptive standard for those matters.

12. The justification for regarding the Codex Standard as a presumptive standard is the fact that it is the minimum standard for a food elaborated in the CAC “so as to ensure a sound, wholesome product free from adulteration, correctly labelled and presented”. (General Principles, Paragraph 3.) The word minimum does not have any pejorative connotations: it simply means the level of quality and soundness of a product judged by consensus to be appropriate for trade internationally and nationally.

13. Whether a presumptive standard would merit an acceptance would depend on whether the country concerned could say that non conforming products could not be distributed under the same name and description laid down in the standard. However it would enable a declaration of free circulation to be made and countries are asked to give the idea serious consideration.

Format and Content of Codex Standards

Scope

14. This section, together with the name of the standard and the name and description laid down in the labelling section, should be examined in order to assess whether the obligations of the acceptance procedure can properly be accepted.

Description, essential composition and quality factors

15. These sections will define the minimum standard for the food. They will be the most difficult to address unless by chance the details are virtually identical (i.e. ignoring significant matters of editorial expression or format). However, a country which has taken part in the elaboration of the standard either by attending the meetings or by sending comments under the Step Procedure has, no doubt, consulted national organizations on the extent to which the draft provisions in the standard would be acceptable nationally. This factual information needs to be turned into a formal response when the standard is sent out for acceptance. Countries are asked to do their best to exercise an informal judgement on lines discussed in Paragraph 7 above. Some of the quality criteria e.g. allowances for defects may represent good manufacturing practice or be left to trade contracts. This will have to be taken into account. A free distribution response ought to be possible in most cases.

Food Additives

16. The food additives included in the standard have been assessed and cleared by JECFA. The Commodity Committee and the CCFAC have assessed technological need and safety in use. If national laws are different, all the detailed differences should be reported. It should be borne in mind, however, that the aim of international food standardization work is to harmonize policies and attitudes as much as possible. Therefore every effort should be made to keep deviations to the minimum.

Contaminants

17. If national limits apply they should be quoted if not the same as those laid down in the Codex Standard. Where general laws about safety, health or nature of the food apply, the limits quoted in the standard could properly be regarded as representing those which are unavoidable in practice and within safety limits.

Hygiene and Weights and Measures

18. If national requirements are different they should be reported.

Labelling

19. The General Standard for the Labelling of Prepackaged Foods represents the international consensus on information to be included on the labels of all foods.

20. Governments are exhorted to use the General Standard as a basis for their national legislation and to keep differences to an absolute minimum especially those of detail or minutiae. Governments should observe the footnote to the Scope section and should ensure that all compulsory provisions relating to presentation of information which are additional to, and different from, those in the standard should be notified. Any other compulsory provisions in national legislation should also be notified if they are not provided for in the Codex standard. The labelling provisions in Codex standards include sections of the revised General Standard by reference. When accepting a Codex commodity standard, a country which has already accepted and responded to the General Standard can then refer to the terms of that acceptance in any subsequent responses. As much specific information as is relevant and helpful should be given. In particular, this should include the name and description relating to the food, the interpretation of any special requirements relating to the law or custom of the country, any additional details about presentation of the mandatory information and detailed differences if any in the labelling requirements e.g. in relation to class names, declaration of added water, declaration of origin. It will be assumed that the language(s) in which the particulars should be given will be as indicated by national legislation or custom.

Methods of Analysis and Sampling

21. The obligations which a country assumes in accepting the following Codex Defining Methods of Analysis included in Codex standards are as follows⁷:

- (a) Codex Defining Methods of Analysis (Type I) are subject to acceptance by governments just as are the provisions which they define and which form part of Codex standards.

—“Full acceptance” of a Codex Defining Method means the acceptance that the value provided for in a Codex standard is defined by means of the Codex method. In determining compliance with the value in the Codex standard, governments undertake to use the Codex Defining Method, especially in cases of disputes involving the results of analysis.

—“Non acceptance” of Codex Defining Method or acceptance of Codex standards with substantive deviations in the Codex Defining Methods means acceptance of the Codex standard with specified deviation.

- (b) The “acceptance” of Codex standards containing Codex Reference Methods of Analysis (Type II) means the recognition that Codex Reference Methods are methods the reliability of which has been demonstrated on the basis of internationally acceptable criteria. They are, therefore, obligatory for use, i.e. subject to acceptance by governments, in disputes involving the results of analysis. “Non acceptance” of the Codex Reference Method or acceptance of Codex standards with substantive deviations in the Codex Reference Methods for use in disputes involving methods of analysis, should be taken to mean acceptance of the Codex standard with specified deviation.

- (c) The “acceptance” of Codex standards containing Codex Alternative Approved Methods of Analysis (Type III) means the recognition that Codex Alternative Approved Methods are methods the reliability of which has been demonstrated in terms of internationally acceptable criteria. They are recommended for use in food control, inspection or for regulatory purposes.

⁷ The Committee on General Principles, when elaborating these Guidelines, noted that the Classification of Methods was under review by the Codex Committee on Methods of Analysis and Sampling and that the application of Part (b) particularly could be unnecessarily restrictive.

~~—“Non-acceptance” of a Codex Alternative Approved Method does not constitute a deviation from the Codex standard.~~

~~(d) Since the reliability of the Tentative Methods (Type IV) has not yet been endorsed by the Codex Committee on Methods of Analysis and Sampling on the basis of the internationally accepted criteria, it follows that they cannot be regarded as final Codex methods. Type IV methods may, eventually become Type I, II or III methods with the resultant implications regarding the acceptance of Codex methods. Type IV methods are, therefore, not recommended as Codex methods until their reliability has been recognized by the CCMAS. They may be included in draft Codex standards or in Codex standards provided their non approved status is clearly indicated.~~

Summary

~~22. Governments are urged to respond to every issue of Codex standards. The inclusion of responses in the Codex Alimentarius will enable the CAC and Member Governments to address the question of closer approximation of international and national requirements. Governments are urged to take the Codex standard fully into consideration when changing their national laws. The Codex Alimentarius will always be an invaluable reference for governments and for international traders although national legislation must always be consulted and complied with.~~

AMENDMENTS TO THE TERMS OF REFERENCE OF SUBSIDIARY BODIES

FAO/WHO Coordinating Committees

[(a) – (g)] Unchanged

(h) promotes the ~~use~~**acceptance** of Codex standards and ~~related texts~~**maximum limits for residues** by ~~members~~ countries.

**RISK ANALYSIS PRINCIPLES
APPLIED BY THE CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS**

1. SCOPE

- a) This document addresses the respective applications of risk analysis principles by the Codex Committee on Food Additives and Contaminants (CCFAC) and the Joint FAO/WHO Expert Committee on Food Additives (JECFA). For matters which cannot be addressed by JECFA, this document does not preclude the possible consideration of recommendations arising from other internationally recognized expert bodies, as approved by the Commission.
- b) This document should be read in conjunction with the *Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius*.

2. CCFAC and JECFA

- c) CCFAC and JECFA recognize that communication between risk assessors and risk managers is critical to the success of their risk analysis activities.
- d) CCFAC and JECFA should continue to develop procedures to enhance communication between the two committees.
- e) CCFAC and JECFA should ensure that their contributions to the risk analysis process involve all interested parties and are fully transparent and thoroughly documented. While respecting legitimate concerns to preserve confidentiality, documentation should be made available, upon request, in a timely manner to all interested parties.
- f) JECFA, in consultation with CCFAC, should continue to explore developing minimum quality criteria for data requirements necessary for JECFA to perform risk assessments. These criteria are used by CCFAC in preparing its Priority List for JECFA. The JECFA Secretariat should consider whether these minimum quality criteria for data have been met when preparing the provisional agenda for meetings of JECFA.

3. CCFAC

- g) CCFAC is primarily responsible for recommending risk management proposals for adoption by the CAC.
- h) CCFAC shall base its risk management recommendations to the CAC on JECFA's risk assessments, including safety assessments⁸, of food additives, naturally occurring toxicants, and contaminants in food.
- i) In cases where JECFA has performed a safety assessment and CCFAC or the CAC determines that additional scientific guidance is necessary, CCFAC or CAC may make a more specific request to JECFA to obtain the scientific guidance necessary for a risk management decision.
- j) CCFAC's risk management recommendations to the CAC with respect to food additives shall be guided by the principles described in the Preamble and relevant annexes of the Codex General Standard for Food Additives.
- k) CCFAC's risk management recommendations to the CAC with respect to contaminants and naturally occurring toxicants shall be guided by the principles described in the Preamble and relevant annexes of the Codex General Standard for Contaminants and Naturally Occurring Toxins in Food.
- l) CCFAC's risk management recommendations to the CAC that involve health and safety aspects of food standards shall be based on JECFA's risk assessments and other legitimate factors relevant to the health

⁸ A Safety Assessment is defined as a scientifically-based process consisting of: 1) the determination of a NOEL (No Observed Effect Level) for a chemical, biological, or physical agent from animal feeding studies and other scientific considerations; 2) the subsequent application of safety factors to establish an ADI or tolerable intake; and 3) comparison of the ADI or tolerable intake with probable exposure to the agent (Temporary definition to be modified when JECFA definition will be available).

protection of consumers and to ensuring fair practices in food trade in accordance with the *Criteria for the Consideration of the Other Factors Referred to in the Second Statement of Principles*.

- m) CCFAC's risk management recommendations to the CAC shall take into account the relevant uncertainties and safety factors described by JECFA.
- n) CCFAC shall endorse maximum use levels only for those additives for which 1) JECFA has established specifications of identity and purity and 2) JECFA has completed a safety assessment or has performed a quantitative risk assessment.
- o) CCFAC shall endorse maximum levels only for those contaminants for which 1) JECFA has completed a safety assessment or has performed a quantitative risk assessment and 2) the level of the contaminant in food can be determined through appropriate sampling plans and analysis methods, as adopted by Codex. CCFAC should take into consideration the analytical capabilities of developing countries unless public health considerations require otherwise.
- p) CCFAC shall take into account differences in regional and national food consumption patterns and dietary exposure as assessed by JECFA when recommending maximum use levels for additives or maximum levels for contaminants and naturally occurring toxicants in food.
- q) Before finalising proposals for maximum levels for contaminants and naturally occurring toxicants, CCFAC shall seek the scientific advice of JECFA about the validity of the analysis and sampling aspects, about the distribution of concentrations of contaminants and naturally occurring toxicants in foods and about other relevant technical and scientific aspects, including dietary exposure, as necessary to provide for a suitable scientific basis for its advice to CCFAC.
- r) When establishing its standards, codes of practice, and guidelines, CCFAC shall clearly state when it applies any other legitimate factors relevant to the health protection of consumers and to ensuring fair practices in food trade in accordance with the *Criteria for the Consideration of the Other Factors Referred to in the Second Statement of Principles*, in addition to JECFA's risk assessment, and specify its reasons for doing so.
- s) CCFAC's risk communication with JECFA includes prioritising substances for JECFA review with the view towards obtaining the best available risk assessment for purposes of elaborating safe conditions of use for food additives and elaborating safe maximum levels or codes of practice for contaminants and naturally occurring toxicants in food.
- t) CCFAC shall consider the following when preparing its priority list of substances for JECFA review:
 - Consumer protection from the point of view of health and prevention of unfair trade practices;
 - CCFAC's Terms of Reference;
 - JECFA's Terms of Reference;
 - The Codex Alimentarius Commission's Strategic Plan , its relevant plans of work and *Criteria for the Establishment of Work Priorities*;
 - The quality, quantity, adequacy, and availability of data pertinent to performing a risk assessment, including data from developing countries;
 - The prospect of completing the work in a reasonable period of time;
 - The diversity of national legislation and any apparent impediments to international trade;
 - The impact on international trade (i.e., magnitude of the problem in international trade);
 - The needs and concerns of developing countries; and,
 - Work already undertaken by other international organizations;
- u) When referring substances to JECFA, CCFAC shall provide background information and clearly explain the reasons for the request when chemicals are nominated for evaluation;
- v) CCFAC may also refer a range of risk management options, with a view toward obtaining JECFA's guidance on the attendant risks and the likely risk reductions associated with each option.
- w) CCFAC requests JECFA to review any methods and guidelines being considered by CCFAC for assessing maximum use levels for additives or maximum levels for contaminants and naturally occurring toxicants. CCFAC makes any such request with a view toward obtaining JECFA's guidance on the

limitations, applicability, and appropriate means for implementation of a method or guideline for CCFAC's work.

4. JECFA

- x) JECFA is primarily responsible for performing the risk assessments upon which CCFAC and ultimately the CAC base their risk management decisions.
- y) JECFA's scientific experts should be selected on the basis of their competence and independence, taking into account geographical representation to ensure that all regions are represented.
- z) JECFA should strive to provide CCFAC with science-based risk assessments that include the four components of risk assessment as defined by CAC and safety assessments that can serve as the basis for CCFAC's risk-management discussions. For contaminants and naturally occurring toxicants, JECFA should determine to the extent possible the risks associated with various levels of intake. Because of the lack of appropriate information, including data in humans, however, this may be possible in only a few cases for the foreseeable future. For additives, JECFA should continue to use its safety assessment process for establishing ADIs.
- aa) JECFA should strive to provide CCFAC with science-based quantitative risk assessments and safety assessments for food additives, contaminants, and naturally occurring toxicants in a transparent manner.
- bb) JECFA should provide CCFAC with information on the applicability and any constraints of the risk assessment to the general population to particular sub-populations and should as far as possible identify potential risks to populations of potentially enhanced vulnerability (e.g., children, women of child-bearing age, the elderly).
- cc) JECFA should also strive to provide CCFAC with specifications of identity and purity essential to assessing risk associated with the use of additives.
- dd) JECFA should strive to base its risk assessments on global data, including data from developing countries. These data should include epidemiological surveillance data and exposure studies.
- ee) JECFA is responsible for evaluating exposure to additives, contaminants, and naturally occurring toxicants.
- ff) When evaluating intake of additives or contaminants and naturally occurring toxicants during its risk assessment, JECFA should take into account regional differences in food consumption patterns.
- gg) JECFA should provide to CCFAC its scientific views on the validity and the distribution aspects of the available data regarding contaminants and naturally occurring toxicants in foods which have been used for exposure assessments, and should give details on the magnitude of the contribution to the exposure from specific foods as may be relevant for risk management actions or options of CCFAC.
- hh) JECFA should communicate to CCFAC the magnitude and source of uncertainties in its risk assessments. When communicating this information, JECFA should provide CCFAC with a description of the methodology and procedures by which JECFA estimated any uncertainty in its risk assessment.
- ii) JECFA should communicate to CCFAC the basis for all assumptions used in its risk assessments including default assumptions used to account for uncertainties.
- jj) JECFA's risk assessment output to CCFAC is limited to presenting its deliberations and the conclusions of its risk assessments and safety assessments in a complete and transparent manner. JECFA's communication of its risk assessments should not include the consequences of its analyses on trade or other non-public health consequence. Should JECFA include risk assessments of alternative risk management options, JECFA should ensure that these are consistent with the Working Principles for Risk Analysis for the Application in the Framework of the Codex Alimentarius and Risk Analysis Principles applied by the Codex Committee on Food Additives and Contaminants.
- kk) When establishing the agenda for a JECFA meeting, the JECFA Secretariat work closely with CCFAC to ensure that CCFAC's risk management priorities are addressed in a timely manner. With respect to food additives, the JECFA Secretariat should normally give first priority to compounds that have been assigned a temporary ADI, or equivalent. Second priority should normally be given to food additives or groups of additives that have previously been evaluated and for which an ADI, or equivalent, has been estimated, and for which new information is available. Third priority should normally be given to food additives that have not been previously evaluated. With respect to contaminants and naturally occurring toxicants, the JECFA Secretariat should give priority to substances that present both a significant risk to public health and are a known or expected problem in international trade.

- II) When establishing the agenda for a JECFA meeting, the JECFA Secretariat should give priority to substances that are known or expected problems in international trade or that present an emergency or imminent public health risk.

CCFAC POLICY FOR EXPOSURE ASSESSMENT OF CONTAMINANTS AND TOXINS IN FOODS OR FOOD GROUPS

INTRODUCTION

1. Maximum Limits (MLs) do not need to be set for all foods that contain a contaminant or a toxin. The Preamble of the Codex General Standard for Contaminants and Toxins in Foods (GSCTF) states in Section 1.3.2 that “maximum levels (MLs) shall only be set for those foods in which the contaminant may be found in amounts that are significant for the total exposure of the consumer. They should be set in such a way that the consumer is adequately protected”. Setting standards for foods that contribute little to dietary exposure would mandate enforcement activities that do not contribute significantly to health outcomes.
2. Exposure assessment is one of the four components of risk assessment within the risk analysis framework adopted by Codex as the basis for all standard-setting processes. The estimated contribution of specific foods or food groups to the total dietary exposure to a contaminant as it relates to a quantitative health hazard endpoint (e.g., PMTDI, PTWI) provides further information needed for the setting of priorities for the risk management of specific foods/food groups. Exposure assessments must be guided by clearly articulated policies elaborated by Codex with the aim of increasing the transparency of risk management decisions.
3. The purpose of this Annex is to outline steps in contaminant data selection and analysis undertaken by JECFA when requested by CCFAC to conduct a dietary exposure assessment.
4. The following components highlight aspects of JECFA’s exposure assessment of contaminants and toxins that contribute to ensuring transparency and consistency of science-based risk assessments. Exposure assessments of contaminants and toxins in foods are performed by JECFA at the request of CCFAC. CCFAC will take this information into account when considering risk management options and making recommendations regarding contaminants and toxins in foods.

1. ESTIMATION OF TOTAL DIETARY EXPOSURE TO A CONTAMINANT OR TOXIN FROM FOODS/FOOD GROUPS

5. JECFA uses available data from member countries and from GEMS/Food Operating Program for analytical laboratories system on contaminant levels in foods and the amount of foods consumed to estimate total dietary exposure to a contaminant or toxin. This is expressed as a percentage of the tolerable intake (e.g., PTDI, PTWI, or other appropriate toxicological reference point). For a carcinogen with no clear threshold, JECFA uses available data on intake combined with data on carcinogenic potency to estimate potential population risks.
6. Median/mean contaminant levels in foods are determined from available analytical data submitted by countries and from other sources. These data are combined with information available for the GEMS/Food Regional diets to generate dietary exposure estimates for regions in the world. JECFA provides an estimate as to which of the GEMS/Food Regional diets are likely to approach or exceed the tolerable intake.
7. In some cases, available national contaminant and/or individual food consumption data may be used by JECFA to provide more accurate estimates of total dietary exposure, particularly for vulnerable groups such as children.
8. JECFA performs exposure assessments if requested by CCFAC using the GEMS/Food Regional Diets and, if needed, available national consumption data to estimate the impact on dietary exposure of proposed alternative maximum levels to inform CCFAC about these risk management options.

2. IDENTIFICATION OF FOODS/FOOD GROUPS THAT CONTRIBUTE SIGNIFICANTLY TO TOTAL DIETARY EXPOSURE OF THE CONTAMINANT OR TOXIN

9. From dietary exposure estimates JECFA identifies foods/food groups that contribute significantly to the exposure according to CCFAC's criteria for selecting food groups that contribute to exposure.
10. The CCFAC determines criteria for selecting foods/food groups that contribute significantly to total dietary exposure of a contaminant or toxin. These criteria are based upon the percentage of the tolerable intake (or similar health hazard endpoint) that is contributed by a given food/food group and the number of geographic regions (as defined by the GEMS/Food Regional diets) for which dietary exposures exceed that percentage.
11. The criteria are as follows:
 - a) Foods or food groups for which exposure to the contaminant or toxin contributes approximately 10%⁹ or more of the tolerable intake (or similar health hazard endpoint) in one of the GEMS/Food Regional diets;
 - or,
 - b) Foods or food groups for which exposure to the contaminant or toxin contributes approximately 5%¹ or more of the tolerable intake (or similar health hazard endpoint) in two or more of the GEMS/Food Regional diets;
 - or,
 - c) Foods or food groups that may have a significant impact on exposure for specific groups of consumers, although exposure may not exceed 5% of the tolerable intake (or similar health hazard endpoint) in any of the GEMS/Food Regional diets. These would be considered on a case-by-case basis.

3. GENERATION OF DISTRIBUTION CURVES FOR CONCENTRATIONS OF THE CONTAMINANT IN SPECIFIC FOODS/FOOD GROUPS (concurrent with section 2, or subsequent step)

12. If requested by CCFAC, JECFA uses available analytical data on contaminant or toxin levels in foods/food groups identified as significant contributors to dietary exposure to generate distribution curves of contaminant concentrations in individual foods. CCFAC will take this information into account when considering risk management options and, if appropriate, for proposing the lowest achievable levels for contaminants/toxins in food on a global basis.
13. Ideally, individual data from composite samples or aggregated analytical data would be used by JECFA to construct the distribution curves. When such data are not available, aggregated data would be used (for example mean and geometric standard deviation). However, methods to construct distribution curves using aggregated data would need to be validated by JECFA.
14. In presenting the distribution curves to CCFAC, JECFA should, to the extent possible, provide a comprehensive overview of the ranges of contamination of foods (i.e., both the maximum and outlier values) and of the proportion of foods/food groups that contain contaminants/toxins at those levels.

4. ASSESSMENT OF THE IMPACT OF AGRICULTURAL AND PRODUCTION PRACTICES ON CONTAMINANT LEVELS IN FOODS/FOOD GROUPS (concurrent with section 2, or subsequent step)

15. If requested by CCFAC, JECFA assesses the potential impact of different agricultural and production practices on contaminant levels in foods to the extent that scientific data are available to support such assessments. CCFAC takes this information into account when considering risk management options and for proposing Codes of Practice.
16. Taking this information into account, CCFAC proposes risk management decisions. To refine them, CCFAC may request JECFA to undertake a second assessment to consider specific exposure scenarios based on proposed risk management options. The methodology for assessing potential contaminant exposure in relation to proposed risk management options needs to be further developed by JECFA.

⁹ Rounded to the nearest 1/10th of a percent.

CRITERIA FOR THE ESTABLISHMENT OF WORK PRIORITIES

When a Codex Committee proposes to elaborate a standard, code of practice or related text within its terms of reference, it should first consider the priorities established by the Commission in the strategic plan, the relevant outcomes of the critical review conducted by the Executive Committee, and the prospect of completing the work within a reasonable period of time. It should also assess the proposal against the criteria set out below.

If the proposal falls in an area outside the Committee's terms of reference the proposal should be reported to the Commission in writing together with proposals for such amendments to the Committee's terms of reference as may be required.

CRITERIA

General criterion

Consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries.

Criteria applicable to general subjects

- (a) Diversification of national legislations and apparent resultant or potential impediments to international trade.
- (b) Scope of work and establishment of priorities between the various sections of the work.
- (c) Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies).

Criteria applicable to commodities

- (a) Volume of production and consumption in individual countries and volume and pattern of trade between countries.
- (b) Diversification of national legislations and apparent resultant or potential impediments to international trade.
- (c) International or regional market potential.
- (d) Amenability of the commodity to standardisation.
- (e) Coverage of the main consumer protection and trade issues by existing or proposed general standards.
- (f) Number of commodities which would need separate standards indicating whether raw, semi-processed or processed.
- (g) Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies).

GUIDELINES ON PHYSICAL WORKING GROUPS

INTRODUCTION

Working groups should be *ad hoc*, open to all members, take into account the problems of developing country participation and only be established where there is consensus in the Committee to do so and other strategies have been considered.

The Rules of Procedure and the guidelines governing the work of a Codex Committee shall apply, *mutatis mutandis*, to the working groups this Committee establishes, unless stated otherwise in these Guidelines.¹⁰

The Guidelines applying to physical working groups (hereinafter, "working groups") established by Codex Committees as described in these guidelines apply also to those established by Regional Coordinating Committees and by Codex ad hoc Intergovernmental Task Forces.

COMPOSITION OF WORKING GROUPS

Membership

Membership of a working group is notified to the chairperson of the Codex Committee and to the host country secretariat of the Committee.

When establishing a working group, a Codex Committee should ensure, as far as possible, that the membership is representative of the membership of the Commission.

Observers

Observers should notify the Chairperson of the Codex Committee and to the host country secretariat of the Committee of their wish to participate in a working group. Observers may participate in all sessions and activities of a working group, unless otherwise specified by the Committee members.

ORGANIZATION AND DUTIES

A Codex Committee may decide that the working groups will be managed by the Host Government Secretariat, or by another member of the Commission, having volunteered to undertake this responsibility and having been accepted by the Committee (hereinafter "the Host").

Chairperson

The Host is responsible for appointing the chairperson of the working group. While selecting of the appointee, the Host may consider applying, where relevant, the *Codex Criteria for the Appointment of Chairpersons*¹¹.

Secretariat

The Host is responsible for providing all conference services, including the secretariat, for the working group and should meet all the requirements agreed upon by the Committee, when the working group was established.

Duties and Terms of Reference

The terms of reference of the working group shall be established by the Committee during its plenary session, shall be limited to the immediate task at hand and normally shall not be subsequently modified.

¹⁰ The provisions of the "Guidelines to Host Governments of Codex Committees and Ad Hoc Intergovernmental Task Forces", the "Guidelines on the Conduct of Meetings of Codex Committees and Ad Hoc Intergovernmental Task Forces" and the "Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces" are especially relevant in this matter.

¹¹ Reference is made to the *Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces*.

The terms of reference shall clearly state the objective(s) to be achieved by the establishment of the working group and the language(s) to be used. Interpretation and translation services should be provided in all languages of the Committee, unless decided otherwise by the Committee.

The terms of reference shall clearly state the time frame by which the work is expected to be completed. The proposals/recommendations of a working group shall be presented to the Committee for consideration.

They shall not be binding on the Committee.

The working group shall be dissolved after the specified work has been completed or when the time limit allocated for the work has expired or at any other point in time, if the Codex Committee which has established it, so decides.

No decision on behalf of the Committee, nor vote, either on point of substance or of procedure, shall take place in working groups.

SESSIONS

Date

A session of a working group may be held at any time, in-between two sessions or in conjunction with the session of the Committee, which has established it.

When convened in-between two sessions of the Committee, the session of the working group should be scheduled as to allow the working group to report to the Committee well in advance of the next meeting so that countries and other interested parties, that were not members of the working group, can comment on the proposals that the working group might put to the Committee.

When convened during a session of a Committee, a working group should be scheduled so as to allow participation of all delegations present at the session.

Working Group Notification and Provisional Agenda

Sessions of a working group shall be convened by the Chairperson designated by the Host.

If the working group is scheduled in-between two sessions of the Committee, a notice of the working group meeting and provisional agenda shall be prepared, translated and distributed by the Host. It shall be issued to all Members and Observers who have expressed the willingness to attend the meeting. These documents should be distributed as far in advance of the meeting as possible.

Organization of Work

Written comments will be circulated to all concerned by the secretariat of the Host.

Preparation and Distribution of Papers

The secretariat of the Host should circulate the papers at least two months before the opening of the session.

Paper for the session prepared by the participants should be sent to the secretariat of the Host, in good time.

CONCLUSIONS

The Secretariat of the Host should, as soon as possible after the end of the session of a working group, send a copy of the final conclusions, in the form of either a discussion paper or a working document, and the list of participants, to the Joint FAO/WHO Secretariat and to the host country secretariat of the Committee.

Conclusions of a working group shall be distributed to all Codex Contact Points and observers by the Joint FAO/WHO Secretariat in time to allow full consideration of the working group's recommendations.

The Joint FAO/WHO Secretariat should ensure that these conclusions are included in the distribution of papers for the next session of the Codex Committee.

The working group shall report, through its Chairperson, on the progress of its work at the next session of the Committee, which has established the working group.

GUIDELINES ON ELECTRONIC WORKING GROUPS

INTRODUCTION

The search for world-wide consensus and for greater acceptability of Codex Standards requires the involvement of all the Members of Codex and the active participation of developing countries.

Special efforts are needed to enhance the participation of developing countries in Codex Committees, by increased use of written communications, especially through remote participation via email, internet and other modern technologies, in the work done between sessions of Committees.

Codex Committees, when deciding to undertake work between sessions, should give the first priority to considering the establishment of electronic working groups.

The Rules of Procedure and the guidelines governing the work of a Committee shall apply, *mutatis mutandis*, to the electronic working groups this Committee establishes, unless stated otherwise in these Guidelines.¹²

The Guidelines applying to electronic working groups established by Codex Committees, as described in these Guidelines, apply also to those established by Regional Coordinating Committees and by Codex *ad hoc* Intergovernmental Task Forces.

COMPOSITION OF ELECTRONIC WORKING GROUPS

Membership

Membership of an electronic working group is notified the chairperson of the Codex Committee and to the host country secretariat of the Committee.

When establishing an electronic working group, a Codex Committee should ensure, as far as possible, that the membership is representative of the membership of the Commission.

Observers

Observers should notify the Chairperson of the Committee and to the host country secretariat of the Committee, of their wish to participate in a working group. Observers may participate in all the activities of an electronic working group, unless otherwise specified by Committee members.

ORGANIZATION AND DUTIES

Codex Committees may decide that the electronic working group will be managed by the Host Government Secretariat, or by another member of the Commission, having volunteered to undertake this responsibility and having been accepted by the Committee (hereinafter "the Host"). The Host should be notified of the participants in an electronic working group by Codex Members through their Codex Contact Points and by Observer organizations.

Management

The Host is responsible for the management of the electronic working group for which it has been appointed.

The business of an electronic working group is transacted exclusively by electronic means.

Secretariat

The Host is responsible for providing the secretariat of the electronic working group with all services needed for its functioning, including suitable Information Technology (IT) equipment, and should meet all the requirements agreed upon by the Committee.

¹² The provisions of the "Guidelines to Host Governments of Codex Committees and Ad Hoc Intergovernmental Task Forces", the "Guidelines on the Conduct of Meetings of Codex Committees and Ad Hoc Intergovernmental Task Forces", the "Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces" and the "Guidelines on Physical Working Groups" are especially relevant in this matter.

Duties and Terms of Reference

The terms of reference of the electronic working group shall be established by the Committee during its plenary session, shall be limited to the immediate task at hand and normally shall not be subsequently modified.

The terms of reference shall clearly state the objective(s) to be achieved by the establishment of the electronic working group and the language(s) to be used. Interpretation and translation services should be provided in all languages of the Committee, unless decided otherwise by the Committee.

The terms of reference shall clearly state the time frame by which the work is expected to be completed.

The electronic working group shall be dissolved after the specified work has been completed or when the time limit allocated for the work has expired or at any other point in time, if the Codex Committee which has established it, so decides.

No decision on behalf of the Committee, nor vote, either on point of substance or of procedure, shall take place in electronic working groups.

Electronic Working Group Notification and Programme of Work

A notice indicating when the electronic working group starts to operate and a programme of work shall be prepared, translated and distributed by the Host to all Members and Observers who have expressed the willingness to contribute.

Organization of Work

Circulation of drafts and calls for comments shall include a request for the names, positions and e-mail addresses of all the persons willing to contribute to the business of the electronic working group.

Comments from participants should be submitted exclusively by electronic means. These submissions shall be circulated to all concerned by the Host.

Any participant should be made aware of the materials contributed by all others.

An update on the progress of its work shall be presented by the Host at each session of the Codex Committee which has established it, indicating the number of countries having sent contributions by mail. A compilation of these contributions should be made available.

Preparation and Distribution of Materials

Materials should be sent to the secretariat of the Host, in good time.

The Host is responsible for the distribution of all the materials submitted by a participant during the business of the electronic working group to all other participants of the electronic working group.

Attention should be given to constraints of a technical nature (file sizes and formats, limited band width, ...) and special care should be taken to ensure the widest distribution of all the available materials.

CONCLUSIONS

As soon as possible after the end of the business of an electronic working group, the secretariat of the Host should send a copy of the final conclusions, in the form of either a discussion paper or a working document and of the list of participants to the Joint FAO/WHO Secretariat and to the host country secretariat of the Committee.

The conclusions of an electronic working group and the list of participants shall be distributed to Codex Contact Points and observers by the Joint FAO/WHO Secretariat in time to allow full consideration of the electronic working group's recommendations.

The Joint FAO/WHO Secretariat should ensure that these conclusions are included in the distribution of papers for the next session of the Codex Committee, which has established the electronic working group.

REVISED PRINCIPLES CONCERNING THE PARTICIPATION OF INTERNATIONAL NON- GOVERNMENTAL ORGANIZATIONS IN THE WORK OF THE CODEX ALIMENTARIUS COMMISSION

1. PURPOSE

The purpose of collaboration with International Non-Governmental Organizations is to secure for the Codex Alimentarius Commission, expert information, advice and assistance from international non-governmental organizations and to enable organizations which represent important sections of public opinion and are authorities in their fields of professional and technical competence to express the views of their members and to play an appropriate role in ensuring the harmonizing of intersectoral interests among the various sectoral bodies concerned in a country, regional or global setting. Arrangements made with such organizations shall be designed to advance the purposes of the Codex Alimentarius Commission by securing maximum cooperation from International Non-Governmental Organizations in the execution of its programme.

2. TYPES OF RELATIONSHIP

Only one category of relationship shall be recognized, namely "Observer Status"; all other contacts, including working relations, shall be considered to be of an informal character.

3. ORGANIZATIONS ELIGIBLE FOR "OBSERVER STATUS"

1. The following shall be eligible for Observer Status:

- International Non-Governmental Organizations in consultative status, specialized consultative status or liaison status with FAO;
- International Non-Governmental Organizations having official relations with WHO; and
- International Non-Governmental Organizations that:
 - (a) are international in structure and scope of activity, and representative of the specialized field of interest in which they operate;
 - (b) are concerned with matters covering a part or all of the Commission's field of activity;
 - (c) have aims and purposes in conformity with the Statutes of the Codex Alimentarius Commission;
 - (d) have a permanent directing body and Secretariat, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries. Its members shall exercise voting rights in relation to its policies or action or shall have other appropriate mechanisms to express their views; and
 - (e) have been established at least three years before they apply for observer status.

2. For the purpose of paragraph (a), International Non-Governmental Organizations shall be considered "international in structure and scope of activity" if they have members and carry out activities in at least three countries. The Directors-General of FAO and WHO may, upon the advice of the Executive Committee, grant observer status to Organizations not meeting this requirement if it is clear from their application that they would make a significant contribution to advancing the purposes of the Codex Alimentarius Commission.

4. PROCEDURE FOR OBTAINING "OBSERVER STATUS"

4.1 INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS HAVING STATUS WITH FAO AND/OR OFFICIAL RELATIONS WITH WHO

"Observer status" shall be accorded to those International Non-Governmental Organizations in consultative status, specialized consultative status or liaison status with FAO or International Non-Governmental Organizations having official relations with WHO that inform the Secretary of the Codex Alimentarius Commission of their desire to participate in the work of the Commission and/or any or all of the Commission's subsidiary bodies¹³ on a regular basis. They may also request invitations to participate at specific sessions of the Commission or its subsidiary bodies on an ad hoc basis.

4.2 INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS NEITHER HAVING STATUS WITH FAO NOR OFFICIAL RELATIONS WITH WHO

Before any form of formal relationship is established with a Non-Governmental Organization, such Organization shall supply the Secretary of the Commission with the information outlined in the Annex to these Procedures.

The Secretary of the Commission will verify the completeness of the information provided by the Organization, and will also perform an initial assessment of whether the Organization appears to meet the requirements indicated in Section 3 of these Principles. In case of doubts, he or she will consult with the Directors-General of FAO and WHO and may seek further information and clarifications from the Organization as appropriate.

Upon satisfactory completion of the verification and assessment referred to in the previous paragraph, the Secretary of the Commission will submit the application and all relevant information received from the applicant to the Executive Committee for its advice, pursuant to Rule VIII.6 of the Rules of Procedure of the Codex Alimentarius Commission.

The Secretary of the Commission will transmit the application, together with all relevant information received from the applicant and the advice of the Executive Committee, to the Directors-General who will decide whether an Organization is to be granted observer status. In case of rejection of an application, a re-application by the same Organization shall not normally be considered until two years have elapsed since the Directors-General's decision on the original application.

The Secretary of the Commission shall inform each Organization of the Directors-General's decision on its application, and shall provide a written explanation of the decision in case of rejection.

Observer Status at specific meetings will not normally be granted to individual organizations that are members of a larger organization authorized and that intends to represent them at these meetings.

5. PRIVILEGES AND OBLIGATIONS

International Non-governmental Organizations in Observer status shall have the following privileges and obligations:

5.1 PRIVILEGES OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN "OBSERVER STATUS"

An Organization in Observer Status:

(a) shall be entitled to send an observer (without the right to vote) to sessions of the Commission, who may be accompanied by advisers; to receive from the Secretary of the Commission, in advance of the session, all working documents and discussion papers; to circulate to the Commission its views in writing, without abridgement; and to participate in discussions when invited by the Chairperson¹⁴;

¹³ The term "subsidiary bodies" means any body established under Rule X of the Commission's Rules of Procedure.

¹⁴ An invitation to a Codex meeting and representation thereat by an observer shall not imply the granting to an international non-governmental organization of a status different from that which it already enjoys.

(b) shall be entitled to send an observer (without the right to vote) to sessions of specified Subsidiary Bodies, who may be accompanied by advisers; to receive from the Secretaries of the Subsidiary Bodies, in advance of the session, all working documents and discussion papers; to circulate to these Bodies its views in writing, without abridgement; and to participate in discussions when invited by the Chairperson¹⁵;

(c) may be invited by the Directors-General to participate in meetings or seminars on subjects organized under the Joint FAO/WHO Food Standards Programme which fall within its fields of interest, and if it does not so participate it may submit its views in writing to any such meeting or seminar;

(d) will receive documentation and information about meetings planned on subjects agreed upon with the Secretariat;

(e) may submit, under the authority of its governing body, written statements on matters before the Commission, in one of the languages of Commission, to the Secretary, who may communicate them to the Commission or the Executive Committee as appropriate.

5.2 OBLIGATIONS OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN "OBSERVER STATUS"

An Organization in Observer Status shall undertake:

(a) to cooperate fully with the Codex Alimentarius Commission for the furtherance of the objectives of the Joint FAO/WHO Food Standards Programme;

(b) in cooperation with the Secretariat, to determine the ways and means of co-ordinating activities within the scope of the Joint FAO/WHO Food Standards Programme, with a view to avoiding duplication and overlapping;

(c) to contribute, as far as possible, and at the request of the Directors-General, to the promotion of a better knowledge and understanding of the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme through appropriate discussions or other forms of publicity;

(d) to send to the Secretary of the Commission on an exchange basis, its reports and publications concerned with matters covering all or part of the Commission's field of activity;

(e) to promptly report to the Secretary of the Commission changes in its structure and membership, important changes in its secretariat as well as any other important changes in the information provided in accordance with the Annex to the present Principles.

6. REVIEW OF "OBSERVER STATUS"

The Directors-General may terminate observer status if an Organization no longer meets the criteria that applied at the time it was granted observer status, or for reasons of exceptional nature, in accordance with the procedures set out in this section.

Without prejudice to the preceding paragraph, an international non-governmental organization in Observer Status which has neither attended any meetings nor provided any written comments during a period of four years shall be deemed not to have sufficient interest to warrant the continuance of such relationship.

If, in the view of the Directors-General, the conditions indicated in the previous paragraphs materialize, they shall inform the Organization concerned accordingly and invite it to submit its observations. The Directors-General will seek the advice of the Executive Committee and will submit any observation received from the Organization to it. The Directors-General, taking into account the advice of the Executive Committee and any observation submitted by the Organization, shall decide whether to terminate its observer status. A re-application from the same Organization shall not normally be considered until two years have elapsed since the Directors-General's decision to terminate its observer status.

The Secretary shall report to the Codex Alimentarius Commission on the relations between the Codex Alimentarius Commission and international nongovernmental organizations established in accordance with the present Procedures and shall provide a list of organizations granted Observer Status, with an indication of the membership that they represent. He or she shall also report to the Commission the termination of the observer status of any Organization.

The Commission shall periodically review these principles and procedures and shall consider, as necessary, any amendments which may seem desirable.

ANNEX: INFORMATION REQUIRED OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS REQUESTING “OBSERVER STATUS”

- (a) Official name of the organization in different languages (with initials)
- (b) Full postal address, Telephone, Facsimile and Email, as well as Telex and website addresses as appropriate
- (c) Aims and subject fields (mandate) of organization, and methods of operation. (Enclose charter, constitution, by-laws, rules of procedures, etc.). Date of establishment
- (d) Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country. If the organization is of a federal nature and has international non-governmental organizations as members, please indicate whether any of those members already enjoy observer status with the Codex Alimentarius Commission)
- (e) Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.)
- (f) Indication of source of funding (e.g., membership contributions, direct funding, external contributions, or grants)
- (g) Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission’s field of activity
- (h) Relations with other international organizations:
 - UN and its organs (indicate consultative status or other relationship, if any)
 - Other international organizations (document substantive activities)
- (i) Expected contribution to the Joint FAO/WHO Food Standards Programme
- (j) Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees for at least the last three years preceding the application)
- (k) Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the formation of such a single organization is not feasible, the application should explain why this is so.
- (l) Previous applications for observer status with the Codex Alimentarius Commission, including those made by a member organization of the applicant organization. If successful, please indicate why and when observer status was terminated. If unsuccessful, please indicate the reasons you were given.
- (m) Languages (English, French or Spanish) in which documentation should be sent to the international non-governmental organization
- (n) Name, Function and address of the person providing the information
- (o) Signature and date

GUIDELINES ON COOPERATION BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS IN THE ELABORATION OF STANDARDS AND RELATED TEXTS

SCOPE AND APPLICATION

- 1) These guidelines establish the modalities of cooperation between the Codex Alimentarius Commission and international intergovernmental organizations when elaborating food standards or related texts.
- 2) These guidelines should be read in conjunction with the "Uniform Procedure for the Elaboration of Codex Standards and Related Texts".

TYPES OF COOPERATION

- 3) The Codex Alimentarius Commission may undertake the elaboration of any standard or related text in cooperation with another international intergovernmental body or organization.
- 4) Such cooperation may consist of:
 - a) Cooperation at the initial drafting stages of a Codex standard or related text;
 - b) Cooperation through mutual exchange of information and participation in meetings.

COOPERATING INTERNATIONAL INTERGOVERNMENTAL ORGANIZATION

- 5) The cooperating international intergovernmental organization shall have observer status with the Codex Alimentarius Commission.
- 6) The cooperating international intergovernmental organization shall have the same principles of membership¹⁵ that form the basis for membership in the Codex Alimentarius Commission and equivalent principles of standards-setting¹⁶.

COOPERATION AT THE INITIAL DRAFTING STAGES OF A CODEX STANDARD OR RELATED TEXT¹⁷

- 7) The Commission, or a subsidiary body of the Commission subject to approval by the Commission and taking into account the Critical review conducted by the Executive Committee, as appropriate, may entrust the initial drafting of a proposed draft standard or related text to an international intergovernmental organisation with competence in the relevant field, in particular one of those referred to in Annex A of the WTO/SPS Agreement, on a case-by case basis, provided that the willingness of the cooperating organization to undertake such work has been ascertained. Such texts shall be circulated at Step 3 of the « Uniform Procedure for the Elaboration of Codex Standards and Related Texts ». When appropriate, the international intergovernmental organisations referred to Annex A of the WTO/SPS Agreement shall be associated in the drafting of standards or related texts at Step 2 of the Elaboration Procedure. The Commission shall entrust the remaining steps to the relevant Codex subsidiary body within the Codex Elaboration Procedure.

¹⁵ The same principles of membership” shall be taken to mean that the membership of the organization is open to all Members and Associate Members of FAO and of WHO.

¹⁶ “Equivalent principles of standards-setting” refers to the General Decisions of the Commission set out in the Appendix to the Procedural Manual.

¹⁷ See also Article 1 of the Statutes of the Codex Alimentarius Commission, Step 2 of the Uniform Procedure for the Elaboration of Codex Standards and Related Texts, and the Terms of reference of the Codex Committee on Fresh Fruits and Vegetables (*in* Procedural Manual of the Codex Alimentarius Commission, 14th Edition).

- 8) The Commission, or a subsidiary body of the Commission, may use, in whole or in part, an international standard or related text developed by an international intergovernmental organization with competence in the relevant field as a basis for preparing a proposed draft standard or related text at Step 2 of the Elaboration Procedure, subject to concurrence of the cooperating organization. The proposed draft standard or related text shall be circulated at Step 3 of the "Uniform Procedure for the Elaboration of Codex Standards and Related Texts".

COOPERATION THROUGH MUTUAL EXCHANGE OF INFORMATION AND PARTICIPATION IN MEETINGS

- 9) The Commission or a subsidiary body of the Commission may identify an international intergovernmental organization having specific expertise of particular importance to the work of the Commission. Such organization may be encouraged to actively participate in the elaboration of standards by the Commission and its subsidiary bodies.
- 10) The Commission or a subsidiary body of the Commission may invite a cooperating organization having specific expertise of particular importance to the work of the Commission to report about its relevant work at their sessions on an *ad hoc* or regular basis.
- 11) The Commission or a subsidiary body of the Commission may recommend that the Chairperson of the Commission, the Chairperson of the subsidiary body, or, if they are not available, a Vice-chairperson or the Secretary of the Commission, as appropriate, participate in meetings of the cooperating organization, subject to the concurrence of the cooperating organization.
- 12) The Commission or a subsidiary body of the Commission may recommend that the Chairperson or the Secretary of the Commission forward comments, opinions or other relevant information of the Commission to the cooperating organization as regards international standard setting work in areas of mutual interest.
- 13) The Codex Alimentarius Commission may recommend to the Directors-General of FAO and WHO the conclusion of an appropriate arrangement with the executive head of the cooperating organization with a view to agreeing upon specific modalities to facilitate continuing cooperation between the Commission and the cooperating organization, as set out in the paragraphs above.

APPENDIX V

**LIST OF STANDARDS AND RELATED TEXTS ADOPTED BY THE TWENTY-EIGHTH
SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Part 1. Standards and Related Texts Adopted at Step 8 as Final Texts

Standards and Related Texts	Reference	Status
Food additive provisions of the General Standard for Food Additives	ALINORM 05/28/12; para. 83 and Appendix X	Adopted
Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Tree Nuts	ALINORM 05/28/12; para. 132 and Appendix XXI	Adopted
Code of Practice for the Prevention and Reduction of Tin Contamination in Canned Foods	ALINORM 05/28/12; para. 166 and Appendix XXV	Adopted
Maximum Levels for cadmium in wheat grain; potato; stem and root vegetables; leafy vegetables; and, other vegetables	ALINORM 05/28/12; para. 175 and Appendix XXVI	Adopted
Code of Practice for Fish and Fishery Products (section on Aquaculture)	ALINORM 05/28/18; para. 59 and Appendix II	Adopted
Amendment to the Standard for Salted Fish and Dried Salted Fish of the <i>Gadidae</i> Family	ALINORM 05/28/18; para. 34 and Appendix IV	Adopted
Code of Hygienic Practice for Meat	ALINORM 05/28/16; para. 67 and Appendix II	Adopted with amendments (see para. 50)
Guidelines for Vitamin and Mineral Food Supplements	ALINORM 05/28/26; para. 35 and Appendix II	Adopted with amendments (see para. 54)
Maximum Residue Levels for Pesticides	ALINORM 05/28/24; paras 77- 213 and Appendix II	Adopted (with the exception of MRLs for deltamethrin in leafy vegetables and carbosulfan in mandarin and potato) (see para. 55)
Interim Maximum Residue Levels for Pesticides	ALINORM 05/28/24; paras 189 – 203 and Appendix V	Adopted
Maximum Residue Limits for Veterinary Drugs	ALINORM 05/28/31; para. 92 and Appendix II	Adopted
Codex General Standard for Fruit Juices and Nectars	ALINORM 05/28/39; para.103 and Appendix II	Adopted with amendments (see paras. 61 and 67 - 68)

Standards and Related Texts	Reference	Status
Minimum Brix Level for Reconstituted Juice and Reconstituted Purée and Minimum Juice and/or Purée Content for Fruit Nectars (% v/v) <i>grape, guava, mandarine/tangerine, mango, passion fruit and tamarind (Indian date) juices/nectars</i>	ALINORM 05/28/39; para. 104 and Appendix III	Adopted
Methods of Analysis endorsed for inclusion in commodity standards and/or in Codex STAN 234-1999: Standard for Olive Oils and Olive Pomace Oils; general methods for processed fruits and vegetables; and specific standards for Processed Fruits and Vegetables	ALINORM 05/28/23; paras. 53-83 and 88 and Appendix III	Adopted

Part 2. Standards and Related Texts Adopted at Step 5 and Step 8 as Final Texts with Recommendation to Omit Steps 6 and 7

Standards and Related Texts	Reference	Status
Food additive provisions of the General Standard for Food Additives	ALINORM 05/28/12; para. 83 and Appendix X	Adopted
Amendments to the International Numbering System for Food Additives	ALINORM 05/28/12; para. 88 and Appendix XIII	Adopted
Specifications for the Identity and Purity of Food Additives arising from the 63 rd JECFA meeting	ALINORM 05/28/12; para. 114 and Appendix XVI	Adopted
Revision of the Preamble of the General Standard for Contaminants and Toxins in Foods (GSCTF) (N09-2004)	ALINORM 05/28/12; para. 128 and Appendix XIX	Adopted
Code of Practice for Fish and Fishery Products (Shrimps and Prawns; Cephalopods; Transport; Retail; and relevant Definitions)	ALINORM 05/28/18; para. 91 and Appendix III	Adopted with amendments (see para. 47)
Standard for Rambutan	ALINORM 05/28/35; para. 89 and Appendix VI	Adopted
Principles for Electronic Certification	ALINORM 05/28/30; para. 37 and Appendix II	Adopted (for inclusion as an annex to CAC/GL 38-2001) (see para. 48)
Amendment to the Standard for Named Vegetable Oil; Amendment of Sesameseed Oil	ALINORM 05/28/17; para. 45 and Appendix III	Adopted
Regional Guidelines for Codex Contact Points and National Codex Committees (Near East Region)	ALINORM 05/28/40; para. 66 and Appendix V	Adopted

Standards and Related Texts	Reference	Status
Maximum Residue Levels for Pesticides	ALINORM 05/28/24; paras 77- 213 and Appendix III	Adopted
Maximum Residue Levels for Pesticides – Spices	ALINORM 05/28/24; Paras 177 – 182 and Appendix IV	Adopted
Guidelines on the Use of Mass Spectrometry (MS) for Identification, Confirmation and Quantitative Determination of Residues	ALINORM 05/28/24; para. 228 and Appendix X	Adopted
New Codes and Numbers for Commodities with Adopted MRLs	ALINORM 05/28/24; para. 268 and Appendix XI	Adopted
Maximum Residue Limits for Veterinary Drugs	ALINORM 05/28/31; para. 92 and Appendix III	Adopted
Code of Practice to Minimize and Contain Antimicrobial Resistance	ALINORM 05/28/31; para. 117 and Appendix VIII	Adopted
Minimum Brix Level for Reconstituted Juice and Reconstituted Purée and Minimum Juice and/or Purée Content for Fruit Nectars (% v/v) <i>lemon, lime, orange and pineapple juices/nectars</i>	ALINORM 05/28/39; para. 105 and Appendix IV	Adopted with amendments (see paras. 67 - 68)

Part 3. Standards and Related Texts Adopted at Step 5 of the Accelerated Procedure

Standards and Related Texts	Reference	Status
Revised Table 1 of the Recommended International Code of Practice for the Storage and Transport of the Edible Fats and Oils in Bulk	ALINORM 05/28/17; para. 52 and Appendix II	Adopted

APPENDIX VI

**LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5 BY THE
TWENTY-EIGHTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Standards and Related Texts	Reference	Status
Draft revised Preamble of the GSFA	ALINORM 05/28/12; para. 64 and Appendix VII	Adopted
Draft Maximum Level for Total Aflatoxins in unprocessed almonds, hazelnuts and pistachios	ALINORM 05/28/12; para. 141 and Appendix XXII	Adopted
Draft Maximum Levels for Cadmium in marine bivalve molluscs (excluding oysters and scallops) and in cephalopods (without viscera) and in polished rice	ALINORM 05/28/12; para. 175 and Appendix XXVI	Adopted
Draft Standard for Sturgeon Caviar	ALINORM 05/28/18; para. 148 and Appendix VI	Adopted
Draft Guidelines on the Application of General Principles of Food Hygiene to the Control of <i>Listeria monocytogenes</i> in Ready-to-eat Foods	ALINORM 05/28/13; para. 98 and Appendix II	Adopted
Draft Principles and Guidelines for the Conduct of Microbiological Risk Management	ALINORM 05/28/13; para. 132 and Appendix III	Adopted
Draft Code of Hygienic Practice for Eggs and Egg Products	ALINORM 05/28/13; para. 156 and Appendix IV	Adopted
Draft Amendment to the Standard for Named Vegetable Oils; Inclusion of Rice Bran Oil	ALINORM 05/28/17; para. 43 and Appendix V	Adopted
Draft Regional Standard for Canned Humus with Tehena (Processed Chick Peas with Tehena)	ALINORM 05/28/40; para. 34 and Appendix II	Adopted
Draft Regional Standard for Canned Foul Medames (Processed Fava Beans)	ALINORM 05/28/40; para. 43 and Appendix III	Adopted
Draft Regional Standard for Tehena	ALINORM 05/28/40; para. 53 and Appendix IV	Adopted
Draft Codex Standard for Processed Tomato Concentrates	ALINORM 05/28/27; para. 48 and Appendix II	Adopted
Draft Codex Standard for Preserved Tomatoes	ALINORM 05/28/27; para. 76 and Appendix III	Adopted
Draft Codex Standard for Certain Canned Citrus Fruits	ALINORM 05/28/27; para. 89 and Appendix IV	Adopted
Draft Maximum Residue Limits for Pesticides	ALINORM 05/28/24; Appendix VI	Adopted
Draft MRLs for Pesticides for Dried Chili Peppers including the MRL for Spices	ALINORM 05/28/24; paras 179; 183 – 188 and Appendix VII	Adopted

Standards and Related Texts	Reference	Status
Draft Guidelines on the Estimation of Uncertainty of Results	ALINORM 05/28/24; para. 192 and Appendix XII	Adopted
Draft Risk Analysis Principles Applied by the Committee on Pesticide Residues	ALINORM 05/28/24; para. 209 and Appendix XIII	Adopted
Draft Maximum Residue Limits for Veterinary Drugs	ALINORM 05/28/31; Appendix V	Adopted

APPENDIX VII**LIST OF STANDARDS AND RELATED TEXTS REVOKED BY THE TWENTY-EIGHTH
SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Standards and Related Texts	Reference
Food additive provisions in the General Standard for Food Additives	ALINORM 05/28/12; para. 49 and Appendix XI
General Principles for the Use of Food Additives	CAC/MISC 1 – 1972; ALINORM 05/28/12; para. 55
Recommended International Code of Practice for Shrimps and Prawns	CAC/RCP 17-1978 ¹⁸ ; ALINORM 05/28/18, para. 91, Appendix III
Recommended International Code of Practice for Cephalopods	CAC/RCP 37-1989 ¹ ; ALINORM 05/28/18, para. 91, Appendix III
Recommended International Code of Hygienic Practice for Fresh Meat	CAC/RCP 11-1976, Rev. 1 (1993)
Recommended International Code of Hygienic Practice for Game	CAC/RCP 29-1983, Rev. 1 (1993)
Recommended International Code for Ante-Mortem and Post-Mortem Inspection of Slaughter Animals and for Ante-Mortem and Post-Mortem Judgment of Slaughter Animals and Meat	CAC/RCP 41-1993
Recommended International Code of Hygienic Practice for Processed Meat and Poultry Products	CAC/RCP 13-1976, Rev. 1 (1985)
Recommended Code of Hygienic Practice for Poultry Processing	CAC/RCP 14-1976
Recommended International Code of Practice for the Production, Storage and Composition of Mechanically Separated Meat Intended for Further Processing	CAC/RCP 32-1993
General Principles for Meat Hygiene	CAC/GL 52-2003
Maximum Residue Limits for Pesticides	ALINORM 05/28/24; Appendix VIII (with the exception of MRLs for deltamethrin (135) in leafy vegetables)
Maximum Residue Limits for Carbadox	ALINORM 05/28/31; para. 27

¹⁸

To be replaced by revised provisions in the Code of Practice for Fish and Fishery Products

All individual standards for fruit juices and nectars and related texts, including provisions for methods of analysis and sampling, as contained in Volume 6 of the Codex Alimentarius¹⁹

ALINORM 05/28/39; para. 106;
CX/STAN 44 through 49 (1981) ,
CX/STAN 63 through 64 (1981),
CX/STAN 82 through 85 (1981),
CX/STAN 101 (1981),
CX/STAN 120 through 122 (1981),
CX/STAN 134 (1981),
CX/STAN 138 through 139 (1983)
CX/STAN 148 through 149 (1985)
CX/STAN 161 and 164 (1989)
CAC/GL 11 and 12 (1991)

¹⁹ The Codex General Standard for Vegetable Juices (Codex STAN 179-1991) was revoked by the 26th Session of the Codex Alimentarius Commission (ALINORM 03/41, para. 213 and App. VII.

APPENDIX VIII

**LIST OF STANDARDS AND RELATED TEXTS ADOPTED AS NEW WORK BY THE
TWENTY-EIGHTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

RESPONSIBLE COMMITTEE	STANDARD AND RELATED TEXTS	JOB CODE²⁰
CCFO	Proposed Draft Amendment to the Codex Standard for Named Vegetable Oil; Amendment to Total Carotenoids in Unbleached Palm Oil - Accelerated Procedure	N01-2005
CCFFP	Proposed Draft Code of Practice on the Processing of Scallop Meat	N02-2005
CCFFV	Proposed Draft Standard for “Bitter” Cassava	N03-2005
CCFICS	Proposed Draft Principles for the Application of Traceability/Product Tracing in the Context of Food Import and Export Inspection and Certification Systems	N04-2005
CCFICS	Proposed Draft Revision of the Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates	N05-2005
CCASIA	Proposed Draft Regional Standard for Non-Fermented Soybean Products	N06-2005
CCFAC	Proposed Draft Revision of the “Class Names and International Numbering System for Food Additives - CAC/GL 36-1989	N07-2005
CCFAC	Proposed Draft Appendix to the Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Tree Nuts to address additional measures for the prevention and reduction of Aflatoxins in Brazil Nuts	N08-2005
CCFAC	Proposed Draft Code of Practice for the Reduction of Chloropropanols during the Production of acid-Hydrolyzed Vegetable Proteins (HVPs) and Products that Contain acid-HVPs	N09-2005
CCFL	Proposed Draft Definition of Trans-Fatty Acids (Amendment to the <i>General Standard for the Labelling of Prepackaged Foods</i> and the <i>Guidelines on Nutrition Labelling</i>) - Accelerated Procedure	N10-2005
CCPR	Proposed Draft Revision of the MRL Elaboration Procedure	N11-2005
CCPR	Priority List of Chemicals for Evaluation and Re-evaluation by JMPR	Ongoing
CCRVDF	Priority List of Veterinary Drugs requiring Evaluation or Re-evaluation	Ongoing
CCGP	Proposed Draft Amendments to the Rules of Procedure: duration of the term of office of the Members of the Executive Committee	Procedure

²⁰ The Job Code will be used to facilitate the Critical Review, namely monitoring progress of standards development.

APPENDIX IX

**LIST OF DISCONTINUED WORK BY THE TWENTY-EIGHTH SESSION OF THE
CODEX ALIMENTARIUS COMMISSION**

RESPONSIBLE COMMITTEE	STANDARD AND RELATED TEXTS
CCRVDF	Draft and proposed draft MRLs for phoxim (in cattle tissues and cow's milk), cefuroxime (in cow's milk), cypermethrin (in sheep tissues) and alpha-cypermethrin (in cattle and sheep tissues and cow's milk)
CCPFV	Draft Standard for Soy Sauce
CCGP	Revision of the Definition of "Food" in the Procedural Manual

APPENDIX X

CURRENT CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES

Code	Subsidiary Body	Host	Status
CX 703	Codex Committee on Milk and Milk Products	New Zealand	Active
CX 708	Codex Committee on Cocoa Products and Chocolate	Switzerland	<i>Sine die</i>
CX 709	Codex Committee on Fats and Oils	United Kingdom	Active
CX 710	Codex Committee on Sugars	United Kingdom	<i>Sine die</i>
CX 711	Codex Committee on Food Additives and Contaminants	The Netherlands	Active
CX 712	Codex Committee on Food Hygiene	United States of America	Active
CX 713	Codex Committee on Processed Fruits and Vegetables	United States of America	Active
CX 714	Codex Committee on Food Labelling	Canada	Active
CX 715	Codex Committee on Methods of Analysis and Sampling	Hungary	Active
CX 716	Codex Committee on General Principles	France	Active
CX 718	Codex Committee on Pesticide Residues	The Netherlands	Active
CX 719	Codex Committee on Natural Mineral Waters	Switzerland	<i>Sine die</i>
CX 720	Codex Committee on Nutrition and Foods for Special Dietary Uses	Germany	Active
CX 722	Codex Committee on Fish and Fishery Products	Norway	Active
CX 723	Codex Committee on Meat Hygiene	New Zealand	<i>Sine die</i>
CX 728	Codex Committee on Vegetable Proteins	Canada	<i>Sine die</i>
CX 729	Codex Committee on Cereals, Pulses and Legumes	United States of America	<i>Sine die</i>
CX 730	Codex Committee on Residues of Veterinary Drugs in Foods	United States of America	Active
CX 731	Codex Committee on Fresh Fruits and Vegetables	Mexico	Active
CX 733	Codex Committee on Food Import and Export Certification and Inspection Systems	Australia	Active

Ad hoc Intergovernmental Task Force established by the 27th Session of the CommissionCX 802 *ad hoc* Codex Intergovernmental Task Force on Foods derived from Biotechnology Japan