

REPORT OF THE UNITED STATES DELEGATE TO THE 45TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION (CAC45)

Hybrid Plenary Session: November 21 – 25, 2022
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The 45th Session of the Codex Alimentarius Commission (CAC45) convened at the United Nations Food and Agriculture Organization (FAO) Headquarters in Rome, Italy, with optional remote participation via Zoom. The Commission is the governing body of the joint World Health Organization (WHO) and FAO international food standards program and is recognized in international trade agreements as the international standards-setting organization for food safety. Attendees from 163 Member Countries and one Member Organization (the European Union/EU) registered for the meeting, as well as 37 observers from intergovernmental and nongovernmental organizations and two United Nations agencies. CAC Chair Steve Wearne (United Kingdom) chaired the session, assisted by CAC Vice-chairs Allan Azegele (Kenya), Raj Rajasekar (New Zealand), and Diego Varela (Chile). The United States was represented by Jason Hafemeister, USDA Acting Deputy Under Secretary for Trade and Foreign Agricultural Affairs, and Mary Frances Lowe, U.S. Manager for Codex Alimentarius, along with 15 additional governmental and 8 non-governmental advisors.

The primary work of the Commission was to consider the recommendations developed by its subsidiary bodies since its last session (CAC44, 2021). The official report of the session as well as other CAC45 documents may be accessed at the following link: <https://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CAC&session=45>.

CAC 45 HIGHLIGHTS

Overall, the Commission was successful operating in a hybrid format. As recommended by its subsidiary bodies, CAC45 adopted numerous new and revised international food safety and quality standards. The Commission also approved several new work proposals recommended by its subsidiary bodies. Newly adopted texts include standards/provisions related to the Codex Committees on Fats and Oils (CCFO), Nutrition and Foods for Special Dietary Uses (CCNFSDU), Food Hygiene (CCFH), Fresh Fruits and Vegetables (CCFFV), Contaminants in Foods (CCCF), and Spices and Culinary Herbs (CCSCH), as well as over 300 maximum residue limits (MRLs) associated with 35 pesticides recommended by the Committee on Pesticide Residues (CCPR).

The United States was highly successful in achieving its major goals at CAC45. Most conclusions reached were consistent with U.S positions and objectives. In particular, the CAC made notable progress toward the establishment of MRLs for the veterinary drug zilpaterol hydrochloride, with the majority of Members strongly affirming the role of science in setting international standards for food safety and recognizing the overwhelming consensus on the scientific evidence supporting the safety of zilpaterol to consumers. The zilpaterol MRLs were adopted by vote at Step 5, the intermediary step in the Codex process, which allows for further consideration at Steps 6 and 7. The Chair of the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) recommended that the MRLs remain at the Commission level, since CCRVDF had completed its technical work, and the Commission agreed. Based on the Codex *Procedural Manual* and the legal guidance provided during CAC45, the United States expects that a simple majority would be required for final adoption at the next session (CAC46, November 2023). The

vote on zilpaterol was the first vote on a Codex text in a decade; all other Codex texts have been adopted by consensus, with dissenting views recorded as reservations in the meeting report.

Also of note from CAC45, the United States was particularly pleased that:

- CCFH will undertake work on alignment of all food hygiene texts based on the revised *General Principles of Food Hygiene* (CXC 1-1969) adopted at CAC44 (2021) and the Decision Tree adopted at CAC45 (2022).
- When discussing the adoption of MRLs for the pesticides clothianidin, thiamethoxam, and quinoxyfen, many Members reaffirmed that environmental concerns are not within the Codex mandate and not considered “other legitimate factors” under Codex, and therefore should not be considered when adopting MRLs aimed at ensuring food safety for consumers.
- Both the Codex Executive Committee (CCEXEC83) and CAC45 expressed continued support for developing group standards as an efficient approach to advancing the work of the Codex Committee on Spices and Culinary Herbs (CCSCH), compared to developing separate standards for each individual spice and culinary herb.
- The Commission approved new work to include high oleic acid soya bean oil in the *Standard for Named Vegetable Oils* (CXS 210-1999), as recommended by the Codex Committee on Fats and Oils (CCFO) and originally proposed by the United States.

Following is a summary of CAC45 actions by agenda item.

MEETING SUMMARY

Agenda item 2: REPORT BY THE CHAIRPERSON ON THE 82ND AND 83RD SESSIONS OF THE EXECUTIVE COMMITTEE (CCEXEC82 and CCEXEC83)

CAC45 considered the conclusions and recommendations of CCEXEC82 (June 2022) and CCEXEC83 (November 2022) during discussion of issues under other relevant agenda items. The Commission also reviewed reports from three CCEXEC subcommittees that dealt with issues not covered under other agenda items.

- Subcommittee on the Application of the *Statements of Principle concerning the Role of Science in the Codex Decision-Making Process (SoP)*

CAC42 (2019) endorsed the formation of this subcommittee, charged with developing practical guidance to “operationalize” the SoP to promote consistent application across committees. CCEXEC83 concluded that the subcommittee had completed its work on draft guidance and agreed to close discussion on the topic, noting that the guidance document was a serviceable tool, although some text remained in brackets. Members commended the extensive work of the subcommittee. The Chair used the guidance during Commission discussions, notably to navigate a path forward with respect to zilpaterol MRLs. CAC45 agreed to refer the guidance document to Codex committee chairs for their use in matters that fell within the scope of the SoP and to request the Secretariat to issue a Circular Letter (CL) inviting specific suggestions to improve the draft guidance, its finalization, and possible incorporation into guidance documents/handbooks for committee chairs and Members. At CCEXEC84 (July 2023), the CAC Chair will provide feedback on the practical application of the SoP from committee chairs based on their

experience. CAC45 further agreed to review comments received on the CL and consider next steps at CAC46 (November 2023).

- Subcommittee on New Foods and Production Systems (NFPS)

This subcommittee compiled an extensive amount of information on NFPS in response to a CL issued to all Members and Observers. CCEXEC83 concluded that Members should submit proposals for new work using existing Codex mechanisms and requested that the Secretariat provide additional guidance on how new work proposals should be prepared (to avoid any perceived procedural obstacles) but did not recommend creation of new bodies or mechanisms.

At CAC45, some Members suggested that there was a need for further clarification on what are considered “new foods.” Others, notably from Latin America, stated the view that Codex should not attempt to deal with production systems. Many Members from all regions other than Europe supported the conclusions of CCEXEC and argued that there was as yet no demonstrated need for new bodies or mechanisms to deal with NFPS. The EU and its member states supported the establishment of a new CAC electronic working group (EWG). Singapore and the Republic of Korea also supported creation of a new body, suggesting possible creation of a task force or committee. In the end, there was no consensus on the need for a new coordination mechanism for NFPS. CAC45 supported the basic conclusions of CCEXEC83 with respect to encouraging new work proposals using existing structures and agreed to request the Secretariat to send a new CL to identify possible issues that current structures and procedures could not address, for discussion at the next session.

- Subcommittee on the Future of Codex

CAC45 noted the interim report of this subcommittee, which grew out of experiences in adapting Codex modalities during the COVID-19 pandemic. The document was posted late, and most Members were not able to review it in advance. CCEXEC83 developed a timetable for carrying the work forward. At CAC45, France (host country of the Codex Committee on General Principles, CCGP, and speaking on behalf of EU member states) suggested that CCGP conduct a review of the *Procedural Manual*. Ecuador presented a regional position on behalf of Members from Latin America and the Caribbean, stressing transparency and the need to maintain the greatest possible level of participation by Codex Members. The Commission noted that the subcommittee’s work was “a work in progress” and that there would be opportunities to engage further on the topic in 2023. Specifically, with respect to CCGP, the Commission requested that the Secretariat consult with the legal offices of WHO and FAO to prepare a paper on a possible amendment to the rules of procedure to allow the CAC to take place virtually if needed in the future, for consideration by CCGP at its next session (CCGP33, October 2023).

Agenda Item 3: AMENDMENTS TO THE PROCEDURAL MANUAL

Under this agenda item, the Secretariat reported on efforts underway to prepare a digital version of the Codex *Procedural Manual* and improve its editorial consistency. This work is primarily focused on formatting and adhering to FAO editorial and style standards and will not involve substantive changes.

The Secretariat also proposed to consider clarification of the terms “revision” and “amendment” with a view toward a possible revision of the *Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts* in the Codex *Procedural Manual*. CAC45 agreed to the Secretariat’s

proposal to prepare a paper for CCGP33 that will (1) examine how revisions have historically been treated; (2) suggest improvements to encourage consistency and alignment with FAO and industry publishing standards; (3) recommend criteria and options concerning amendments/revisions and new editions; and (4) include draft revised text for the *Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts*.

Agenda item 4: SUMMARY OF STANDARD SETTING WORK

CAC45 considered standard setting work recommended by Codex committees on a committee-by-committee basis (Agenda Items 4.1 – 4.9). Following is a compilation of the decisions reached by CAC45.

FINAL ADOPTION OF CODEX TEXTS (Step 8 and/or Step 5/8)

CODEX COMMITTEE ON FATS AND OILS (CCFO)

- Revision to the *Standard for Named Vegetable Oils (CXS 210-1999)*: Essential Composition of Sunflower Seed Oils, noting the reservation of the Russian Federation
- Editorial amendments to the *Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk (CXC 36-1987)*: Appendix 2

CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES (CCNFSDU)

- Guidelines for Ready-to-Use Therapeutic Foods (RUTF)

Many members commended the leadership of South Africa, assisted by Senegal and Uganda, in developing the guidelines. The CCNFSDU Chair further noted that RUTF are intended for short-term use and were developed in close coordination with the United Nations International Children's Emergency Fund (UNICEF) and the World Health Organization (WHO).

CODEX COMMITTEE ON FOOD HYGIENE (CCFH)

- Guidelines for the Management of Biological Foodborne Outbreaks
- Revision to the *General Principles of Food Hygiene (CXC 1-1969)*: Decision Tree

Noting that adoption of the decision tree completed work on a major update of the *General Principles of Food Hygiene (CXC 1-1969)*, the CAC Chair suggested and CAC45 agreed to request that work be undertaken by CCFH and other subsidiary bodies to align relevant texts with the updated version. The Secretariat will review texts originated by committees that have adjourned.

CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES (CCFFV)

- Standard for Onions and Shallots
- Standard for Berry Fruits
- Amendment to the *Standard for Bananas (CXS 205-1997)*

The European Union, Norway, and Switzerland recorded reservations on the tolerances for decay in extra class in the standards for onions and shallots and berry fruits. The Russian Federation noted the potential need for future work to include additional berry fruits in the Standard for Berry Fruits.

CODEX COMMITTEE ON CONTAMINANTS IN FOODS (CCCF)

- Code of Practice (COP) for the Prevention and Reduction of Cadmium Contamination in Cocoa Beans
- Maximum level (ML) for cadmium in cocoa powder (100% cocoa solids on a dry matter basis), noting the reservations of the EU, Norway, Switzerland, the Russian Federation, and Cameroon
- Editorial amendment to the MLs for cadmium in chocolates containing or declaring <30% total cocoa solids on a dry matter basis and chocolates containing or declaring >30% to <50% total cocoa solids on a dry matter basis
- MLs for lead in cereal-based foods for infants and young children, white and refined sugar, corn and maple syrups, honey and sugar-based candies, with India noting a reservation on the ML for lead in sugar-based candies
- MLs for methylmercury in orange roughy and pink cusk eel
- Consequential amendment to the ML for DON (deoxynivalenol) in cereal-based foods for infants and young children
- MLs for total aflatoxins in maize grain, destined for further processing; flour meal, semolina and flakes derived from maize; husked rice; polished rice; sorghum grain, destined for further processing; cereal-based food for infants and young children (excluding foods for food aid programs), and cereal-based food for infants and young children for food aid programs

There was extensive discussion of the proposed MLs for total aflatoxins in various grains, cereals, and cereal-based foods for infants and young children. Over 40 Members raised concerns and supported lower MLs. Much of the concern focused on the recommendation from CCCF to establish separate and higher MLs for cereal-based food for infants and young children for food aid programs

The FAO Representative clarified the basis for the risk assessment conducted by the FAO/WHO Joint Expert Committee on Food Additives (JECFA) in support of the proposed MLs, noting in particular the difference between lifetime exposure versus the short-term exposure typically associated with food aid. In light of the fact that there is no absolute safety threshold for aflatoxins, which are unavoidable, the impact on food supplies needed to be weighed in establishing MLs. The United Nations World Food Program (WFP) noted that it distributes cereal-based products to 11 million children in 25 countries and further limiting the ML would hinder distribution of urgently needed food. Medecins Sans Frontieres also supported the MLs as proposed. The Chair of CCCF highlighted that there were no data to support lower MLs at this time, and therefore if the proposed MLs were not adopted, there would be no MLs in place at all.

CAC45 agreed to adopt the MLs as proposed, noting many reservations in the report, including reservations from many countries that receive food aid. At the request of countries making reservations, the Commission further agreed to request CCCF to review the MLs in three years' time, if sufficient data become available, but in any event to undertake a review in no more than five years' time.

CODEX COMMITTEE ON PESTICIDE RESIDUES (CCPR)

- Guidelines for the recognition of active substances or authorized uses of active substances of low public health concern that are considered exempted from the establishment of Codex maximum residue limits (MRLs) or do not give rise to residues
- Revision of *Classification of Food and Feed* (CXA 4-1989): definitions for edible offal, fat, meat and muscle, including the definitions for the portion of the commodity to which MRLs apply and which is analyzed for fat and muscle

- Revision of the *Classification of Food and Feed* (CXA 4-1989): Consequential amendment to Class D, Processed Food of Plant Origin. Inclusion of additional commodities for citrus fruits pulps (dried) and oils (edible) and soya flour
- Over 300 Maximum Residue Limits (MRLs) for different combinations of pesticides/commodity(ies)

The EU recorded a number of reservations to the final adoption of certain MRLs, as previously expressed in CCPR, and was joined by Norway, Kazakhstan, North Macedonia and Switzerland. Beyond these reservations, the EU proposed that the MRLs for three pesticides (clothianidin, quinoxifen, and thiamethoxam) be adopted only at Step 5 (interim adoption, allowing for another round of comment and consideration in CCPR).

The basis for the EU's proposal, which was also discussed at CCPR, was that these three pesticides raised environmental concerns that should be taken into account in Codex. Other members, including the United States and many countries from regions other than Europe, expressed the view that, while environmental considerations were important, they were beyond the scope of the Codex mandate, which is to set science-based standards that protect consumers and promote fair trade practices. Environmental considerations were appropriately dealt with in other international fora and at the national level; Codex had neither the mandate nor the expertise. The Chair of CCPR (China) confirmed that the Committee had reached consensus on final adoption at Step 5/8, with the EU reservations noted in the report, and that the issues raised by the EU were outside of the mandate of CCPR and not consistent with the *Risk Analysis Principles Applied by the Codex Committee on Pesticide Residues*.

Following lengthy discussion, the Chair concluded that there was no consensus on whether environmental concerns constituted an "other legitimate factor" that could be taken into account in Codex decision-making, and the MRLs were adopted.

CODEX COMMITTEE ON SPICES AND CULINARY HERBS (CCSCH)

- Standard for Dried Floral Parts – Saffron, with reservations from Canada and the United States
- Standard for Dried Seeds – Nutmeg, with reservations from Saudi Arabia and Oman
- Standard for Dried or Dehydrated Chili Pepper and Paprika, with a reservation from Morocco
- Amendments to the labelling provisions for non-retail containers in the eight existing spices and culinary herb (SCH) standards, for consistency with the new *General Standard for the Labelling of Non-Retail Containers of Foods* (CXS 346-2021)

Canada and the United States expressed reservations to final adoption of the saffron standard, based on the lack of technical or scientific justification for establishing a new "extra" class and the provision requiring mandatory country of harvest labeling, which is inconsistent with previous decisions and counter to advice from the Codex Committee on Food Labelling (CCFL). The standard was adopted with these reservations. The labeling and food additive provisions of the saffron and dried and dehydrated chili pepper and paprika standards are subject to the endorsement by CCFL and the Codex Committee on Food Additives, respectively, before the standards are published as final.

FAO/WHO REGIONAL COORDINATING COMMITTEES

- FAO/WHO Coordinating Committee for Europe (CCEURO)
 - Proposed amended text for section 8.2, labeling of non-retail containers, in the *Regional Standard for Chanterelles* (CXS 40R-1981)
- FAO/WHO Coordinating Committee for Africa (CAFRICA)

- Regional Standard for Dried Meat
- Guidelines for Developing Harmonised Food Safety Legislation for the CCAFRICA region
- Revised labelling provisions for non-retail containers in the *Regional Standard for Unrefined Shea Butter* (CXS 325R-2017), the *Regional Standard for Fermented Cooked Cassava-Based Products* (CXS 334R-2020), and the *Regional Standard for Fresh Leaves of Gnetum spp.* (CXS 335R-2020)

INTERIM ADOPTION OF CODEX TEXTS (Step 5)¹

CCFO

- Revision to the *Standard for Named Vegetable Oils* (CXS 210-1999): Inclusion of Avocado Oil

Of note, Chile expressed continued concerns about the definition. The Chair recommended that technical comments be resubmitted and discussed at the next session of CCFO.

CCFFV

- Standard for Fresh Dates

CCFFV had recommended final adoption of this standard at Step 5/8. At CAC45, several date-producing countries from the Near East and African regions objected and indicated that there was information that had not been considered by the Committee, particularly with respect to moisture content.

India, as chair of the EWG that worked on the standard, urged final adoption. Mexico, as CCFFV chair/host country, agreed to have further discussion in the Committee. Members were encouraged to submit comments and relevant new data for discussion at the next session of CCFFV.

CCCF

- ML for Lead in Ready-To-Eat (RTE) Meals for Infants and Young Children
- Code of Practice for Prevention and Reduction of Mycotoxin Contamination in Cassava and Cassava-Based Products

CCSCH

- Standard for Small Cardamom
- Standard for Spices Derived from Dried Fruits and Berries (Part A - Allspice, Juniper Berry, Star Anise)

CAC45 reaffirmed support for the approach of developing group standards as an efficient way to accomplish the work of this Committee. Note: Part B of the draft Standard for Spices Derived from Dried Fruits and Berries (Vanilla) was not forwarded to CAC45 for interim adoption, and some Members supported creating a separate standard for vanilla during CCSCH deliberations.

CODEX COMMITTEE ON RESIDUES OF VETERINARY DRUGS IN FOODS (CCRVDF)

- Proposed draft MRLs for zilpaterol hydrochloride (cattle kidney, liver, muscle)

¹ Step 5 is an intermediary step in the Codex Step process which allows for an additional round of consideration and comments by Codex Committees and Task Forces.

As noted above, in-person voting was required to reach a decision on the MRLs that had been recommended by JECFA, and the Chair generally followed the draft SoP guidance in structuring the lengthy debate on the issue at CAC45. CAC44 (2021) had been unable to reach a conclusion by consensus, and voting was not provided for at that virtual session. Despite extensive efforts and consultations convened between sessions by the Chair and Vice-chairs, no way forward was identified that could be accepted by consensus, and opponents of the MRLs declined to follow the usual practice of recording reservations in the report. Both proponents and opponents of adoption commended the Chair for providing clear written guidance on how the decision-making process would take place, should a vote be required.

The Chair first addressed the issue of whether there was agreement on the risk assessment supporting the MRLs. China and Thailand raised concerns about potential residues in offal tissues other than liver and kidney. It was noted by supporters of the pending MRLs that new work proposals could be submitted to deal with those concerns, and the CCRVDF Chair also confirmed that there was ongoing work on extrapolation in the Committee that might address the concerns. The Russian Federation disputed the JECFA conclusions but provided no data to support their view. Supporters of adoption of the MRLs, including the United States and many other countries from the regions of Latin America and the Caribbean, Africa, Asia, the Near East, and North America and the South West Pacific, supported the JECFA evaluation. In conclusion, CAC45 agreed that the JECFA risk assessment was a robust basis for elaborating MRLs according to Codex procedures, noting reservations from China, the Russian Federation, and Thailand.

The European Union did not dispute the JECFA findings but argued instead that other considerations, such as consumer preferences (documented in a poll of European consumers) and animal welfare, should be taken into account in risk management and that, in general, European legislation prohibited the use of growth promoting animal drugs. This view was supported by a number of other countries, principally from the European region. The United States and many other countries from the regions of Latin America and the Caribbean, Africa, Asia, the Near East, and North America and the South West Pacific, supported adoption of the MRLs, noting that all scientific and procedural requirements for adoption had been met and that failure to adopt MRLs based on science would set a dangerous precedent and undermine the scientific basis of Codex decision-making. A number of countries that did not use the drug agreed that the MRLs should be adopted, consistent with Codex principles and to assist in monitoring imports.

Following extensive debate and consistent with the written guidance provided by the Chair, CAC45 adopted the MRLs at Step 5 by a vote of 87 to 48, with 7 abstentions (64% in favor, exceeding the simple majority required). The Chair then proceeded to propose final adoption at Step 5/8 by an accelerated procedure, which would require a 2/3 majority. The vote was 84 in favor and 46 opposed, with 9 abstentions, falling just short of the 2/3 requirement.

The discussion on adopting MRLs for zilpaterol concluded with Members agreeing that the discussion should remain at the Commission level, as CCRVDF had completed all its technical work. The Commission also welcomed further informal consultations led by the Chair and Vice-chairs aimed at facilitating consensus prior to consideration of the MRLs at CAC46 (November 2023). Based on the Codex *Procedural Manual* and the legal guidance provided during CAC45, the United States expects that a simple majority would be required for final adoption at the next session (CAC46, November 2023), if a vote is necessary.

REVOCATIONS OF CODEX TEXTS AND DISCONTINUATION OF WORK

CCCF

- Maximum levels for lead in fresh eggs, dried garlic and molasses

CCPR

- Maximum Residue Limits (MRLs) for different combinations of pesticides/commodities in the Step Procedure recommended for withdrawal from further consideration (discontinuation)
- CXLs for different combinations of pesticides/commodities proposed for revocation
- *Guidelines on the use of mass spectrometry for the identification, confirmation and quantitative determination of pesticide residues (CXG 56-2005)*

India requested that the MRLs for chlorpyrifos be retained for four years pending re-evaluation. The Secretariat and Representative of the FAO/WHO Joint Meeting on Pesticide Residues (JMPR) noted that CCPR reached consensus on revoking the MRLs consistent with its procedures and that no further data had been submitted for a JMPR periodic review/reevaluation. It was further noted that revocation does not prevent reevaluation should data become available in the future.

PROPOSALS FOR NEW WORK

CCFO

- Amendment to the *Standard for Named Vegetable Oils* (CXS 210-1999) to include Camellia seed oil, Sacha inchi oil, and high oleic acid soya bean oil
- Amendment to the *Standard for Fish Oils* (CXS 329-2017) to include of Calanus oil

CCFFV

- Standard for Fresh Curry Leaves

CAC46 did not approve new work recommended by CCFFV to develop a worldwide standard for *Castilla lulo*, but instead recommended a regional standard. As the original sponsor of this proposal, Colombia agreed to this approach.

Agenda Item 5: EDITORIAL AMENDMENTS TO CODEX TEXTS PROPOSED BY THE CODEX SECRETARIAT

The Secretariat summarized amendments to Codex standards from adjourned Committees to align with the new *General Standard for the Labeling of Non-Retail Containers of Foods* (CXS 346-2021), adopted by CAC44 in 2021. CAC45 adopted the revisions for most Committees. Revisions to standards that originated in the Codex Committee on Cereals, Pulses and Legumes (CCCPL) are still under consideration.

Agenda Item 6: OTHER MATTERS RELATED TO CODEX SUBSIDIARY BODIES

Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS)

- CAC45 approved the new work proposal submitted by Australia (chair/host country of CCFICS) for the development of principles and guidelines on the use of remote audit and verification in regulatory frameworks and agreed to the formation of an EWG under CCFICS to begin work in preparation for the next session of CCFICS (CCFICS26, May, 2023).

Codex Committee on Processed Fruits and Vegetables (CCPFV)

- Regarding the proposal submitted by the Republic of Korea for revision of the *Standard for Kimchi* (CXS 223-2001), China, Indonesia and Japan suggested that the scope be expanded and additional data submitted. It was noted that only five countries had responded to the Circular Letter issued to assess interest and support for the work. India requested that CCPFV be reactivated as CAC had already approved two other new work proposals. As recommended by CCEXEC83, CAC45 did not approve the proposal for new work and noted that CCPFV could be reactivated in the future should there be sufficient workload and interest.
- Brazil proposed an amendment to the *General Standard for Fruit Juices and Nectars* (CXS 247-2005), supported by several other members. CAC45 noted that the Secretariat would issue a Circular Letter requesting comments on the proposed amendment.

Codex Committee on Fats and Oils (CCFO)/Codex Committee on Milk and Milk Products (CCMMP)

- A proposal to revise the *Standard for Milk Fat Products* (CXS 280-1973) submitted by Iran was discussed at CCFO27, since CCMMP has adjourned *sine die*, and referred to CCEXEC for consideration. Based on the comments received in response to the Circular Letter issued on the proposal, CCEXEC83 had recommended against approval, and CAC45 agreed. This outcome was consistent with comments from the United States and others in response to the Circular Letter.

Agenda Item 7: CODEX STRATEGIC PLAN 2020-2025 – IMPLEMENTATION REPORT 2020-2021

CAC45 welcomed the implementation of the strategic plan to date noting the challenges faced during the pandemic. The Secretariat was commended for its rapid [preliminary reporting and analysis](#) of the pilot survey on the use and impact of Codex texts. The Commission requested that further attention be paid to the timely dissemination of documents, while recognizing resource constraints on the Codex Secretariat. CAC45 also agreed with CCEXEC83's suggestion that there may be benefit in undertaking the development of the next strategic plan in parallel with development of the Secretariat's monitoring framework.

Agenda Item 8: CODEX BUDGETARY AND FINANCIAL MATTERS

CAC45 noted the Secretariat's report, including the difficulty of delivering the Codex work plan in a zero-growth environment and that Codex was seeking extra-budgetary resources.

Agenda Item 9: MATTERS ARISING FROM FAO AND WHO

While this item was primarily informational, a number of Members raised issues related to eligibility for support by the Codex Trust Fund (CTF). The CTF Administrator noted that these issues would be taken into account in the course of the CTF mid-term evaluation, which was ongoing.

Agenda Items 10, 11, and 12: APPOINTMENT OF COORDINATORS, ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSONS, AND DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX SUBSIDIARY BODIES

CAC45 reelected by consensus the Commission Chairperson Mr. Steve Wearne (United Kingdom) as well as the following Vice-Chairpersons: Mr. Diego Varela (Chile), Mr. Allan Azegele (Kenya), and Mr. Raj Rajasekar (New Zealand).

Uganda, China, and Ecuador were reappointed as coordinators for the FAO/WHO Regional Coordinating Committees for Africa (CCAFRICA), Asia (CCASIA), and Latin America and the Caribbean (CCLAC), respectively. Germany was appointed to succeed Kazakhstan as coordinator for the Regional Coordinating Committee for Europe (CCEURO).

Following the appointment of Germany as CCEURO coordinator, CAC45 elected Finland to succeed Germany as the member elected to CCEXEC on a geographical basis from Europe, to complete the term scheduled to end at the conclusion of CAC46 (2023).

There were no changes to the list of host countries responsible for appointing chairpersons of Codex subsidiary bodies.

Agenda Item 13: 60TH ANNIVERSARY OF THE CODEX ALIMENTARIUS COMMISSION

CAC45 discussed commemoration of the 60th anniversary of Codex Alimentarius in 2023. Many Members shared their ideas and plans. The Codex Secretariat reported their intention to have all Codex texts and standards updated and available in all six languages in advance of the 60th anniversary celebration. The Secretariat also sought input from Members on how they were integrating Codex standards into national legislation and invited suggestions on how to showcase achievements in the Codex magazine. Codex Alimentarius plans to kick off celebrations at both FAO and WHO headquarters, first by holding an event in Geneva in celebration of World Food Safety Day (June 6) followed by an event in Rome on the sidelines of CAC46. The theme for World Food Safety Day 2023 is standards, very appropriate for the 60th anniversary of Codex.

Agenda Item 14: OTHER BUSINESS

CAC45 noted the advice of the legal offices of FAO and WHO with respect to participation of the EU as an

advisor to the Member elected on a geographical basis from Europe at CCEXEC. The United States had raised this question as the Member elected from North America at CCEXEC78 (February 2020) and CCEXEC79 (July 2020), in light of the formal declaration that the EU made at the time it applied for membership in Codex that it would not take part in CCEXEC when the Member elected from Europe was a member of the EU.

NEXT SESSION

The next session of the Commission (CAC46) is planned for November 2023 and will mark the 60th anniversary of the Codex Alimentarius Commission. The meeting will take place at FAO Headquarters in Rome, Italy.