



## U.S. Delegate's Report 30th Session, Codex Committee on General Principles

The 30<sup>th</sup> Session of the Codex Committee on General Principles (CCGP) met April 11 – 15, 2016, in Paris, France. Approximately 200 delegates representing 72 member countries, one observer country, one member organization (the European Union) and nine international organizations participated in the session, which was chaired by France.

The United States was represented by Mary Frances Lowe (USDA/U.S. Codex Office) as delegate and Camille Brewer (FDA) as alternate delegate, three government advisors and one non-government advisor. The United States worked very closely with delegates from other countries with whom we shared similar positions and, overall, was successful in achieving our goals for the session.

### Summary/Highlights

The majority of the discussion at the 30<sup>th</sup> Session of CCGP focused on the proposed Secretariat-led internal review of Codex work management. The Committee also discussed the consistency of risk analysis texts across relevant committees and migration of the Codex web site. The Committee concluded that:

- The terms of reference (TOR) for the internal review should focus on the efficiency and effectiveness of Codex work management practices in light of the Codex Strategic Plan 2014-2019, Regional Coordinating Committees should be consulted, and the timeline for completion should be extended.
- The Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) should revise its risk analysis text and consider how to incorporate the Codex model of seeking scientific advice from independent, international expert bodies (through the Joint Expert Meeting on Nutrition, JEMNU).

The following paragraphs discuss the conclusions of the Committee in more detail, by agenda item. The full official report of the session is available on the Codex Alimentarius website at <http://www.fao.org/fao-who-codexalimentarius/meetings-reports/en/>

### MEETING SUMMARY

#### Agenda Item 1 – Adoption of the Agenda

The committee agreed to add two new papers to the agenda under “Other Business.” One was an information paper presented by New Zealand and titled: “A Proposed Risk Management Approach to Address Detection in Food of Chemicals of Very Low Public Health Concern.” (CRD7) New Zealand indicated they would bring a more detailed document to the attention of the Codex Alimentarius Commission (CAC 39, June 27-July 1, 2016). The second paper, presented by Germany and France, concerned the work of committees working by correspondence only (CRD 2). This issue is on the agenda of the upcoming Executive Committee (CCEXEC 71, June 20-23) and will most likely also be addressed at CAC 39.

#### Agenda Item 2. Matters Referred

The CCGP endorsed amendments to the *Procedural Manual* referred by the Codex Committee on Methods of Analysis and Sampling (CCMAS). These amendments were supported by the U.S. delegate to CCMAS

#### Agenda item 3. Codex Work Management and Functioning of the Executive Committee – Terms of Reference of Secretariat –Led Internal Review

Discussions regarding a review of Codex work management practices began at the 36<sup>th</sup> Session of the CAC (2013) when Japan questioned the need for a Codex Committee on Spices and Culinary Herbs. In addition to noting the costs involved in establishing a new committee, delegates also noted that the *Procedural Manual* explicitly states, “first consideration should be given to the establishment of an ad hoc intergovernmental Task Force under Rule XI.1 (b)(i).”



The 38<sup>th</sup> Session of the CAC (2015) requested the Secretariat to prepare a document for review and comment and discussion at the 2016 session of the CCGP. This document (CX/GP 16/30/3) contained proposed Terms of Reference (TOR) for an internal Secretariat-led review that were central to the discussions at the CCGP session.

In a round of general comments, many delegations, including the United States, questioned the need for an internal review. In addition to citing concerns about the cost, scope and purpose of the review, and the relatively short time that had elapsed since the last comprehensive evaluation review was completed in 2009, they stressed the need to focus on practical work management issues, consistent with the Codex Strategic Plan, and expressed concern about the potential negative impact on ongoing Codex work that could result from opening discussions on divisive issues that had previously been settled in Codex. Other delegations, primarily from the European region, supported the review and suggested expanding the proposed TOR.

A compromise was reached in which countries agreed to proceed with an internal, Secretariat-led review which would focus on Strategic Goal (SG) 4 of the recently adopted Codex Strategic Plan 2014-2019. SG 4 calls for the CAC to “implement effective and efficient work management systems and practices.” There are measurable/indicators/outputs for ensuring this goal is accomplished and the United States believes SG 4.1 focuses on things that are really important to member countries, such as timely distribution of documents and increased participation in committees and working groups.

Countries were not able to reach consensus on how closely the review should be tied to Strategic Goal 4. Accordingly, CCGP forwarded the revised TORs to the CAC which will have to make a decision on one of the following two options regarding the purpose of the review:

- Assess the efficiency and effectiveness of Codex work management practices in light of the implementation of the current Strategic Plan, with particular focus on SG4, or
- Assess the efficiency and effectiveness of Codex work management practices according to SG4 of the Codex Strategic Plan (2014 – 2019).

It was generally agreed that the review was a complex process and it was important that things not be rushed in order to achieve credible results, but the Committee was unable to finalize a revised timeline. Several countries stated that the proposed timeline was unrealistic and overly ambitious and recommended that the Committee should decide on the steps of the review first and let the timetable evolve. Many countries believed that the TORs should be sent to the Regional Coordinating Committees (RCCs) before final adoption, which could conceivably add a year to the review.

To address these concerns and avoid negative impact on the quality of the review, the timeline for completion of the internal review was extended for a maximum of two years from CAC 39 (2016), to 2018. This would allow an additional year for review by the RCCs, CCGP, and the CAC. CCGP forwarded a timeline without interim dates to the CAC, which will be responsible for determining target dates for the activities involved in the review.

Although some countries proposed that an external review be conducted in parallel with the internal review, it was agreed that no final decision had been made by the CAC regarding the need for an external review and that the charge to CCGP was to consider TOR for an internal review.

#### **Agenda Item 4: Consistency of the Risk Analysis Texts across the Relevant Committees**

This agenda item was an outstanding issue from the previous Codex Strategic Plan (2008 – 2013), which called for a review of the risk analysis policies of Codex committees to determine if they were consistent with the “Working Principles for Risk Analysis for Application in the Framework of Codex Alimentarius,” (Codex *Procedural Manual*, 24<sup>th</sup> Edition, Section IV, pp. 113-119). The Secretariat carried out a review of the risks analysis texts of the relevant Codex committees and presented their conclusions in Document CX/GP/16/30/4.

The United States supported the recommendation that the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) “should revise the text on nutritional risk analysis and include JEMNU as its primary source of scientific advice,” consistent with the model followed by other Codex committees that rely primarily on scientific advice from independent, international expert panels convened jointly by the World Health Organization (WHO) and UN Food and Agriculture Organization (FAO). To date, the CCNFSDU had not submitted any requests to JEMNU for scientific advice and had instead relied primarily on WHO’s Nutrition Guidance Expert Advisory Group (NUGAG). The FAO representative highlighted the benefit of joint FAO/WHO scientific advice, commenting that the



fact that CCNFSDU had not requested any scientific advice from JEMNU was of major concern to FAO. The representative of WHO, however, proposed to revise the recommendation to include JEMNU as "a source," rather than as "its primary source," of scientific advice. The committee agreed to recommend to the CAC that CCNFSDU revise its nutritional risk analysis text and to consider how to include JEMNU as "a primary source" of scientific advice, as suggested by Canada.

Delegates from Latin America and the Caribbean region expressed their dissatisfaction with the document prepared by the Secretariat, focusing on what they view as an unjustified inconsistency with Codex risk analysis principles in the risk analysis text adopted by the Codex Committee on Pesticide Residues, which is the only committee with a requirement for periodic re-evaluation of existing standards (pesticide MRLs). Others observed that periodic review was a long standing policy and had been debated at length in CCPR, expressing their view that CCGP did not have the technical expertise to discuss the issue or make recommendations. The chair noted the concerns expressed but the committee did not reach consensus on any further recommendation with respect to the CCPR provisions. Twelve delegations from Latin America and the Caribbean recorded their reservations, because they felt the Secretariat paper had not fulfilled its mandate and the matter should be retained on the CCGP agenda.

There was no support in the committee for the medium term recommendations in Document CX/GP/16/30/4 that consideration be given to a substantial review of the risk analysis section of the Procedural Manual or an overhaul of the existing "Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius."

#### **Agenda item 5: Other Business**

As noted under Agenda Item 1, the Committee did take note of two papers, one co-authored by Germany and France on committees working by correspondence only and one by New Zealand on emerging issues related to the detection of chemicals of "very low public health concern" in foods. The documents were submitted late, and there was no substantive discussion. The issues are expected to be discussed at CCEXEC and CAC in June.

Several countries expressed concern about the migration of the Codex website from the [www.codexalimentarius.org](http://www.codexalimentarius.org) domain to the [www.fao.org/fao-who-codexalimentarius](http://www.fao.org/fao-who-codexalimentarius) domain. They believed this limited the visibility and the independence of Codex and could make it harder for members to find and access information. The Secretariat explained that this was part of a consolidation of various independent websites within FAO in order to present a "One-FAO" look. The Assistant Directors General of both FAO and WHO had asked FAO to grant an exemption for Codex, but the exemption had not been approved. The issue remains under discussion between FAO and WHO.

#### **Next Session**

The 31<sup>st</sup> session of CCGP is tentatively set for the spring of 2018 in Paris, France, unless the CAC decides otherwise.