



Delegate's Report, 35th Session of the Codex Alimentarius Commission

July 2-7, 2012

Rome, Italy

The 35th Session of the [Codex Alimentarius Commission \(CAC\)](#) took a number of actions that affirmed the importance of science and following established Codex procedures in setting Codex standards. Key actions included:

- Adopted more than 20 new standards, many of which (pesticide residue MRLs, veterinary drug MRLs, food additive usages) contained multiple provisions.
- Voted to adopt Maximum Residue Levels (MRLs) for the veterinary drug ractopamine, which has been under discussion for several years.
- Agreed to place the veterinary drug zilpaterol on the priority list for evaluation by JECFA.
- Established a process to progress consideration of MRLs for rBST, currently held at Step 8.
- Discontinued work on a standard for processed cheese.
- Established a sub-committee of the Codex Executive Committee to consider funding options for the expert committees that provide scientific advice to Codex.

The Session was attended by 580 representatives from 144 Member countries and 36 international intergovernmental and non-governmental organizations. The United States was represented by Co-Delegates Darci Vetter (USDA Deputy Undersecretary for Farm and Foreign Agricultural Services) and Brian Ronholm (USDA Deputy Undersecretary for Food Safety), Karen Stuck, U.S. Manager for Codex, 13 governmental advisors, and 8 non-governmental advisors.

Adoption of Standards

The CAC adopted:

- Over 150 food additive provisions. The United States and the European Union agreed to return provisions for sorbates in edible casings and phosphates in vegetables and nectars to the Committee on Food Additives for further consideration.
- *Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food*
- Annex on Melons to the *Code of Hygienic Practice for Fresh Fruits and Vegetables*
- Maximum level (ML) for melamine in liquid infant formula (ready to consume)
- ML for total aflatoxins in dried figs
- Over 270 maximum residue levels (MRLs) for 19 pesticides
- Veterinary drug MRLs for narasin in cattle tissues; amoxicillin in cattle, sheep, and pig tissues and cattle and sheep milk; monensin in cattle liver; and ractopamine in pork and cattle tissues
- Revision of the *Guidelines for Nutrition Labeling* concerning provisions for mandatory nutritional labeling and a definition of "nutrient reference values"
- Revision of the *Guidelines for Use of Nutrition and Health Claims* to incorporate a new definition for "non-addition claims," conditions for free of salt claims, amendments to the section on comparative claims, and conditions for non-addition of sugars claims
- Revision of the Code of Practice for Source-Directed Measures to Reduce Contamination of Food with Chemicals.
- Sampling plans for residue control for aquatic animal products

Ractopamine MRLs

The MRLs for ractopamine in muscle, liver, kidney, and fat in pork and beef had been held at Step 8 since 2010, and had raised fundamental questions regarding the balance between science-based decision making and the role of other factors in setting Codex standards. Scientific issues have been resolved through multiple JECFA evaluations, with the exception of an MRL for lung tissue for which work is pending. The opposition to adoption was primarily based on non-scientific issues related to consumer concerns.

The CAC exchanged a round of views on the adoption of the MRLs with no substantive changes in positions and no consensus on adoption. The Delegation of Ghana requested a vote on adoption of the proposed MRLs. A secret ballot was requested by the EU, and a series of votes followed. The CAC voted 92-41 to conduct the votes by secret ballot; 68-64 to proceed to a vote on adoption; and 69-67 to adopt the MRLs.



The European Union and eight other Countries expressed their reservation for the adoption. While pleased with the adoption of the MRLs, the United States expressed its belief that adoption of standards in Codex through voting should be a rare exception to the general principle of consensus.

rBST

The MRLs for recombinant bovine somatotropin (rBST) have been held at Step 8 since 1995, and mixed views were expressed during the discussion at this session. Those opposed to adoption cited animal health, animal welfare, and possible antimicrobial resistance resulting from the use of rBST. The United States and others that favored adoption noted that these issues are outside the mandate of Codex, that the science was sufficient, and that no food safety issues remain.

The Commission agreed that an updated scientific review by JECFA would be undertaken with the full report provided to the Codex Committee on Residues of Veterinary Drugs in Food, which will make recommendations to the CAC.

New Work

Thirteen new work items were approved including:

- Revision of the *Code of Hygienic Practice for Spices and Dried Aromatic Plants*
- Annex on berries to the *Code of Hygienic Practice for Fresh Fruits and Vegetables*
- Levels of Radionuclides in Food
- Revision of Maximum Levels for Lead in Fruit Juices, Milk and Secondary Milk Products, Infant Formula, Canned Fruits and Vegetables, Fruits and Cereal Grains in the *General Standard for Contaminants and Toxins in Food and Feed*
- Code of Practice for the prevention and reduction of ochratoxin A contamination in cocoa
- Risk Management Options for Residues of Veterinary Drugs for which no ADI and/or MRL has been recommended by JECFA due to specific health concerns
- Priority lists for evaluation of pesticides and veterinary drugs
- Regional standard for date paste to be developed in the Coordinating Committee for the Near East (CCNE). While not opposing the work, the United States supported an international rather than regional standard because the product is traded internationally. However, the CCNE delegations strongly supported a regional standard noting that the expertise for this product resided in the region.

Discontinuation of Work on a Processed Cheese Standard

The CAC discontinued work on a standard for processed cheese standard, which had also been considered for discontinuation in 2010 and 2011. While some countries felt that a standard was necessary to facilitate trade in the product, the United States, others argued that the product clearly could not be standardized and that no trade impediments had been identified. The Codex Secretariat will request countries to identify gaps in the safety and quality provisions of existing Codex standards that would justify new work on a standard.

Priority list for evaluation of veterinary drugs

The Codex Committee on Residues of Veterinary Drugs in Food (CCRVDF) had requested guidance from the CAC on its process for making decisions on inclusion of drugs on the priority list for evaluation by JECFA. The issue arose when a proposal to add zilpaterol to the list was opposed by the EU and others on the basis that the EU would block consensus on adoption so it would be a waste of time and resources to conduct a JECFA evaluation. The drug had met all criteria in the Codex Procedural Manual for placement on the priority list. The United States considered this a critical process issue for Codex and argued that it was fundamentally inappropriate to pre-judge a decision on any substance until the scientific risk assessment had been completed.

The CAC placed zilpaterol on the priority list based on advice by the FAO Legal Counsel, who indicated that, while there was no specific rule on whether a compound should or should not be placed on the priority list, there was a clear need for predictable procedures in Codex. He noted that historically substances that met the criteria had been placed on the priority list, that a consistent practice in CCRVDF had been established, and therefore it was not unreasonable to expect that Zilpaterol should be placed on the JECFA priority list.

Strategic Planning

Significant time was spent discussing the Draft Strategic Plan for 2014-2019 and the four goals:



- Goal 1: Establish international food standards that address current and emerging food issues.
- Goal 2: Ensure the application of risk analysis principles in the development of Codex standards.
- Goal 3: Facilitate the effective participation of all Codex Members
- Goal 4: Implement effective and efficient work management systems and practices.

The Codex Secretariat will distribute the draft Strategic Plan for comment by Members and Regional Coordinating Committees, and a sub-committee of the Codex Executive Committee was established to revise the Strategic Plan for adoption at the next session of the CAC.

Funding for Expert Scientific Committees

The United States and the EU collaborated on a paper calling attention to the need for additional funding for the independent FAO/WHO expert committees that provide scientific advice to Codex. The paper raised the possibility of considering funding from non-government sources, in addition to encouraging more support from Member Countries and from FAO and WHO. The CAC established a sub-committee of the Codex Executive Committee to consider funding options for consideration at the next session of the Executive Committee and the CAC. It was recognized that funding from non-government sources would need to comply with FAO and WHO rules to assure continued independence of the expert committees.

Proposal for New Committee on Spices

The Delegation of India proposed establishment of a new Codex committee on spices to develop commodity standards for a wide range of spices along with their derivatives. While the Commission was receptive to the proposal, several Delegations including the United States indicated that the scope needed clarification. India will prepare a discussion paper for the next CAC, and the Regional Coordinating Committees will be asked to provide views on the proposal.

Codex Logo

The CAC Chair proposed development of a Codex logo in order to improve the visibility of Codex and help promote use of Codex standards. While generally supporting improved visibility for Codex, the Codex Executive Committee discussed the difficulties in monitoring the use of a Codex logo. The CAC agreed to move forward with development of the logo as part of a broader communications strategy.

50th Anniversary of Codex

The CAC noted that next year will be the 50th anniversary of the Codex Alimentarius Commission. The CAC established a committee to organize activities in conjunction with the observance.

Elections

The Commission re-elected as Chairperson and Vice-Chairpersons the following individuals.

- Chairperson: Mr. Sanjay Dave (India)
- Vice Chairpersons: Mr. Samuel Godefroy (Canada); Mrs. Awilo Ochieng Pernet (Switzerland); and Mr. Samuel Sefa-Dedeh (Ghana).

Committee Report

The full report of the 35th Session of the CAC will be available at www.codexalimentarius.org.