



Delegate's Report, 63rd Session, Codex Executive Committee

Introduction

The Codex Executive Committee (CCEXEC) acts on behalf of the Codex Alimentarius Commission between sessions of the Commission. CCEXEC has the responsibility for standards management through the critical review process and provides guidance and direction on strategic planning and the overall work of the Commission.

This 63rd Session of CCEXEC, among other things, carried out a review of all proposed and draft standards under development, reviewed the implementation of the Codex Strategic Plan 2008-2103, considered recommendations arising from the Evaluation of the Capacity of the Codex Secretariat, and considered amendments to the *Guidance on the Application of the Criteria for the Establishment of Work Priorities*.

The United States served as the Geographic Representative for North America. Ms. Karen Stuck, U.S. Manager for Codex, served as the Delegate and was accompanied by advisors from the U.S. Food and Drug Administration and Health Canada.

The following summary presents the key outcomes of the 63rd Session of CCEXEC. The full report of the Session can be found in ALINORM 09/32/33 on the Codex Website, www.codexalimentarius.net.

CRITICAL REVIEW FOR THE ELABORATION OF CODEX STANDARDS AND RELATED TEXTS-MONITORING OF STANDARDS DEVELOPMENT

The Committee considered all work that is under development in Codex committees and task forces. Work that is progressing according to schedule was simply noted as such. CCEXEC made the following observations on work that has been delayed and/or on which there are significantly different views on specific provisions of the work.

- Committee on Food Labelling: On the work associated with the labelling of foods derived from biotechnology, CCEXEC noted that it fully expected this work would be completed by the specified 2011 deadline; if it did not, CCEXEC would recommend corrective action. The same comment was made for the associated work on definitions.
- Committee on Fats and Oils: On the work associated with olive oil, in regards to the provisions relating to linoleic acid, the Committee confirmed its earlier recommendation encouraging CCFO to finalize the work at its next Session and endorsed the recommendation of the Chairperson of the committee regarding the future of the work (that the work should be discontinued if consensus cannot be reached).
- Committee on Residues of Veterinary Drugs in Foods: the status of the work on ractopamine was noted, specifically that JECFA had issued a call for data on

depletion of residues of ractopamine and that preparations were on-going to convene a group of JECFA experts to evaluate the data to be provided by China. A comment was brought forward regarding the several items of work from this Committee that were being held at Step 8; in this regard, the Codex Chair noted that although this issue had been raised in the Commission meeting, no agreement was reached on further action, but that issues on procedure could be raised in the Codex Committee on General Principles.

- Committee on Food Hygiene: concern were raised regarding references to antimicrobial treatments in the *Proposed Draft Guideline for the Control of Campylobacter and Salmonella spp. in Chicken Meat*, however, CCEXEC made no specific comment on the status of the work at this time. The Committee did note the excellent progress that had been made by this Committee with four work items completed at the most recent session of the Committee.
- Committee on Fish and Fishery Products: CCEXEC noted that, while good progress had been made on several items, that work on the *Proposed Draft Code of Practice for Quick Frozen Scallop Adductor Muscle Meat* was not likely to be finalized at the next session and recommended that CCFFP set a target date of 2012 for this work.

The Member from North America, supporting the written comments of the Chair of the Committee on Food Additives on the priority that should be given to the General Standard for Food Additives (GSFA), expressed the view that commodity committees did not always follow the Codex Procedural Manual instructions on referencing the GSFA and should do so. The Committee supported this view and agreed that the Secretariat should provide guidance to committees to assist them in complying with the Procedural Manual guidance on use of the GSFA with respect to food additive provisions in commodity standards.

The Committee also noted that the format used by the Secretariat to provide information to CCEXEC for the critical review should be such that consistent and complete information was provided for all committees and that, for clarity, references to particular ALINORMS and other Codex documents should be sufficient so as to provide clarity as to what they specifically refer to and their date (e.g., ALINORM 10/33/13, Report of the 38th CCFH, 2009).

IMPLEMENTATION OF THE CODEX STRATEGIC PLAN 2008-2013

The current Codex Strategic Plan 2008-2013 contains 5 specific Goals and many specific activities under each Goal (the Strategic Plan is available on the Codex website). The Committee reviewed the status of activities including the following specific comments/recommendations:



- Under Activity 1.8 (publish and disseminate the Codex Alimentarius), the Secretariat noted that standards and other texts adopted at the last session of the Commission had been uploaded on the Codex website.
- Under Activity 2.1 (review consistency of risk analysis principles elaborated by relevant Codex committees), noted was the completion of work on *Risk Analysis Principles and Procedures Applied by the Codex Committee on Food Hygiene*. Also noted was updating by the Codex Committee on Pesticide Residues of its risk analysis principles.
- Noted that Activity 3.4 (analyze work-management approaches that facilitate advancement of texts in the Codex step process) had not yet been implemented in view of the need to address other substantial issues. CCEXEC noted this matter to be of high priority and the Committee agreed with the proposal of the Secretariat to undertake the analysis of work management approaches for consideration by the next Session of CCEXEC.
- Under Activity 4.4 (consider cooperation with other relevant international intergovernmental organizations), many members expressed the view that current reporting by IGOs could be improved to include identification of areas of potential complementary activities, gaps, duplication of effort, or conflict. It was noted that, while guidelines existed for cooperation with IGOs, there was no such guidance as regards international non-governmental organizations; the Secretariat noted that development of such guidance could be brought forward to the Codex Committee on General Principles.
- In the context of the discussion on Activity 4.4, some members expressed the view that Goal 4 (Promoting Cooperation Between Codex and Other Relevant International Organizations) should be linked to the consideration of private standards and proposed that the Secretariat should carry out a comparison between private standards and Codex standards. The Secretariat noted that a discussion on private standards was scheduled for the next Session of the Commission and the Committee agreed to delay further discussion on this subject until then.
- Under Activity 5.3 (evaluate effectiveness of Codex committee sessions held in developing countries), the Secretariat noted that this Activity has been completed following the consideration of the Secretariat's paper on this subject considered by the last Session of the Codex Committee on General Principles. The Advisor to the Geographic Representative for Latin America and the Caribbean noted the proposal of holding all Codex sessions in either Rome or Geneva; the Chairperson recalled that this issue was to be more fully discussed at a future date after more experience had been gained with Trust Fund participation, co-hosting of committee meetings, codex capacity building and other measures.

EVALUATION OF THE CAPACITY OF THE CODEX SECRETARIAT



Activity 3.7 of the Codex Strategic Plan requested an independent evaluation of the Codex Secretariat. This evaluation was carried out in 2009 and presented to the CCEXEC and the Commission at their last Sessions. Only limited discussion had occurred and the recommendations were to be more fully discussed at this session of the CCEXEC.

No significant discussion occurred on recommendations 1 (*FAO and WHO should agree as a matter of urgency on the desirable balance in their contributions to the Codex budget*), 4 and 7 (*relating to the Trust Fund- this subject is frequently under discussion in Codex fora*), and 10 (*the Codex Secretariat should further integrate IT into the daily work of the Secretariat- noting that work on this area is proceeding*).

The Committee generally agreed with the other recommendations (see Report for the subject of the specific recommendations).

Regarding recommendation 2 (*FAO and WHO should allocate sufficient resources (staff and non-staff) to the Joint Codex Budget to create a sustainable Secretariat*), the Committee agreed with this recommendation and had an extensive discussion on the terms "sustainable" and "sufficient." The Secretariat noted that vacant positions in the Secretariat would be filled and observed that, in general, the resources of the Secretariat seemed sufficient. However, the Committee noted the need to implement the consultant's proposal of delegating more administrative work to general service staff, the need to reconsider the use of staff for capacity building activities, and the assistance that could be gained by increasing the use of host-country Secretariats.

The Committee had an extensive discussion on Recommendation 6 (*The Codex Secretariat should improve daily operation of the Codex work*) noting the significant importance of this recommendation generally and its several specific recommendations to improve the work of the Secretariat. Emphasis was placed on the timely distribution of documents.

Regarding the working of the Secretariat, it was noted that the Procedural Manual was silent about the specific functions of the Codex Secretariat, and a question was raised as to whether specific guidance should be provided. Generally, members felt that such guidance could be too prescriptive and cautioned against creating in the Procedural Manual specific responsibilities for the Secretariat since they might change with time.

The Secretariat noted that the findings of the Evaluation of the Codex Secretariat will be discussed at the next Session of the Commission.

AMENDMENTS TO THE GUIDANCE ON THE APPLICATION OF THE CRITERIA FOR THE ESTABLISHMENT OF WORK PRIORITIES

Based on the work of an electronic working group led by the Commission Chair and the Vice-Chairs, the Committee recommended the addition of two criteria to the Codex Procedural Manual's *Criteria for the Establishment of Work Priorities*, specifically:

- Amenability of the subject of the proposal to standardization; and,
- Consideration of the global magnitude of the problem or issue.

The Committee also agreed to add the following provision and certain other minor changes to the *Guideline on the Application of the Criteria for the Establishment of Work Priorities (Criteria Applicable to Commodities)*:

"In case there is substantial production and trade of a regional commodity in countries outside the region, the Executive Committee should recommend to the concerned commodity committee to consider elaborating a global standard taking into account its work program".

The Committee also recommended that this Guideline be incorporated into the Codex Procedural Manual.

Additionally, the Committee agreed that the Codex Committee on Processed Fruits and Vegetables and the Codex Committee on Processed Fruits and Vegetables should reconsider developing committee-specific decision making and priority setting criteria.

FINANCIAL AND BUDGETARY MATTERS

The Committee continued consideration of a proposal for the development of a business plan for the Commission. Australia, as the Member for the Southwest Pacific and the developer of the plan along with New Zealand, indicated that the objective was to provide a rigorous and systematic framework for estimating resource requirements for the activities and program of the Codex Commission. The Plan is designed to provide: specific information on the FAO and WHO financial contributions to Codex; information on the support provided by host governments; and information on the costs of key activities of Codex including translation and Secretariat support for the work of the committees.

Members generally were favorable to the plan indicating that it would provide increased transparency and rigor; however, they requested clarification on the plan's objectives and how it might be used. FAO and WHO viewed the proposal with interest, but noted that implementation of results-based budgeting needed to move forward in their organizations before best use could be made of a business plan by Codex.

The Committee agreed that Australia and New Zealand, with the assistance of FAO and WHO would further develop the plan, concentrating on Activities 1.1 to 1.4 of the Codex



Strategic Plan (dealing with standards development) for consideration by the next Session of CCEXEC.

OTHER MATTERS

Applications from International Non-Governmental Organizations

CCEXEC recommended for approval by the Directorate Generals of FAO and WHO applications for Observer status from two organizations: Euroglaces and the Public Research and Regulation Initiative (PRRI).

Matters Arising from the Codex Committee on Fresh Fruits and Vegetables

The representative from Latin America and the Caribbean, who is the Chair of the Codex Committee on Fresh and Fruits and Vegetables, noted a proposal from the United Nations Economic Commission for Europe (UNECE) Working Party on Agricultural Quality Standards to remove the reference to UNECE from the cover page of its standards, which would have the effect of characterizing the standards as U.N. Standards. The Working Party has asked the UNECE Secretariat to ask the United Nations Legal Office for advice on the issue.

The Codex Secretariat informed CCEXEC that it was seeking advice from FAO and WHO Legal Offices and that the Commission would be updated at its next Session. The Committee requested the Secretariat to explore the implications of the UNECE action and to inform the Commission of its findings through the Executive Committee at its next Session.

Report on the Codex Trust Fund

The Committee received a status report on the on-going Mid-Term Evaluation of the Codex Trust Fund.

Agenda for the 33rd Session of the Codex Alimentarius Commission

The Committee approved the Provisional Agenda for the 33rd Session of the Commission. The Agenda follows that of prior Sessions of the CAC.

NEXT SESSION OF CCEXEC

The 64th Session of CCEXEC will be June 29-July 2, 2010, in Geneva, immediately before the 33rd Session of the Codex Commission.