



36th Session of the Codex Alimentarius Commission

July 1 - 5, 2013

Rome, Italy

The 36th Session of the [Codex Alimentarius Commission \(CAC\)](#) met in Rome, Italy, July 1-5, 2013. The Commission marked its 50th Anniversary and reached consensus on a Strategic Plan which will guide its work from 2014 through 2019. The CAC also:

- Established a new Codex Committee on Spices and Culinary Herbs (CCSCH).
- Approved several hundred new provisions for food additives and maximum residue limits for pesticides.
- Adopted 33 other standards at Step 8 and Step 5/8 (final adoption), and 10 additional standards at Step 5 (for further consideration by relevant committees).
- Agreed to the establishment of an electronic working group that would consider the feasibility of additional work on a standard for processed cheese.
- Adopted two texts on animal feed, completing the work of the Task Force on Animal Feeding.
- Called on the United Nations Food and Agriculture Organization (FAO) and World Health Organization (WHO) to consider expanding the donor base for the international, independent expert scientific review panels that provide the scientific advice needed to support Codex food safety standards.
- Noted the need for a successor initiative to the Codex Trust Fund to continue to support enhanced participation by developing countries in Codex work.

As a side event at the CAC, the U.S. and the EU co-chaired a Facilitated Discussion on Root Causes of Standards Held at Step 8 (short of final adoption, with no clear path forward in some cases). This discussion was mandated by the 2012 Session of the Codex Committee on General Principles (CCGP) but was not part of the CAC agenda *per se*.

The 36th Session was attended by 620 delegates from 128 Member countries and 41 international intergovernmental and non-governmental organizations. The United States was represented by Delegate Mary Frances Lowe, U.S. Manager for Codex, eight governmental advisors, three non-governmental advisors, and two former chairs of the CAC. In honor of Codex's 50th Anniversary, the delegates were welcomed by the Director General of the Food and Agriculture Organization, Jose Graziano de Silva, and the Director General of the World Health Organization, Dr. Margaret Chen. Both Directors General praised the work of Codex and stressed the need for Codex to continue to address emerging food safety issues that result from the introduction of new technologies and the growing complexity and interconnectedness of the global food chain.



Ministers from countries representing the FAO/WHO regions were also invited to address the delegates and reflect on 50 years of Codex. A consistent theme among these speakers was the importance of Codex in international trade and the challenges that Codex will face in the next 50 years.

Adoption of Standards

The CAC adopted the following standards and related texts at Step 8 and 5/8 (final adoption):

- Standards for Avocado, Table Olives and Pomegranate.
- Standards for Smoked Fish, Smoke-Flavoured Fish and Smoke Dried Fish.
- Principles and Guidelines for the Establishment and Application of Microbiological Criteria.
- Revised Guidelines on Formulated Complementary Foods for Older Infants and Young Children. Several delegations called for amendments to prohibit certain ingredients (defatted cotton seed flour, irradiated foods and foods derived from modern biotechnology) in these foods. After some debate, the Commission adopted the updated Guidelines with the following amendment: “The decision to add oil seeds flour to a formulated complementary food should take into account local conditions and requirements.” The United States expressed a reservation to the term “requirements.”
- Draft Nutrient Reference Values (Sodium and Saturated Fatty Acids). Malaysia and the Philippines expressed reservations on the adoption of the NRVs for saturated fatty acids.
- Additional or Revised Nutrient Reference Values for Labelling Purposes in the Codex Guidelines on Nutrition Labelling. The United States was able to achieve consensus with other delegations on the revision of a note in this document that appeared to contradict the Codex mandate to harmonize standards.
- Over 500 food additive provisions. The European Union and Norway expressed general reservations to provisions on aluminum-containing food additives, stressing the importance of further restricting exposure to aluminum from food additive uses and the need to seek alternatives.
- Guidelines on Application of Risk Assessment for Feed.
- Guidance on Prioritizing Hazards in Feed. A consensus was reached to remove Annex 2, “Examples of Hazards in Feed with Potential Relevance for Human Health” and place it on the FAO website. A reference will be included in the document linking it to the FAO website.
- Principles and Guidelines for National Food Control Systems.
- Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Cocoa.
- Code of Practice for the Reduction of Hydrocyanic Acid in Cassava and Cassava Products.



- Nearly 400 Maximum Residue Limits (MRLs) for Pesticides. The European Union and Egypt expressed reservations to a number of specific MRLs.
- Proposed Draft Amendments to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (use of ethylene as sprouting inhibitor for onions and potatoes).
- Several regional standards, including:
 - Street Vended Foods (Near East)
 - Chanterelles (Europe)
 - Tempe (Asia)
 - Date Paste (Near East)

The following standards were adopted at Step 5 for further consideration in the relevant committees:

- Proposed draft Standard for Golden Passion Fruit.
- Draft Performance Criteria for Reference and Confirmatory Methods for Marine Biotoxins in the Standard for Live and Raw Bivalve Molluscs.
- Draft Maximum Limits (MLs) for Deoxynevalenol (DON) in Cereal-based Foods for Infants and Young Children. The Codex Committee on Contaminants in Food (CCCF) had proposed MLs for foods “as consumed” for final adoption at Step 5/8. Norway questioned whether the MLs should apply to “dry matter” rather than to foods “as consumed,” and the Commission decided to adopt the standard at Step 5, allowing for further consideration by the Committee.
- Draft MLs for DON in Raw Grain Cereal Grains (maize, wheat and barley) and Associated Sampling Plan and in Flour, Semolina, Meal and Flakes from Wheat, Maize or Barley. Several reservations were placed on adoption this standard, including a U.S. reservation on the MLs for raw grains in light of achievability concerns and potential negative effects on food security and trade. The CAC recommended the CCCF give further consideration to the pending issues.
- Draft MLs for Lead in Fruit Juices and Nectars, Ready-to-Drink; Canned Fruits and Canned Vegetables. Although originally proposed for adoption at Step 5/8, this standard was adopted at Step 5 because of concerns from several developing countries that the data on which the MLs were based were limited and not geographically representative. Countries that opposed adoption at Step 8 were asked to commit to submit data within one year to allow CCCF to consider this in 2015 and submit MLs to the 2015 CAC.
- Proposed Draft Standard for Non-Centrifuged Dehydrated Sugar Cane Juice (panela).

Standard Held at Step 8: rBST

The standard for recombinant bovine somatotropin (rBST), recommended by the Codex Committee on Residues of Veterinary Drugs in Food (CCRVDF), has been held at Step 8 since 1995. The 35th (2012) CAC session agreed that an updated scientific review by



the Joint Expert Committee on Food Additives (JECFA) should be undertaken, with a full report to be provided to the CCRVDF, which would then make recommendations to the CAC.

The CAC was informed that a Call for Data was published in 2013. Data have been received from a private sector sponsor and from governments. The JECFA assessment is scheduled for November 2013.

New Work

Of the 17 new work proposals presented to the CAC, 14 were approved, including:

- Standard for Okra
- Code of Practice for Processing Fish Sauce
- Code of Hygienic Practice for Low-Moisture Foods
- Proposal to Review the Codex Standard for Follow-up Formula
- International Standard for Ginseng Products
- MRLs for Pesticides as proposed by the Codex Committee on Pesticide Residues
- Revision of the Guidelines for the Simple Evaluation of Food Additive Intakes
- Regional Standards for:
 - Fermented Noni Juices (North America and Southwest Pacific)
 - Code of Hygienic Practice for Street-Vended Food (Near East)
 - Yacon (Latin America and the Caribbean)
 - Labneh (Near East)
 - Mixed Zataar (Near East)

Three proposals for new work were returned for further consideration:

- Ware Potatoes. Many delegations supported new work to develop a standard, noting that this commodity is widely traded and consumed. The new work proposal was returned to Codex Committee on Processed Fruits and Vegetables with a request for development of a clear project document with a well-defined scope for consideration at the next CAC session.
- Halal Foods. The CAC adopted its Executive Committee's recommendation that the project document should be rescoped to identify any gaps in existing Codex texts. Drafters should seek the advice of the Codex Committee on Food Import and Export Inspection and Certification Systems and the Codex Committee on Food Labelling, and take into account relevant work of the International Organization for Animal Health (OIE).
- Chilled and Frozen Meat. The CAC adopted its Executive Committee's recommendation that the project document should be redrafted to identify any gaps in existing Codex texts, and that drafters should consult the Codex



Committee on Food Hygiene and take into account existing relevant Codex and OIE texts, as appropriate.

Discontinued Work

The Commission agreed to discontinue work on two standards:

- Proposed draft revision of guideline levels for radionuclides in the General Standard for Contaminants and Toxins in Food and Feed
- Proposed draft MLs for hydrocyanic acid in cassava and cassava products

Feasibility of New Work on a Processed Cheese Standard

Although the 35th (2012) CAC had agreed to discontinue work on a standard for processed cheese, many Member Countries, particularly in Latin America and the Near East, continued to maintain that such a standard was necessary (1) to ensure certain compositional aspects of this product, and (2) as a basis for their national legislation. Faced with two options, one of which was to discontinue consideration of the matter, the CAC opted to establish an electronic Working Group (eWG), co-chaired by New Zealand and Uruguay and working in English and Spanish, which would conduct a study of the possibility of developing a standard or standards related to processed cheese.

The report of the eWG should be submitted to the 37th (2014) session of the CAC. The Commission stressed that creation of the eWG did not constitute approval of new work or pre-empt in any way a decision by the CAC on new work on an international standard for processed cheese, or on a mechanism to carry out any such work.

Establishment of a New Codex Committee on Spices and Culinary Herbs

At the 35th (2012) session of the CAC, the Delegation of India had proposed establishment of a new Codex committee to develop commodity standards for a wide range of spices, aromatic herbs, and their formulations. While the Commission was generally receptive to the proposal, several countries, including the United States, believed that there was a real need to better define the scope of the work before taking a decision. There was also significant concern about resource demands that a new committee would place on Codex members and the Secretariat.

At the 36th (2013) Session of the CAC, India again introduced a proposal for a committee on spices and aromatic herbs. Many delegations expressed strong support. The United States worked closely with India and other delegations to achieve consensus on terms of reference for the new Codex Committee on Spices and Culinary Herbs (CCSCH) that addressed major concerns about the original proposal, and to defer development of specific project documents to the first meeting of the Committee. India will chair the CCSCH and include Arabic as a working language, along with



English, French, and Spanish. India will also pursue co-hosting arrangements with other countries.

2014-2019 Strategic Plan

After well over a year of deliberation and discussion by the Executive Committee (CCExec), the CAC, and FAO/WHO regional coordinating committees, the Commission reached consensus on a Strategic Plan for 2014-2019. The plan was developed by an Executive Committee Sub-Committee chaired by CAC Vice-Chair Samuel Godefroy and received overwhelming support at the 36th (2013) Commission.

The United States took a lead role in drafting the Strategic Plan and strongly supported its adoption as a dynamic, forward-looking blueprint for the future that addresses the key areas of importance to Codex and its stakeholders. The plan appropriately reflects the dual mandate of Codex, to protect consumer health and help ensure fair practices in the food trade, and reaffirms the role of science in Codex decision-making, as embodied in the Procedural Manual.

Several Latin American countries, while supporting adoption of the Strategic Plan, expressed reservations with regard to references to consumer concerns which they stated must pertain solely to the protection of human health. They also stressed that the risk management role of Codex should be in strict accordance with the Procedural Manual. (The United States shares this view, and believes that the Strategic Plan is consistent with it.)

Funding for Expert Scientific Advice

The 35th (2012) session, the CAC established a sub-committee of the CCExec to consider funding options for the expert committees that provide scientific advice to Codex. The report of the sub-committee was circulated to member Countries for comment and discussed at the 2013 CCExec and the 36th (2013) CAC.

Despite urging by many Member Countries to consider approaches that would be sustainable and expand the donor base for scientific advice, FAO and WHO representatives focused on increasing donations from Member Countries. The CAC was informed that WHO had decided no funds would be accepted from commercial entities for normative (standards) work and that it was very likely that FAO would adopt the same policy. Notwithstanding, the CAC encouraged FAO and WHO to consider accepting private sector funding, and to focus on developing appropriate safeguards to ensure independence, impartiality and integrity of scientific advice.

A sub-committee of CCExec was established to monitor progress on sustainable options for funding of scientific advice.



Elections

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

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

North American Representation on the Executive Committee

The Commission elected Canada to the CCExec as the geographic member from North America. (The United States was not eligible for re-election to another term.) A question was raised about this, since Codex rules state that no more than one delegate from any member country may serve on CCExec, which includes the officers of the CAC as well as geographic representatives.

After an explanation of the issue and past precedents by a representative of the FAO/WHO Legal Counsel, the Commission agreed to an interpretation, on a “no objection” basis, that the officers of the CAC represent the Commission and not their individual countries, and further requested that this issue be clarified by the Codex Committee on General Principles (CCGP) at its 2014 session. This permitted the election of Canada as geographic representative even though one of the CAC vice chairs is from Canada.

Codex Trust Fund

The Trust Fund, which supports participation by developing countries in Codex meetings, comes to an end in 2015. While there seemed to be general agreement that a successor program is needed, the Commission did not have a substantive discussion on this issue or consider any concrete proposals. At the CCExec meeting that preceded the Commission, WHO stated that there was a \$1.1 million shortfall in the Trust Fund for 2014.

A full report of the 36th Session of the CAC (2013) will be posted on the Codex Alimentarius website at <http://www.codexalimentarius.org/meetings-reports/en/>

Side Event: Facilitated Discussion

In conjunction with the 36th Session of the CAC, the United States and the European Union co-chaired a facilitated Discussion on the Root Causes of Why Standards Are Held at Step 8. The agenda for the Facilitated Discussion consisted of:

- A presentation by Canada and The Netherlands on the CCGP working group report examining reasons why standards have been held at Step 8.
- Presentations on Developing Country Perspectives: How Countries Use and Benefit from Codex Standards – presented by Brazil, Kenya and Thailand.



- Tools and Guidance for Achieving Consensus – presented by CAC Chair Sanjay Dave.

The session was very well attended. In keeping with the Terms of Reference developed by CCGP, there were no recommendations. The co-chairs will prepare a summary report of the discussion for the 2014 CCGP.