



Report of the United States Delegate to the 43rd Session of the Codex Alimentarius Commission

Virtual Plenary Sessions: September 24-26; October 12 and 19, 2020

Virtual Report Adoption Sessions: November 5-6, 2020

The Codex Alimentarius Commission convened virtually for the first time in its history to conduct its 43rd Session via Zoom, due to current global COVID-19 pandemic restrictions that have forced cancellation of large in-person international meetings. The Commission is the governing body of the joint World Health Organization (WHO) and UN Food and Agriculture Organization (FAO) international food standards program and is recognized in international trade agreements as the international standards setting organization for food safety.

More than 900 attendees from 133 Codex member countries and one member organization (the European Union/EU), as well as 54 observers from intergovernmental and nongovernmental organizations, participated in the various virtual sessions of CAC43. The United States was represented by U.S. Delegate Mary Frances Lowe, U.S. Manager for Codex Alimentarius, along with 14 additional governmental and 7 non-governmental advisors.

Although CAC43 featured an abbreviated agenda, focused on the outcomes of the subsidiary bodies that were able to meet since CAC42 (July 2019), it was successful in adopting a number of new and revised international food safety and quality standards and approving significant new work, as recommended by its subsidiary committees. The Commission also approved the use of virtual meetings by its subsidiary bodies in the coming year, if physical meetings are not possible due to the ongoing COVID19 pandemic and related travel restrictions. The significant outcomes achieved are consistent with U.S. policy goals to advance science-based food standards that will protect consumer health and promote fair trade practices. The official report of the session as well as other CAC43 documents may be accessed at the following link: <http://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CAC&session=43>. The final CAC43 report will also be available soon at that link.

CAC43 HIGHLIGHTS

CAC43 generally endorsed the recommendations of the 78th Session of the Codex Executive Committee (CCEXEC78) (February 2020) and the 79th Session of the CCEXEC (CCEXEC79) (July 2020). The United States was pleased with the outcome of CAC43 as all of the conclusions reached were consistent with U.S. positions and objectives for the meeting. Although plenary discussions were mostly on point, in a few instances, delegations raised technical issues more appropriately discussed in the relevant committees (or task force), and for this reason they were instructed to submit comments regarding their concerns about ongoing work to the appropriate fora. There were no proposed amendments to the Codex *Procedural Manual* at this session.

Under an exceptional basis, CAC43 agreed that Codex meetings and sessions planned for 2021 could potentially meet virtually, while maintaining Codex's core values, given the ongoing COVID-19 pandemic. It acknowledged that the actual scheduling of meetings, virtual or physical, would continue to be determined by FAO and WHO, in consultation with the appropriate host country. CAC43 noted that Rule XI (paragraphs 7-8) in the "Subsidiary Bodies of Codex" section of the Codex *Procedural Manual* could be interpreted to include a virtual "place" or setting. The United States believes that this is a welcome possibility to help progress the work of the Commission in 2021.

Of particular note, the United States was also pleased that CAC43 approved:

- Final adoption of the revised General Principles of Food Hygiene (GPFH) from the Codex Committee on Food Hygiene (CCFH) as well as all of the standards and revisions proposed by the Codex Committee on Processed Fruits and Vegetables (CCPFV), along with consequential revocations of standards that the new provisions replaced.
- As recommended, adoption at Step 5¹, of the revision of the Code of Practice to Minimize and Contain Foodborne Antimicrobial Resistance (CXC 61-2005) from the *ad hoc* Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR), and the Standard for Follow-up Formula: Section B: Proposed Draft Scope, Definition and Labelling, from the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU).
- A number of significant new work proposals, including Guidelines for the Safe Use and Reuse of Water in Food Production (CCFH), the Priority Lists of Pesticides for evaluation by the Joint Meeting on Pesticide Residues (JMPR) in 2021, as recommended by the Codex Committee on Pesticide Residues (CCPR) Chair and Chair of the CCPR priorities Electronic Working group (EWG). (CCPR did not meet in 2020 due to the pandemic.)
- Adjournment sine die of the Codex Committee on Processed Fruits and Vegetables (CCPFV) and the Codex Committee on Cereals, Pulses and Legumes (CCCPL), upon the conclusion of their outstanding work.
- Reactivation of the Codex Committee on Fish and Fishery Products (CCFFP) to work by correspondence on a possible amendment of the Standard for Canned Sardines and Sardine-Type Products.

SUMMARY OF STANDARD SETTING WORK

During CAC43, all standard setting work (in particular, Agenda Items 5-11) was considered committee by committee, following the order provided in the Critical Review by CCEXEC79 (REP20/EXEC2). This includes all standards and other Codex texts considered for final or interim adoption (at Steps 8, 5/8, and 5), revocations of Codex texts, proposals for new work and discontinuation of work, amendments to Codex standards and related texts, and matters referred to the Commission by Codex committees. A list of the decisions reached by CAC43 follows, along with references to the reports of the relevant subsidiary committee/task force. Adopted standards and related texts will be published as final on the Codex website after any necessary endorsements from Codex Committee on Food Additives (CCFA) and Codex Committee on Food Labeling (CCFL).

Agenda Item 5: FINAL ADOPTION OF CODEX TEXTS

FAO/WHO Coordinating Committee for Africa (CAFRICA)

- Standard for Fermented Cooked Cassava-Based Products (REP20/AFRICA Para. 76, Appendix III) (N07-2015)
- Standard for Fresh Leaves of *Gnetum* spp. (REP20/AFRICA Para. 84, Appendix IV) (N09-2015)

FAO/WHO Coordinating Committee for North America and South West Pacific (CCNASWP)

Regional Standard for Kava Products for Use as a Beverage When Mixed with Water (N01-2017) (REP20/NASWP Para. 96 (i) and (ii), Appendix III) The United States recorded a reservation to the adoption of this standard, due to unresolved food safety concerns. This is the first regional standard adopted for the CCNASWP region.

Codex Committee on Fresh Fruits and Vegetables (CCFFV)

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.

- Standard for Kiwifruit (REP20/FFV Para. 23, Appendix II) (N11-2014)
- Standard for Garlic (REP20/FFV Para. 38, Appendix III) (N09-2014)
- Standard for Ware Potatoes (REP20/FFV Para. 50, Appendix IV) (N08-2014)
- Standard for Yam (REP20/FFV Para. 74, Appendix V) (N01-2018)

Codex Committee on Food Hygiene (CCFH)

- Code of Practice on Food Allergen Management for Food Business Operators (REP20/FH Para. 26, Appendix II) (N05-2018)
- Revision of the *General Principles of Food Hygiene* (CXC 1- 1969) and its HACCP Annex (REP20/FH Para. 88, Appendix IV) (N03-2016)

FAO/WHO Coordinating Committee for the Near East (CCNE)

- Regional Standard for Mixed Zaatar (REP20/NE Para. 87) (N13-2013)

Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

- Inclusion of food additive provisions of Xanthan Gum [(INS 415) and Pectins (INS 440) as thickeners in the *Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CXS 72-1981) (REP20/NFSDU Para. 166)

Codex Committee on Processed Fruits and Vegetables (CCPFV)

- Standard for Gochujang (conversion of the Regional Standard to a Worldwide Standard) (REP20/PFV Para. 13, App. II)
- Standard for Chili Sauce (conversion of the Regional Standard to a Worldwide Standard (REP20/PFV Para.15, App. III)
- Revision to the *Standard for Mango Chutney* (CXS 160-1987) (REP20/PFV Para. 17, App. IV)
- General Standard for Dried Fruits (REP20/PFV Para. 21, App. V)
- General Standard for Canned Mixed Fruits (REP20/PFV Para. 26, App. VI)
- Revision to the *Standards for Pickled Cucumbers* (CXS 115-1981), *Canned Bamboo Shoots* (CXS 241-2003) and *Jams, Jellies and Marmalades* (CXS 296-2009) (REP20/PFV Para. 31, App. VII, Part B)
- Revision to the Annex on French fried potatoes of the *Standard for Quick Frozen Vegetables* (CXS 320-2015) (REP20/PFV Para. 33, App.VIII)

Agenda Item 6: ADOPTION OF CODEX TEXTS AT STEP 5

CCAFRICA

- Standard for Dried Meat (N07-2016 REP20/AFRICA Para. 102, Appendix V)

CCNASWP

- Regional Standard for Fermented Noni Fruit Juice (N01-2013 REP20/NASWP Para. 83 (i), Appendix II)

CCFH

- Guidance for the Management of Biological Foodborne Outbreaks (N06-2018 REP20/FH Para. 103, Appendix III)

CCNFSDU

- *Standard for Follow-up Formula: Section B: Proposed Draft Scope, Definition and Labelling* (N07-2013 REP20/NFSDU Para. 85)
- Guidelines for Ready-to-Use Therapeutic Foods (RUTF) (N05-2016 REP20/NFSDU Para. 122)

Ad Hoc Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR)

- Revision of the *Code of Practice to Minimize and Contain Foodborne Antimicrobial Resistance* (CXC 61-2005) N28-2017

Agenda Item 7: REVOCATION OF CODEX TEXTS

FAO/WHO Coordinating Committee for Asia (CCASIA)

- Food additive provisions for Monosodium Tartrate (INS 335(i)), Monopotassium Tartrate (INS 336(i)) and Dipotassium Tartrate (INS 336(ii)) were revoked in the Regional Standards for Soybean Paste (CXS 298R-2009) and Chilli Sauce (CXS306R-2011) (REP20/ASIA Para. 57, Appendix II)

CCPFV

- *Regional Standard for Gochujang* (CXS 294R-2009) (REP20/PFV Para. 14)
- *Regional Standard for Chilli Sauce* (CXS 306R-2011) (REP20/PFV Para. 16)
- *Standards for Dried Apricots* (CXS 130-1981), *Dates* (CXS 143-1985), and *Raisins* (CXS 67-1981) (REP20/PFV Para. 22)
- *Standards for Canned Fruit Cocktail* (CXS 78-1981) and *Canned Tropical Fruit Salad* (CXS 99 -1981)

Agenda Item 8: PROPOSALS FOR NEW WORK

CCAFRICA

- Guidelines for Supporting the Development of Harmonised Food Laws for the CCAFRICA Region (REP20/AFRICA, Para. 108)

CCASIA

- Development of a Regional Standard for Soybean Products Fermented with Bacillus Species (REP20/ASIA, Para. 97 (i), Appendix V)
- Development of a Regional Standard for Quick Frozen Dumpling (REP20/ASIA, Para. 102 (i), Appendix VI)
- Development of a Regional Standard for Cooked Rice Wrapped in Plant Leaves (REP20/ASIA, Para. 112 (i), Appendix VII)

CCFH

- Guidelines for the Safe Use and Reuse of Water in Food Production (REP20/FH, Para. 116, Appendix V)

CCNE

- Development of a Regional Standard for Maamoul (REP20/CCNE, Para 109)

Codex Committee on Fish and Fishery Products (CCFFP)

- Amendment of the *Standard for Canned Sardines and Sardine-Type Products* (CXS 94-1981): inclusion of Sardinella lemuru (Bali Sardinella) in the list of Sardinella species under sec. 2.1

Codex Committee on Pesticide Residues (CCPR)

- Priority Lists of Pesticides for Evaluation by JMPR in 2021 (CX/PR 20/52/19, Appendices I and II) (CX/EXEC 20/79/2- Add.1, Appendix 3) (Annex I and II of REP20/CAC)

Agenda Item 9: DISCONTINUATION OF WORK

CCNE

- Draft Regional Standard for Labneh (REP20/NE Para. 45)

CCNFSDU

- Condition for a Claim for “Free of” Trans Fatty Acids (TFAs) (REP20/NFSDU Para. 131)
- Definition for Biofortification (REP20/NFSDU Para. 138)

Agenda Item 10: AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS

CCAFRICA

- Proposed Amendments to Sections 3.2.2 and 3.4 of the *Regional Standard for Shea Butter* (XCS 325R-2017)

Codex Committee on Cereals, Pulses and Legumes (CCCPL)

- Removal of the Section on Grain Size From the *Standard for Quinoa* (XCS 333-2019) (CX/CAC 20/43/12)

CAC43 MEETING SUMMARY

Following is a summary of the Commission’s discussions on matters that were debated in some detail during the plenary sessions or not highlighted above.

Agenda Item 2: REPORT BY THE CHAIRPERSON ON THE 78th and 79th SESSIONS OF THE EXECUTIVE COMMITTEE

CAC43 noted the discussions and conclusions contained in the reports of CCEXEC78 and CCEXEC79. It also noted that work in the two CCEXEC sub-committees (established in 2019) on the implementation of the Codex Strategic Plan 2020-2025 and on the Application of the *Statements of Principle Concerning the Role of Science* was continuing, although there were delays due to the COVID-19 pandemic and the need for the Codex Secretariat and Chairs of the sub-committees to prioritize efforts aimed at ensuring the continuity of Codex standard setting work.

Agenda Item 3: INTERMEDIATE REPORT OF THE CCEXEC SUB-COMMITTEE ON CODEX AND THE PANDEMIC – STRATEGIC CHALLENGES AND OPPORTUNITIES

CAC43 had a substantive discussion on the CCEXEC Sub-Committee intermediate report on the impact of the current global pandemic on Codex work—Strategic Challenges and Opportunities, and discussed future options for progressing Codex work, most notably in virtual meetings. Codex Vice Chair Mariam Eid, Chair of the Sub-Committee, reminded CAC43 that when the Commission met last year (CAC42, July 2019) and CCEXEC78 met earlier this year, no one could have known that a pandemic would spread across the world and have such huge impacts on our lives and our Codex work. She indicated that the priority of governments around the world is to protect the health of their citizens, and that in some ways, the pandemic had raised the profile of Codex. She further stated the need to simplify the process and to obtain the support and engagement of FAO and WHO for progressing Codex work despite the current pandemic. She highlighted the consultative approaches the Sub-Committee had taken to date to get broad input, the key issues that had been identified thus far, and the importance of using this Commission to get additional feedback from Members and Observers on the continuation of Codex work. The discussion in plenary was divided into three parts.

Part 1: Recognition of the Commission of the current situation and necessary actions between CAC43 and CAC44

The CAC Chair noted the need to use innovative tools and mechanisms to facilitate the progress of Codex work when physical meetings could not convene and pointed out that there was broad support to confront current challenges and take necessary actions between now and CAC44 (tentatively scheduled for November 2021) to ensure advancement of ongoing work. CAC43 recognized that while many meetings had to be

postponed in 2020, further postponement would not be an option in 2021. Furthermore, CAC43 supported the use of modern tools and approaches by Codex subsidiary bodies to ensure work progressed in a timely and effective manner.

Part 2: Procedural aspects related to the above, with a particular focus on CRD37, developed by the Codex Secretariat in consultation with the FAO and WHO legal offices

The Codex Secretary highlighted the request for blanket approval for Codex committees to operate virtually, if physical sessions would not be possible in 2021. He presented Conference Room Document 37 (CRD37) ([CRD 37e.pdf](#)) in response to the Sub-Committee's request for procedural mechanisms that would allow Codex committees to meet virtually and the work of the Commission to proceed in 2021, while maintaining Codex core values. CRD37 not only reflected the views of the Codex Secretariat but also the legal options provided to the Secretariat from the FAO/WHO Legal Offices. He indicated that CAC44 is planned to convene in Geneva, Switzerland, from November 8-13, 2021; however, this remained uncertain and that any specific arrangements for a virtual session would be considered separately and closer to the meeting itself.

The Codex Secretary noted that 2020 had been a huge learning experience for Codex, as would be 2021, and that these experiences would allow the Codex Secretariat to develop and update practical guidance for chairs, host governments, members, and observers. In his view, there was no need to consider long-term changes in procedures at the moment, but that could be discussed in the future if needed.

As mentioned earlier, CAC43 agreed, on an exceptional basis due to the pandemic, that with respect to Codex meetings and sessions planned for 2021, paragraphs 7 and 8 of Rule XI – Subsidiary Bodies of Codex in the Codex *Procedural Manual* may be interpreted to include a virtual “place” or setting. CAC43 further agreed, that Codex Subsidiary Bodies may meet virtually in 2021, if determined appropriate by FAO and WHO, in consultation with the host governments and the Codex Secretariat. It further agreed that CCEXEC80 and CCEXEC81 may meet virtually in 2021. Finally, the Commission noted that if CAC44 needed to convene virtually, procedural arrangements for elections of the new Chair and Vice Chairs should be developed by the Codex Secretariat, in cooperation with the legal offices of FAO and WHO, and presented to Codex Members for endorsement using a process similar to the endorsement process used for CAC43.

Part 3: Ongoing work of the sub-committee and other actions required

CAC43 had a robust discussion on this part and noted that virtual meetings actually provide the opportunity for broader participation in Codex meetings given the significant financial costs of travel to participate in physical meetings. CAC43 also noted that virtual meetings should not compromise Codex's commitment to the development of science-based standards and that transparency and adherence to the core values of Codex was critical, irrespective of meeting format. Nevertheless, there remained a strong desire at CAC43 to return to physical meetings as soon as possible.

Some Members expressed concerns regarding the use of hybrid meetings, especially in regard to technological issues, travel restrictions, and inclusivity. It appeared that most members did not support the use of hybrid meetings at this time.

With regard to practical guidance and procedural changes, CAC43 decided that there is no need for procedural changes since the guidance developed for participants to CAC43 could be used as the basis for guidance for other virtual Codex meetings in 2021.

The Coordinator for Europe (Kazakhstan), with reference to CRD29, requested that the final report of the sub-committee (which is expected at CCEXEC80) be referred to the 32nd Session of the Codex Committee on General Principles (CCGP32), planned for February 2021, for consideration. The United States, along with

other delegations, noted that no issues had been identified that required further procedural guidance or consideration by CCGP. The Codex Secretariat clarified that the CCEXEC80 report would be referred to all Codex committees for information and that further consideration would be considered under Matters Referred, as is the routine.

The United States intervened to acknowledge the work of the Sub-Committee, its report, and CRD37. The United States also encouraged everyone to consider more frequent engagement by replying to Circular letters (CLs) and actively participating in EWGs, especially given the current circumstances under COVID-19 and the limited time available at virtual meetings. This would allow for effective participation in virtual meetings with more emphasis on reaching conclusions/consensus in EWGs prior to formal Codex meetings, that could in turn help facilitate Codex work. The United States further acknowledged the common goal of returning to physical sessions as soon as practical. For this reason, the United States agreed with the Codex Secretary that there was no need for procedural guidance at this time and stated that Codex Members should be open to learning based on these new virtual experiences.

During CAC43, a real-time electronic survey was undertaken to collect feedback from delegates on various factors that are important to Members and Observers as participants in a virtual meeting, including: the factors to consider when planning a virtual meeting; the mechanisms, practices, or tools needed to support efficient virtual meetings; and specific comments regarding arrangement of virtual meetings. The results have been captured in CRD42 ([CRD 42x.pdf](#)) for further consideration by the Sub-Committee and the Codex Secretariat.

Fortunately, CAC43 reached a conclusion that will allow virtual committee sessions to convene in 2021, if physical meetings are not possible after extensive discussion of issues raised in the CCEXEC Sub-Committee interim report and recommendations in CRD37.

CCAFRICA: *Standard for Dried Meat*

Argentina, supported by a number of Latin American countries, questioned the scope of the draft standard (dried meat products produced and traded in the Africa region), noting that dried meat products are also produced and traded internationally. This appeared to be a reversal in position, since at the time work on the standard was approved, the United States, along with a number of Latin American countries, insisted that it be limited to products produced and traded almost exclusively within Africa (CAC38, July 2015). The Commission at that time deemed there was no need for an international standard on dried meat but invited all members to participate in the CCAFRICA work as observers, especially if they believed their trade or products could be affected. The United States contributed to the work and CCAFRICA has been receptive to input. Other Members expressed interest in contributing to the work on expanding the range of products to be covered by the standard.

Following some discussion, CAC43 agreed to adopt the proposed draft regional standard for regional dried meat at Step 5 and to explore future opportunities to convert the regional standard for dried meat into an international standard following its final adoption. The United States noted that this would have to follow standard procedures for new work proposals, including critical review by CCEXEC.

CCFFV: *Tolerances for Decay in Various Standards*

Although CAC43 approved all of the standards recommended for final adoption by the CCFFV and CCEXEC, there were a number of reservations filed on those standards.

With regard to the *Standard for Kiwifruit*, the EU, Indonesia, Iran, Norway, and Switzerland filed reservations on allowing for a tolerance for decay in “Extra Class,” since in their view, such products should be superior and

of exceptionally high quality. The EU noted that they would continue to apply a zero tolerance for decay in “Extra Class” as in the United Nations Economic Commission for Europe (UNECE) standard. Argentina and Uruguay also filed reservations on this standard, however, they were concerned that the tolerance for decay in “Extra Class” (0.5%) was too low for this perishable commodity and did not take into account the (sometimes long) distances between the importing and exporting countries. They feared that this tolerance could restrict international trade. Colombia also filed a reservation regarding the inclusion of tolerances for decay, stating that there are sanitary and phytosanitary risks associated with the trade of products affected by rot. Since there is no Codex definition of what is generally understood as “products affected by rot,” Colombia believed that inclusion of tolerances for decay in a standard intended to promote quality and safety was contradictory.

With regard to the *Standard for Fresh Garlic*, Colombia expressed the same reservation as for Kiwifruit, regarding tolerances for decay.

Regarding the *Standard for Ware Potatoes*, several countries expressed reservations on various parts of the standard. Specifically, Colombia recorded a reservation on the inclusion of the tolerances for decay. Costa Rica, Paraguay, and Uruguay recorded reservations on the proposed percentage of tolerance for soil. Thailand recorded a reservation on the provision allowing a tolerance for decay in “Extra Class.”

In the *Draft Standard for Yam*, Thailand and Colombia recorded reservations on the provision allowing a tolerance for decay in “Extra Class.” Costa Rica expressed a reservation on the inclusion of a one percent tolerance for dirt and impurities.

CCFH: *General Principles of Food Hygiene (GPFH)* and its HACCP Annex

The United States believes that the final adoption of this very important major revision and updating of the *GPFH* text was a key accomplishment of CAC43, since this document serves as the basis for so much of the work in Codex and is one of the Codex texts that is most widely used by member countries. During the plenary discussion, the CCFH Chair, Dr. Emilio Esteban (USA/USDA/FSIS), addressing comments on whether the *GPFH* should include a requirement for medical checks of food handlers, stated that employee health is regulated at the local level and therefore employee health regulation should not be included in an international document. The CCFH Chair further clarified that there is still some outstanding work on a decision tree that will aid countries in implementation, and once the updated version of that decision tree is completed, it will be included in the updated standard.

CCNFSDU: *Standard for Follow-up Formula (FUF): Section B: Proposed Draft Scope, Definition and Labelling*

The United States strongly supported the adoption of the text at Step 5, as agreed by CCNFSDU41 (November 2019) and CCEXEC79 (July 2020). Argentina sought clarification on whether the footnote stating that some countries regulate the product for young children as a breastmilk substitute was factual or intended to be a conclusion of Codex on regulatory status. The Codex Secretariat confirmed that the footnote represented not a recommendation or conclusion of Codex, but a factual statement, echoing the point made in the U.S. intervention. Beyond the footnote, revisions to certain provisions of the standard (e.g., the name of the product and labeling), were the focus of much discussion. The Chair of CCNFSDU (Germany) and the United States pointed out that much progress had been made and difficult compromises agreed at CCNFSDU41, and this should be acknowledged by CAC43. In the end, the FUF provisions were adopted at Step 5 as recommended by CCNFSDU and CCEXEC.

TFAMR: Revision of the *Code of Practice (COP) to Minimize and Contain Foodborne Antimicrobial Resistance*

The United States believes that this revision is one of the most important items of work currently under development in Codex. Combatting antimicrobial resistance (AMR) is a global and national public health

priority, and Codex must do its part in addressing foodborne AMR. The United States strongly supported adoption at Step 5 and endorsed the recommendation of CCEXEC79 not to reopen provisions that had been extensively discussed in previous TFAMR sessions to the extent possible, so that TFAMR could complete its work at its final session (TFAMR08, now scheduled for June 2021).

Several Members expressed concerns and some filed reservations on certain provisions of the revised COP, most notably Thailand and Egypt who recorded their reservations on Principle 5, while Switzerland recorded a reservation on Principle 5 and Principle 7. The EU recognized the progress made on the COP and although they did not object to its adoption at Step 5, they reiterated their concerns and welcomed continued discussion on Principle 5 and Principle 7 at TFAMR08. The Russian Federation also made a number of interventions opposing interim adoption at Step 5, highlighting its concerns over these same Principles as well as some definitions in the COP. Only the Russian Federation recorded a reservation to adoption at Step 5.

The United States' interventions were supported by a number of other Members during plenary, including Brazil, Chile, China, Ecuador, Ghana, Jamaica, Japan, Kenya, Korea, Papua New Guinea, the United Kingdom, and Uruguay, who agreed that the COP should be adopted at Step 5 since the current text strikes a balance between ambition and pragmatism, and that TFAMR's goal should be to finalize the text at the next session.

Dr. Donald Prater (USA/FDA), Chair of the Electronic Working Group (EWG) on the COP, underlined that there was strong support to adopt the COP at Step 5 and that the current text reflected compromises made to achieve a common goal, notwithstanding reservations on specific provisions by some members. Observing that a small amount of work remained in square brackets, he assured members that all comments would be considered in the EWG and expressed optimism that agreement could be found. In addition, he indicated that it was important to progress the work in Codex as the TFAMR was established to deal with an urgent public health issue recognized by the UN and that considerable work was ongoing in the WHO/FAO/ World Organisation for Animal Health (OIE) Tripartite. It was important that Codex do its part in the overall effort to prevent and contain foodborne AMR.

After prolonged debate, CAC43 adopted the revised COP at Step 5, noting the reservation of the Russian Federation.

CCPFV

As noted above, CAC43 adopted all standards and revisions completed by CCPFV29 (2019-2020), as well as consequential revocations, and agreed to adjourn the committee *sine die*, as recommended by both CCPFV29 and CCEXEC79.

India argued for continuation of the committee, particularly to undertake new work on a standard for cashew kernel, and also suggested that if CCPFV did adjourn, this work could be undertaken by another committee, the Committee on Fresh Fruits and Vegetables (CCFFV). Ghana, Indonesia, Kenya, and Senegal supported India's position. Mexico, as CCFFV chair, argued against referral to CCFFV, claiming that based on scope, the appropriate committee to handle the work was CCPFV.

CCPFV Chair, Mr. Richard Boyd (USDA/AMS), confirmed that CCPFV had completed its priority work and spoke in favor of adjournment *sine die*, as recommended by CCPFV and CCEXEC. He recalled that CCPFV had adjourned in the past, in 1986, and was reactivated in 1998 to handle additional priority work assigned by the Commission. He also indicated that CCPFV had lacked a quorum for its last five sessions and that, with CCPFV's adjournment, valuable Codex resources could be moved to other, higher priority work.

The United States, as host country of CCPFV, supported adjourning CCPFV and placing cashew kernels in a queue for future consideration, noting the lack of urgency as there were no identified food safety or trade

concerns regarding cashew kernels, low participation in CCPFV for the last five sessions, and the need to devote Codex resources to other priority work.

In conclusion, CAC43 agreed to adjourn CCPFV *sine die* and to request CCFV to analyze the possibility of developing a standard for cashew kernels and consider the feasibility of taking up the work. India recorded a reservation to this decision. CAC43 affirmed that CCPFV may be re-activated when there is sufficient priority workload.

CCFFP: Standard for Canned Sardines and Sardine-Type Products

CAC43 approved the proposal by the Philippines that CCFFP, chaired by Norway, be reactivated to work by correspondence in accordance with the *Procedure for the Inclusion of Additional Species in Codex Standards for Fish and Fishery Products*, to evaluate if the *Standard for Canned Sardines and Sardine-Type Products* (CX 94-1981) could be amended to include the fish species *Sardinella lemuru* (Bali Sardinella) in the list of *Sardinella* species. The United States supported the Philippines position.

FAO/WHO Coordinating Committee for Europe (CCEURO)

With regard to the language policy issue in CCEURO, considered under Matters Referred to the Commission by Codex Committees, CAC43 agreed to add Russian as an official language to CCEURO, and so it will work in four official languages – French, English, Spanish, and Russian – for which translation and interpretation of all working documents will be funded by the Codex Secretariat. The Codex Secretariat stated their intention to propose how to accommodate the additional costs sustainably but did not provide any additional detail.

Agenda Item 12: CODEX BUDGETARY AND FINANCIAL MATTERS: REPORT 2018-2019 AND PROGRESS 2020-2021 AND PROPOSAL 2022-2023

The Codex Secretariat presented the budget report, which was divided in three parts: Part 1 on expenditure for 2018-2019; Part 2 on the budget situation for the current biennium 2020-2021; and Part 3 on the budget proposal for 2022-2023. The Secretariat noted that Parts 1 and 2 had already been considered by CCEXEC79. Regarding the 2020-21 budget, the Secretariat mentioned that adjustments were made to ensure Codex work continuity during the COVID-19 pandemic and that further adjustments may be necessary due to continuing uncertainties. The Secretariat explained that for the 2022-23 budget proposal, a review of the impact of the pandemic would be carried out in 2021 to better guide the work planning process, taking into account the outcome of the work of the CCEXEC Sub-Committee on Codex and the Pandemic.

The United States and Germany (as current EU president) both intervened to support sustainable funding for scientific advice. The United States, a longtime supporter of the scientific advice program, congratulated FAO on its \$1,000,000 biennium increase for the expert scientific advice bodies. At the request of the United States, CAC43 concluded that the scientific advice program should proceed virtually as much as possible during the pandemic. The WHO Secretariat called on members to support sustainable funding in the regular budget in the governing bodies of WHO, noting that now is an “opportune time” to do so.

Agenda Item 13: APPOINTMENT OF REGIONAL COORDINATORS

Consistent with the recommendations of the FAO/WHO Regional Coordinating Committees, CAC43 approved the appointment/reappointment of the following Regional Coordinators, to hold office from the end of CAC43 (2020) until the end of CAC45 (2022):

- CCAFRICA: Uganda

- CCASIA: China
- CCEURO: Kazakhstan (re-appointed)
- CCLAC: Ecuador
- CCNE: Saudi Arabia
- CCNASWP: Fiji

ELECTIONS

Given that CAC43 convened virtually, the Commission was unable to conduct elections given the complexities and need for further review of the rules of procedure in light of the current pandemic restrictions. Therefore, the current officers will remain in their positions until the next session of the CAC:

- Chair: Mr. Guilherme Antonio da Costa (Brazil)
- Vice Chair: Purwiyato Hariyadi (Indonesia)
- Vice Chair: Mariam Eid (Lebanon)
- Vice Chair: Steve Wearne (United Kingdom)

NEXT SESSION

The next session of the Codex Alimentarius Commission (CAC44) is planned for November 2021, in Geneva, Switzerland, and will be preceded by sessions of the Codex Executive Committee (CCEXEC80 and CCEXEC81). If necessary, these sessions may convene virtually; a final determination will be made closer to the dates.