European Community Comments  
on the Joint FAO/WHO Evaluation of Codex Alimentarius and other  
FAO and WHO Work on Food Standards  
(Codex Circular Letter CL 2003/8-CAC)

The European Community would like to submit the following comment in response to 
Codex Circular Letter CL 2003/8-CAC.

Additional comments on the recommendations adopted at the Codex Alimentarius 
Commission in February 2003 will be forwarded at a later stage.

The recommendations made by the panel seek to address the principal identified 
concerns, namely to:
- expedite the work of Codex  
- improve the participation of developing countries  
- establish priorities for the standards  
- increase capacities for the adoption of national systems of food control

The EC shares these concerns and has the following general comments.

The EC considers that the acceleration of the work of Codex and of the experts' 
scientific opinions is desirable for several reasons:
- The Member Countries cannot wait indefinitely for the adoption of a Codex 
  standard to protect their consumers. They are therefore left to develop their own 
  standards and thus when a decision has to be taken by Codex, it is much more 
  difficult to obtain a consensus.  
- Developing countries need Codex standards more than developed countries, which 
  have the resources for establishing legislation, based on the risk analysis required 
  by the SPS Agreement when a Codex standard does not exist.

It is the absence of consensus, rather than the number of steps, that delays decision-
making, and solutions must be found to remedy this, other than the abandonment of a 
contentious but necessary standard. It must be kept in mind that the CAC decided at 
its 24th session not to adopt a standard when scientific data are insufficient or 
incomplete.

The EC considers that the participation of all the members of Codex and in particular 
the developing countries, is essential for the legitimacy of international standards. The 
participation of scientists from developing countries in the work of risk assessment is 
desirable.

The EC considers that priority has to be given to the standards aiming to protect 
consumer health. Fair practices in food trade, in particular consumer information, 
should also be taken into consideration. This is important to ensure that the standards 
are effectively protecting the consumer and facilitating international trade. Given the
The current lack of standards for many products from developing countries, it is important to keep on working on such standards. However, Codex should not waste time and energy on establishing standards that are not essential for the removal of unjustified barriers to trade. Such non-essential international or regional standards should be developed by regional governments or Committees or be entrusted to international organisations such as the ISO, CEE-ONU etc.

The EC considers that the intergovernmental character of Codex is an essential point. It is the governments’ agreement on a standard that characterises and legitimises the work of harmonisation for which Codex is responsible at the international level.

The absence of consensus is the principal obstacle for the rapid adoption of the standards. The EC considers that the greatest emphasis should be put on the means for making it possible to obtain an intergovernmental consensus as soon as possible. Maximum procedural transparency is required, in particular by the maintenance of open working groups allowing a transparent debate, greater involvement by the developing countries (use of the newly created Trust Fund) and the use of electronic communication between Committee sessions.

The EC shares the concerns of the Panel with regard to the need to strengthen capacities for the adoption of national systems of food control. The EC has developed a strategy, which consists of establishing trustworthy relations with the respective national authorities of the exporting countries based on an evaluation of their capacities of control. Codex has already made many excellent recommendations for the establishment of systems of inspection and of certification, but certain exporting developing countries have failed to apply them correctly. The EC encourages forms of technical assistance designed to increase the capacities of the national systems of food control and to strengthen the participation of developing countries in Codex activities.

The EC considers that the recommendations issued by the panel give interesting directions for improving the operation of Codex so as to meet the objectives of the international standardisation of food.

The EC considers that since some of the recommendations, if implemented, might necessitate the input of additional financial resources, it is important that financial impact of the recommendations for both FAO/WHO and Codex member states is clearly set out.

The EC has the following comments on the recommendations of the panel:

**A. Recommendations addressed to the Commission itself**

**Recommendation 1: The scope of Codex should fully cover health-related aspects of food standards. It will, therefore, need (subject to availability of resources for Codex and expert scientific advice and prioritization on the basis of expert**

The EC supports Recommendation 1 but considers that other aspects connected with consumer information and fair practices in food trade remain important
scientific advice as to the importance of alternative risks) to:

- Strengthen work on foods for special dietary uses, health claims and nutrient addition; and
- Undertake new work on packaging materials; and on industrial processing agents and bio-agents in foods.

Recommendation 2: It is recommended that Codex does not take on additional work in non-health related areas and should not be neglected.

Recommendation 2
Whilst health is a priority, Recommendation 2 should not be adopted because of the importance of aspects of Codex’s work linked to consumer information and fair practices in food trade.

Recommendation 3: In determining its standard-setting work programme, Codex should prioritize as follows:
1) standards having an impact on consumer health and safety;
2) commodity standards responding to the expressed needs of developing countries;
3) commodity standards responding to the expressed needs of developed countries; and
4) informational labelling relating to non-health and non-safety issues.

Recommendation 3
The EC considers that the first priority is the establishment of standards having an impact on consumer health and safety. General standards for the information of consumers in relation to health and non-health issues are also an important priority.

In addition, the consideration of the priorities should be decided by the Committees or in the framework of the Medium Term Plan. These decisions should be taken on a case by case basis and on the basis of the priority criteria listed in the Procedural Manual. The SPS Committee of the WTO identifies obstacles to trade connected with the absence of international standardisation and makes recommendations to the three organisations responsible for the standardisation, of which Codex is part.

In the establishment of its priorities, Codex cannot ignore international recommendations.

Recommendation 4 on the Codex mandate is included in the recommendations addressed to FAO and WHO but might be also be debated in connection with the recommendations 1, 2 and 3 and is therefore also included in this section.
**Recommendation 4:** It is important that a comprehensive and clear mandate be developed for Codex and ratified by the FAO Conference and the World Health Assembly. The mandate should be quite simple, for example:
The formulation and revision of international standards for food, in collaboration with other appropriate international organizations, with priority to standards for the protection of consumer health while taking into full account the needs of developing countries.

**Recommendation 4**
The EC sees no immediate need to change the mandate for Codex. The current mandate is comprehensive and constitutes a clear basis for the development of the Codex standards. More appropriate existing tools can be used to set up priorities: Strategic Plan, Medium Term plan.

**Recommendation 6:** Codex, supported by FAO/WHO independent expert advice, should intensify efforts to develop guidelines on determination of acceptable levels of protection (ALOP) for use by risk assessors in giving scientific advice to committees and to reduce the scope of disputes in the WTO

**Recommendation 6**
The EC does not support this recommendation. The EC considers that determining the appropriate level of protection, or the appropriate level of risk, is a matter for the government that is politically responsible for the health of its population. This recommendation introduces confusion between the respective roles of the risk managers and of the risk assessors. Risk assessment is a scientific process independent from the determination of the appropriate level of protection level. The role of Codex should be carefully separated from the WTO field.

**Recommendation 8:** Codex and OIE should intensify their collaboration to minimize overlaps and avoid gaps in standard setting with:

a) Delineation of work and specific modalities of collaboration should be defined by Codex and OIE within the near future and formalized in a memorandum of understanding;

b) where work is in both Organizations’ interest it should be pursued through joint task forces.

**Recommendation 8**
The EC supports this recommendation and in addition considers that collaboration in certain fields should start with the pooling of the scientific data available and joint risk evaluation.
Continued close collaboration between Codex and IPPC should also be maintained.

**Recommendations 9 to 12**

**Recommendation 9:** The Executive Committee should be replaced with an Executive Board, meeting every six months, charged with strategic and managerial responsibility but without the authority to consider standards. The function of the board would be to improve speed and efficiency by assisting the Commission in strategic planning, budgeting and monitoring, including:

- preparation of the work plan and budget and the medium-term plan;
- make recommendations to improve management and working procedures in Codex, including its committees and task forces; and
- monitor and take corrective action for the delivery of the programme of work.

**Recommendation 10:** The Executive Board should be small and include:

- 2-3 observer representatives for consumers, industry and perhaps primary producers;
- formal participation of the Secretary of Codex and FAO and WHO.

**Recommendation 11:** The standards development management function should receive much greater attention in Codex and should be delegated from the Commission to a smaller body. In this context, consideration should be given to the creation of a Standards Management Committee to perform functions that otherwise would need to be undertaken in the Executive Board.

**Recommendation 12:** It is desirable that the Codex Alimentarius Commission meets every year, but if the Executive

**Recommendations 9 to 12**

The EC considers that the intergovernmental character of Codex is an essential point. It is the governments' agreement on a standard, which characterises and legitimises the work of harmonisation for which the Codex is responsible at the international level.

The absence of consensus is the principal obstacle for a rapid adoption of the standards. The EC considers that the emphasis should be put on making it possible to obtain an intergovernmental consensus as soon as possible. That requires in particular transparency of the processes, especially by the maintenance of open intergovernmental structures, allowing for a transparent debate.

Therefore, the EC considers that annual CAC meetings, coupled with improvement of its working procedures (specialisation of the agendas; means facilitating the participation of developing countries) should be the main improvement to be made to enhance the functioning of Codex.

The EC wonders whether a Management Committee of 20 to 30 members is sufficiently representative to decide on the progress of the standards. Decisions of this nature taken by a reduced conclave can call into question the democratic legitimacy of Codex, since the adoption of standards falls under the competence of the CAC.

Moreover, this Standards Management Committee should not overlap with the role of the Executive Board, nor the role
Board and possibly Standards Management Committee perform their functions effectively it might be possible to reduce costs by continuing to hold meetings every two years.

According to the report, the proposed new Executive Board is not significantly different from the current Executive Committee. The presence of observers to ensure transparency seems to be the major change. In view of the difficulty of determining representative observers, the EC considers that it is important to define a clear mandate for this body but does not consider that there is any substantial motivation for a change of the current composition of the Executive Board/Committee.

Alternative means deserve to be examined to ensure a better transparency of the Executive Committee/Board meetings.

**Recommendation 16: Codex should undertake a review, including a detailed study by consultants of the work of general subject and commodity committees as soon as possible, and thereafter on a fixed schedule, with a view to rationalisation where appropriate.** The review should in particular examine:

- the existing committee mandates with a view to rationalisation;
- any need for redistribution of tasks and responsibilities between committees; and
- any need to split committees.

**Also:**

a) commodity work should be handled through time bound task-forces;

b) no new committee should be established even in a horizontal area of work until the possibilities for progress and the need for continuing work have been established through a task force;

c) the treatment of health issues in commodity committees should be reduced of the Secretariat. In conclusion, the EC is not in favour of the creation of a Standards Management Committee.

Recommendations 16 and 17

The EC supports the examination of the work and relevance of all committees, including Regional Committees, and Task Forces with a view to exploring ways of eliminating inefficiencies and unnecessary bureaucracy where possible. However, the CAC must retain the power to take decisions concerning any restructuring of Codex Committees. The current linkages between horizontal Committees and Commodity Committees work well and already ensure that health-related questions are not treated in detail by the Commodity Committees. Nevertheless, it is important to consider ways of further improving co-ordination between the horizontal committees and the Commodity Committees. The EC supports the principle of establishing task forces in areas where the task is considered to be carried out within a certain time limit. But the recommendation that all commodity work should be handled through time bound tasks forces might be too extensive and
to the essential minimum and wherever possible handled through a task force with the relevant horizontal committee.

**Recommendation 17:** Codex should undertake a review of the mandate and work of regional committees within the next two years.

**Recommendation 18:** All committee and task force work should be time-bound. It is proposed that no standard be permitted more than 5 years’ work before decision by the Commission on whether further work is justified.

**Recommendation 19:** Codex must continue to strive for a clearer separation of the risk management and risk assessment functions to ensure transparency, the usefulness of scientific advice and the speed of decision-making.

**Recommendation 20:**

The emphasis in Codex should switch from writing standards in meetings to developing standards through a consultative process between meetings. Much greater use should be made of consultants/facilitators to progress work between committee sessions, with the cost borne by host countries. As well as speeding up work, greater inclusiveness would be ensured by full consultation including, where appropriate, the organization of local workshops and:

- written comments should be fully taken into account;
- where between-session working groups are used they should be electronic, not generally physical meetings which are not inclusive in possible participation;
- greater use should be made of knowledgeable NGOs in preliminary standard development.

not realistic.

**Recommendation 18**

The EC supports this recommendation for the standards but the development of related texts may require more than five years. The CAC should retain the option of extending this time limit if necessary.

**Recommendation 19**

The EC strongly supports this recommendation. The initiative for requesting evaluations should come from risk managers, i.e. CAC.

**Recommendation 20**

The EC considers that it is not the role of the CAC to change the wording of the standards at a plenary sitting even if minor and in particular editorial changes should still be possible at this stage. Intergovernmental consensus, essential for rapid progress on standards, should continue to be built in a transparent manner in open meetings. The EC supports the taking into account of the written comments and the development of electronic between-session Working groups. The EC considers that NGOs support raises the problem of their selection and how representative they are (representativity) as well as possible conflicts of interest. This type of support needs to be properly managed to ensure the necessary level of democratic transparency. The use of electronic working groups entails ensuring that developing countries
have adequate electronic facilities. For this purpose, the suggestions provided in paragraph 145 of the report should be taken into account.

As mentioned above, the EC supports more inter-session drafting work. The current practice of establishing drafting groups, working groups based on electronic exchange, as well as meetings, should be maintained and further developments considered. The use of “facilitators” to facilitate this process could be interesting but their selection, role, and representativity need to be clarified in order to ensure the necessary transparency and accountability of the Codex Committees’ intergovernmental work.

Recommendation 21: Meeting reports – Although Codex is very effective in producing and agreeing full meeting reports before the end of meetings, the trend towards action-oriented reports of meetings which focus on decisions and not discussion, should be further reinforced. Such reports facilitate a task-orientation as well as freeing up meeting time for more productive use than report writing.

Recommendation 22: In order to improve the performance and ensure greater consistency among committee chairs, explicit criteria for selection of chairs should be drawn up and chairs should be confirmed by the Executive Board. More emphasis should be placed on training and assessment of chairs and the explicit role of the Codex secretariat in supporting effective chair-personship should be fully recognized.

Recommendation 23: The present 8-step procedure should be simplified to a 5-step procedure for all standards. At Step 5, the Commission should not amend the standard but be required to:

- adopt the standard;

The EC considers that simplification is important. Nevertheless, the reports of the Committees are the record of Codex deliberations and as such should provide an outline of the discussions for the benefit of the delegations to subsequent meetings.

To ensure greater consistency between Committee chairs, guidelines for carrying out the meetings and the work of the groups between the sessions should be developed. In accordance with the recommendations 13/14/15, the role of the secretariat in support of the Chairs should be strengthened and clarified.

The EC supports the adoption of the standards in 5 steps when there is a consensus. This is achievable when relevant scientific information is
• refer the standard back to the committee to explore certain changes; or
cancel or suspend work on the standard.

To achieve an adoption in 5 steps, it may not be necessary to modify the existing procedures that already provide for an accelerated adoption. It should be left to the CAC to take the decision to extend the time set at the outset or to stop the work if necessary.

**Recommendation 24:** Wherever possible, decisions should be made by consensus. Codex should define consensus for decision-making purposes in committees and the Commission. We propose ‘no formal objection by more than one member present at the meeting’; and:

a) committees should, as the norm, achieve consensus before passing on standards to the Commission for adoption;
b) facilitators working between meetings should help to reach consensus and should be systematically used to assist in overcoming deadlock at any stage of the standard setting process;
c) in cases of ‘near-consensus’, proposed standards should be passed on by committees to the Commission for consideration. A consultative postal-balloting system should be considered as a way of ensuring inclusiveness and legitimacy;
d) if no better than ‘near-consensus’ could be reached in the Commission, voting should take place but should require at least a two-thirds majority of those present and voting for a standard to be adopted.

**Recommendation 24**

The EC strongly supports the need for consensus. However, the definition proposed by the panel is too close to outright unanimity. It would be preferable to regard as consensual any decision where a minority of differing points of view gives up its opposition to allow the adoption of the standard. This approach should be linked to the modification of the majority at two thirds. Member Countries should have the possibility of indicating their acceptance with a statement on the reasons for their minority opinion.

The EC suggests the development of a guidance paper in which the meaning of consensus in Committees as well as the CAC is clearly described for use of all Member States as well as the Chairs of the Committee.

The EC is in favour of a written consultation procedure in the Committee step procedure but does not support a consultative postal-balloting system for the CAC. The EC considers that for the CAC it is preferable to strengthen the participation of the delegations from developing countries by means of the Trust Fund. In addition, the EC can support the adoption of a standard or related text with a majority of two thirds when, in exceptional cases, the consensus cannot be found and a formal vote has been resorted to.

On the use of facilitators, see EC comments in relation to Recommendation
Recommendation 25: Groups of countries with common interests should be encouraged to coordinate their positions and present these as positions of the group at committee meetings

Recommendation 25

The EC takes note with interest but considers that this recommendation is beyond the competence of Codex.

Recommendation 26: Committees should be encouraged to appoint co-chairs of equal status, one of which would be from a developing country. Host countries should also hold meetings in the co-chair’s country.

Recommendation 26

The EC is in favour of improving the participation of developing countries. However, the EC believes that this objective should be dealt with a package of measures in particular through the Trust Fund for participation in Codex and not through this single recommendation. Alternative solutions with equivalent effects should also be discussed: meetings of the Committee in developing countries, financing of the travel costs of developing countries, and the appointment of an adjunct chair.

Recommendation 27: Codex should review its principles and procedures for observer status as required by the Procedural Manual and:

a) should consider applying stricter criteria to ensure that observers are genuinely international. New rules should apply to existing observers as well as future ‘applicants’ and the credentials of Codex observers should be approved individually by the Executive Board;

b) observers should be represented on the Executive Board and the Standards Management Committee (if established).

Recommendation 27

The EC is in favour of stricter criteria for granting observer status, in particular with regard to effective international representation. Existing observers representing a sector with well-defined interests should join together in an enlarged federation where their points of view would be taken into account. To ensure the necessary transparency, there should be a requirement for full disclosure including sources of funding and representation of interest groups.

Their representation, within confined Committees, like the Executive Board/Committee or the Standards Management Committee, raises the question of the number of their representatives and of their qualities.

Recommendation 28: Clear criteria to be met in becoming a host country should be developed, including the resource requirements. Host countries should be required to commit to the minimum level

Recommendation 28

The EC considers that if criteria are too strict, prospective host countries are likely to be discouraged and the Chairing
of support including that for:
- between session work; and
- meetings being held in the co-chair’s country;

Shared hosting of committees could be explored by host countries as an option in meeting increased commitments.

B. Recommendations addressed to FAO and WHO

**Recommendation 4:**
It is important that a comprehensive and clear mandate be developed for Codex and ratified by the FAO Conference and the World Health Assembly. The mandate should be quite simple, for example:
- The formulation and revision of international standards for food, in collaboration with other appropriate international organizations, with priority to standards for the protection of consumer health while taking into full account the needs of developing countries.

**Recommendation 4**

The EC sees no immediate need to change the mandate for Codex.

The current mandate is comprehensive and constitutes a clear basis for the development of the Codex standards.

More appropriate existing tools can be used to set up priorities: strategic plan, Medium Term plan

**Recommendation 5:**
FAO and WHO should define how formal recommendations of Codex for consideration by FAO and WHO Governing Bodies may be brought to their attention (for example in FAO through one of the Committees of the Council).

**Recommendation 5**

The EC considers that Codex and its strengthened secretariat should be capable of drawing up the related standards and texts. The adoption of these standards and related texts by the Directors General for FAO and for WHO is a formality. In comparison the health codes of the OIE are adopted directly by the Director General for the OIE.

**Recommendation 7:**
Codex should remain within FAO and WHO but should have more independence, authority and responsibility over priority setting and management of its work programme. FAO and WHO Governing Bodies should endorse the overall Codex programme of work and the budget on a biennial basis.

**Recommendation 7**

The EC approves of this recommendation.

**Recommendation 13:**
The Codex secretariat should be able to carry out managerial, strategic and communication functions. To attract someone of the calibre needed to provide continuing executive leadership and support in Codex and manage and motivate the enhanced secretariat, a senior person should be appointed as Executive Secretary. The overall seniority of the secretariat staff should also be raised.

Although the EC would like the role of the Secretariat to be strengthened, there is a risk of confusing its functions with that of the Executive Board/Committee of Directors, which would also be charged with strategic and managerial responsibilities according to recommendation 9. The EC considers that the respective roles of the Secretariat and the Board of Directors (if created) need to be better defined. To this end, it would be useful to draw up a mandate for the Codex Secretariat

Recommendation 14: The secretariat would better achieve the independent identity, high status and authority it needs by becoming a separate FAO unit rather than continue under the Food and Nutrition Division¹. The secretariat would continue to report to FAO and WHO but in line with plans to give Codex more independence, the appointment of the secretary would be carried out in consultation with Codex.

Recommendation 15: As a matter of priority more human and financial resources must be put into the Codex secretariat to enable it adequately to perform existing functions and meet expanding demands

Recommendation 29: Resources should be put into upgrading the Codex web-site as a matter of urgency.

Recommendation 30: FAO and Codex review the possibilities for establishment of a database of national standards of importance in trade, including their application and methods of analysis.

Recommendations 14 and 15

The EC supports these recommendations.

Recommendation 29

No comments

Recommendation 30

The EC is, in principle, in favour of this recommendation but anticipates practical difficulties in setting up such a database. In the past, FAO tried to establish such a database for fishery products but this was never completed or kept up-to-date because of the lack of co-operation of the member countries. The transparency of new standards is now provided by the SPS notification system. However, a

¹ Divisions in FAO are also under D2-level employees.
WTO member country is not obliged to notify the adoption of standards compatible with Codex standards.

**Recommendation 31:** FAO and WHO should make a detailed calculation of the incremental cost increases for the Codex secretariat of implementing the agreed recommendations and provide the necessary increased core funding.

**Recommendation 31**
The EC supports this recommendation.

**C. Recommendations addressed to FAO and WHO on risk assessment, expert advice and capacity building**

**Recommendation 32:** In light of the growing importance of microbiological hazards, JEMRA should be ratified as a permanent committee and resources allocated to increase its output.

**Recommendations 32, 33 and 34**
The EC supports these recommendations

**Recommendation 33:** There should be a clear budget and human resource allocation for scientific advice and risk assessment. The major part of this allocation should be available for prioritization by Codex. A small proportion of the budget should be retained for use by FAO and WHO to meet their own needs, particularly in relation to emerging issues. FAO and WHO should make proposals for discussion at the July 2003 session of the Codex Alimentarius Commission on how this may be achieved.

**Recommendation 34:** The increased funding of risk assessment is a top priority.

**Recommendation 35:** A high priority for WHO and FAO is to support the collection of data covering a much wider range of diets and production processes, including the essential capacity building. Furthermore, FAO and WHO should increase their role in defining data requirements for risk assessment and guaranteeing good quality data.

**Recommendation 35**
The EC supports this recommendation.
**Recommendation 36:** Budgetary provision should be made to pay independent experts undertaking risk assessments. At the same time, strict deadlines and quality requirements should be put in place.

**Recommendation 37:** Building on the findings of this evaluation, a consultancy study should be immediately undertaken of expert advice and risk assessment and this should be followed by an expert consultation and discussion in Codex. The elements to be included in the study, in line with the discussion above, should include:

a) new methods of working, including the use of meta-analysis techniques;
b) any requirement for redistribution of tasks in existing expert committees or for splitting the committees;
c) definition of the form in which risk assessments can be most usefully provided to risk managers for standard setting;
d) re-definition of basic requirements for global standards, including the minimum of essential dietary intake data for each major region and tropical performance data for GAP, GMP, GHP, etc.;
e) funding and possibilities of payment for services when reviewing proprietary products;
f) ways in which non-technical consumer representatives could contribute to the work of providing scientific advice and risk assessment;
g) best practice procedures for communication between risk assessors and managers to ensure that scientific advice is given in its most useful form; and
h) options, necessary communication expertise and resource implications of

**Recommendation 36**
Experts are only really independent if their work is not connected to or dependent on the salary that they receive from their usual employer. The remuneration of their work is key to their independence; however a statement of interest remains essential to truly evaluate their independence with respect to the special interest groups.

**Recommendation 37**
The recommendations of the panel lead to a very important restructuring of Codex. The EC strongly encourages a wide-ranging consultation on these recommendations by keeping in mind that Codex standards are intended for protecting the consumer health of the whole world and consumers should be given every opportunity to participate fully in this consultation.

In conclusion, the EC considers that decision on this recommendation should be held in abeyance until the completion of the expert consultation on the work of FAO/WHO Joint Experts Groups.
alternative risk assessment communication strategies.

Recommendation 38: A Scientific Committee should be established by FAO/WHO

Recommendation 39: We recommend that a post of Joint Coordinator be established and located in WHO. The joint secretaries of existing scientific committees would continue to be under the current units of their two Organizations.

Recommendation 40: FAO and, in particular WHO are recommended to markedly increase their contribution to health risk assessment and expert advice to feed into Codex. In addition to the immediate direct resource requirements referred to above:

- WHO should develop data on health risks from food around the world to better determine priorities;
- FAO should develop work on good handling and manufacturing practices for additives, packaging, processing agents, etc.; and both Organizations should develop dietary data for the developing regions.

Capacity building

Recommendation 41: It is recommended that the two Organisations agree on principles for co-ordination and delimitation of responsibilities and ensure that these principles are communicated to regional and national offices. Such an agreement should be reported to the Codex Alimentarius Commission at its July 2003 session.

Recommendations 38 and 39

The EC sees potential value in the establishment of a FAO/WHO Scientific Committee supervising and harmonising the work of JECFA-JMPR-JEMRA. It would be appropriate for the Secretary of this Scientific Committee to have a co-ordinating role but s/he should be placed under the authority of a Board including representatives of the FAO, of WHO, the Secretariat of Codex, and the Executive Committee/Board (if created) of Codex.

In conclusion, the EC considers that decision on Recommendations 38 and 39 should be held in abeyance until the completion of the expert consultation on the work of FAO/WHO Joint Experts Groups.

Recommendation 40

The EC approves an increase in the contributions of FAO and especially of WHO for the Codex Alimentarius.

The allocation of the tasks and responsibilities of these two organisations should be evaluated with precaution with the objective of avoiding a kind of competition between them but also with flexibly to allow a better adaptation to emerging situations.
Recommendation 42:
(+ Alinorm 03/25/4)

with a view to mobilising funds for capacity-building, it is recommended to further expand the existing FAO/WHO Codex trust funds in line with its wider objectives into a major multi-donor trust fund for capacity building of national systems, with flexible arrangements to allow donors who wish to do so to earmark funds for a particular purpose. This will have to be done against clear delineation of capacity-building responsibilities between the two donor organisations

Recommendation 42:
(+ Alinorm 03/25/4)

The EC in principle supports this recommendation. The EC considers that the Trust Fund should focus on participation of developing countries in CAC, Committee and working group meetings.

The scope of the fund (Alinorm 03/25/4 – Annex I) should be more strictly defined. 1.a) is clear; 1.b) seems to be partly included in the scope of other trust funds; the articulation between these different funds should be better defined and clarified. 1.b) should be more focussed on Codex specifically by referring, for instance, to support for the setting up and smooth operation of the Codex national Committees (that could cover operations involving interested parties and components such as the electronic facilities necessary to participate in between-sessions working groups).

It would be important to determine or make public the criteria and procedures to collaborate with the private sector. The establishment of these criteria and procedures seem also in line with the creation of a transparent and efficient system (paragraphs 6 to 8 of Alinorm 03/25/4).

It would be necessary to determine selection criteria for countries eligible to seek funding. It would be desirable to establish a stronger link between the FAO/WHO Consultative Group and the CAC representatives (on the basis of a periodically updated mandate or on the basis of guidelines drawn up by the CAC or the CCEXEC).