Codex Alimentarius Commission
(29th Session)

Geneva
3-7 July 2006

European Community Positions
PART I INTRODUCTION

**Agenda item 1** Adoption of the Agenda and Arrangements for the Session

Member States Competence.
Member States Vote.¹

ALINORM 06/29/1
ALINORM 06/29/1A
ALINORM 06/29/1B

**Agenda item 2** Report by the Chairperson on the 57th and 58th Sessions of the Executive Committee

Member States Competence.
Member States Vote.

ALINORM 06/29/3
ALINORM 06/29/3A

¹ This is without prejudice to the substantive competence that the Community has for individual items on the agenda.
PART II    PROCEDURAL MATTERS

Agenda item 3    Amendments to the Procedural Manual

Member States Competence.  
Member States Vote.

ALINORM 06/29/4  
ALINORM 06/29/4A

EC position:

The Member States of the European Community (MSEC) fully support the proposed amendments to the rules of procedure regarding the duration of the terms of office of the members of the Executive Committee.

The MSEC also agree that the newly created Codex Committee on Food Additives (CCFA) and the Codex Committee Contaminants in Food (CCCF) should discuss the substantive amendments to the texts tables in Annex 2 of ALINORM 06/29/4 Add. 1 for subsequent consideration by the Codex Alimentarius Commission, but that in the meantime the provisions of these texts remain in force in so far as they related to the work of CCFAC and CCCF.
PART III CODEX STANDARDS AND RELATED TEXTS

**Agenda item 4** Draft Standards and Related Texts at Step 8 of the Procedure (including those submitted at Step 5 with a recommendation to omit Steps 6 and 7 and those submitted at Step 5 of the Accelerated Procedure)

**Agenda item 4 - Part 1 – Standards and related Texts submitted for adoption at Step 8, at Step 5 of the Accelerated Procedure and Step 5/8**

1) **CCCPL: Draft Standard for Instant Noodles (except Sections 4 and 9)**

*Mixed Competence*

*European Community Vote*

Annex to CL 2006/15-CPL

**EC position:** in favour of adoption.

2) **CCCPL: Proposed draft Standard for Instant Noodles (Sections 4 and 9)**

*Mixed Competence*

*European Community Vote*

Annex to CL 2006/15-CPL

**EC position:** The ECMS question the long list of anti-oxidants and the high maximum levels established in particular for BHA (321), BHQ (320) and TBHQ (319), but do not wish to block adoption of the standard.

3) **CCFAC: Draft revision of the Preamble of the Codex General Standard for Food Additives**

*Mixed Competence*

*European Community Vote*

ALINORM 06/29/12, Appendix V

**EC position:** In favour of adoption.

4) **CCFAC: Draft and proposed draft food additive provisions of the General Standard for Food Additives (GSFA)**

*European Community Competence*

*European Community Vote*

ALINORM 06/29/12, Appendix VII

**EC position:** In favour of adoption.
5) CCFAC: Draft Maximum Level for Lead in Fish

European Community Competence
European Community Vote
ALINORM 06/29/12, Appendix XXIV

EC position:
The Codex Committee on Food Additives and Contaminants (CCFAC) agreed to forward the draft maximum level of 0.3 mg/kg for lead in fish to the 29th session of the Codex Alimentarius Commission for adoption at Step 8. The delegations of the European Community and the United States made reservations to this decision.

The European Community (EC) reserved its position because the EC notes that it is recognised that analytical data on lead in fish show that most fish species could achieve a maximum level of 0.2 mg/kg and that only a limited number of fish species required a higher level. Therefore the EC is of the opinion that it would have been more appropriate to propose a maximum level of 0.2 mg/kg for lead in fish with the additional provision that for the specific fish species for which it can be demonstrated with reliable data from at least various countries and sources, encompassing the main production areas/processes of those products and as far as they are engaged in international trade, that the level of 0.2 mg/kg is not reasonably achievable, a higher maximum level can be applied”.

Taking into account the comments made by other Member Countries in CCFAC on this issue, and in the interest of finding a common solution which meets to a large extent the concerns of the different Member Countries, the EC agrees to lift its reservation and accepts the adoption of the maximum level of 0.3 mg/kg for lead in fish.

6) CCFAC: Draft Maximum Levels for Cadmium in marine bivalve molluscs (excluding oysters and scallops) and in cephalopods (without viscera) and in polished rice

European Community Competence
European Community Vote
ALINORM 06/29/12, Appendix XXV

EC position:
Draft maximum level for Cadmium in marine bivalve molluscs (excluding oysters and scallops) and in cephalopods (without viscera)

The Codex Committee on Food Additives and Contaminants (CCFAC) agreed to forward the draft maximum level of 2 mg/kg cadmium in marine bivalve molluscs (excluding oysters and scallops) and cephalopods (without viscera) to the 29th session of the Codex Alimentarius Commission for adoption at Step 8. The delegation of the European Community expressed its reservation to this decision.

The European Community (EC) wishes to remark that the Commission adopted at step 5 at its 28th session the draft maximum level of 1 mg/kg for cadmium in marine bivalve molluscs (excluding oysters and scallops) and in cephalopods (without viscera). Concern as regards this
decision was expressed by the delegations of South Africa, Thailand and Chile supported by several other delegations as regards this level which was considered too low to be practicable, the need to better define the range of species to which the maximum levels were applicable in order to avoid trade barriers created by levels set by national legislations and the use of this level for processed products. These delegations suggested that these issues need to be further considered by the CCFAC (ALINORM 05/28/41 § 77 and Appendix VI)

The EC notes that these issues have not been considered by the CCFAC at its 38th session and that the originally proposed maximum level of 1 mg/kg has been increased to 2 mg/kg without considering these issues.

In case the Codex wishes to pursue with the adoption of the level of 2 mg/kg for cadmium in marine bivalve molluscs (excluding oysters and scallops) and cephalopods (without viscera), the EC maintains, for the reasons outlined before, its reservation as regards the adoption by the Codex Commission of the maximum level of 2 mg/kg for cadmium in marine bivalve molluscs (excluding oysters and scallops) and cephalopods (without viscera)

**Draft maximum level for Cadmium in polished rice**

The Codex Committee on Food Additives and Contaminants (CCFAC) agreed to forward the draft maximum level of 0.4 mg/kg cadmium in polished rice to the 29th session of the Codex Alimentarius Commission for adoption at Step 8. The delegations of the European Community, Egypt and Norway made reservations to this decision.

The EC does not object to the adoption by the Codex Commission of the maximum level of 0.4 mg/kg cadmium in polished rice.

Rice produced in specific regions can contain cadmium levels up to 0.4 mg/kg, being influenced by geological factors. As it is understood that such rice is only to a limited extent in international trade and not exported to the EU, the EC has no intention to change its current legislation.

7) **CCFAC: Proposed draft food additive provisions of the General Standard for Food Additives (GSFA)**

*European Community Competence*
*European Community Vote*
ALINORM 06/29/12, Appendix XI

**EC position:** In favour of adoption.

8) **CCFAC: Proposed draft amendments to the International Numbering System for Food Additives**

*Mixed Competence*
*European Community Vote*
EC position: In favour of adoption.

9) CCFAC: Specifications for the Identity and Purity of Food Additives arising from the 65th JECFA meeting

Mixed Competence
European Community Vote
ALINORM 06/29/12, Appendix XVII
EC position: In favour of adoption.

10) CCFAC: Proposed draft Appendix to the Codex Code of Practice for the Prevention and Reduction of Aflatoxins Contamination in Tree Nuts – Additional Measures for the Prevention and Reduction of Aflatoxins Contamination in Brazil nuts (N08-2005)

Mixed Competence
Member States Vote
ALINORM 06/29/12, Appendix XX
EC position: In favour of adoption.

11) CCFAC: Proposed draft Code of Practice for the Prevention and Reduction of Dioxin and Dioxin-like OCB Contamination in Food and Feeds

Mixed Competence
Member States Vote
ALINORM 06/29/12, Appendix V
EC position: In favour of adoption.

12) CCFAC: Proposed draft revised Guideline Levels for Radionuclides in Foods Contaminated Following a Nuclear or Radiological Emergency for Use in International Trade

European Community Competence
European Community Vote
ALINORM 06/29/12, Appendix XXXI
EC position: In favour of adoption.

13) CCFICS: Proposed draft Principles and Guidelines for Imported Food Inspection Based on Risk

Mixed Competence
European Community Vote
ALINORM 06/29/30, Appendix II
EC position: In favour of adoption. New Zealand had a strong reservation but seems to be in a position to lift it taking into account on-going discussions at CCGP level on risk analysis terms.

14) CCFICS: Proposed draft Principles for Traceability/Product Tracing as a Tool within a Food Import and Export Inspection and Certification System

Mixed Competence
European Community Vote
EC position: In favour of adoption. We could accept the amendment proposed by Brazil in ALINORM 06/29/5A.

15) CCFL: Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 2 – Permitted Substances: Table 3

Mixed Competence
European Community Vote
ALINORM 06/29/22, Appendix II
EC position: In favour of adoption.

16) CCFL: Proposed Draft Amendment to the Guidelines on Nutrition Labelling: Definition of Trans Fatty Acids

Mixed Competence
Member States Vote
ALINORM 06/29/22, Appendix V
EC position: In favour of adoption.

17) CCFL: General Standard for Fruit Juices and Nectars: labelling provisions related to processing aids

European Community Competence
European Community Vote
ALINORM 06/29/22 para. 4-5
EC position: In favour of adoption.

Background: The Commission adopted the General Standard for Fruit Juices and Nectars at its 29th Session (2005) and noted that three processing aids (isinglass and sodium/potassium caseinates) would be included in the Standard after endorsement of related labelling provisions by CCFL (ALINORM 05/28/41, para. 64). These labelling provisions were endorsed by the 37th Session of the CCFL, thereby allowing the inclusion of the processing aids in the General Standard for Fruit Juices and Nectars.

18) CCMAS: Methods of analysis and sampling for inclusion in Codex standards and/or in CODEX STAN 234-1999

Mixed Competence
Member States Vote
ALINORM 06/29/23, Appendix II
EC position: In favour of adoption (Position on gluten method still to be agreed)

Background: The CCMAS considered methods submitted for endorsement in Proposed Draft or Draft Standards and in standards that have already been adopted. This is mentioned in conjunction with the standards submitted at Step 8 or 5/8 insofar as it results in an amendment to the methods of analysis included in adopted standards, or to CODEX STAN 234-1999.

Method for Gluten (AT does not agree to discuss this at CAC; UK not agree; IRL ok with Type II Methods; NL does not agree)

The ECMS would propose to change the classification of this method for analysis of Gluten, which the 17th meeting of CCMAS has endorsed as a type I and instead adopt it as a type II method.
Background

The 27th meeting of CCMAS in May 2006 endorsed as a type I method the Enzyme-Linked Immunoassay R5 Mendez (ELISA) method for determination of Gluten in the draft revised standard for Gluten-free foods. If a method is adopted as a type I method, it means that this is the only method which should be used in a possible dispute. Other methods are used today and much development in the area of method of analysis is going on.

Criteria approach

In the Codex system, "the criteria approach", has been adopted for type II and III methods. The consequence of this is that other methods could be used as long as they fulfil the same criteria as the adopted type II or III method. The criteria approach is described in the manual.

Criteria approach could not be applied for type I methods. Since the R5 ELISA (Mendez) method is not the only existing method for analysis of gluten it is not appropriate to classify it as a type I method. The ECMS therefore would propose that CAC change the method classification and adopt it as a type II method instead.

The complete description of the different Codex types of methods is shown below:

Codex Procedural Manual 15th ed. page 71-72

PRINCIPLES FOR THE ESTABLISHMENT OF CODEX METHODS OF ANALYSIS

PURPOSE OF CODEX METHODS OF ANALYSIS

The methods are primarily intended as international methods for the verification of provisions in Codex standards. They should be used for reference, in calibration of methods in use or introduced for outline examination and control purposes.

METHODS OF ANALYSIS

Definition of types of methods of analysis

(a) Defining Methods (Type I)

Definition: A method which determines a value that can only be arrived at in terms of the method per se and serves by definition as the only method for establishing the accepted value of the item measured.

Examples: Howard Mould Count, Reichert-Meissl value, loss on drying, salt in brine by density.

(b) Reference Methods (Type II)

Definition: A Type II method is the one designated Reference Method where Type I methods do not apply. It should be selected from Type III methods (as defined below). It should be recommended for use in cases of dispute and for calibration purposes.

Example: Potentiometric method for halides.
(c) Alternative Approved Methods (Type III)

**Definition:** A Type III Method is one which meets the criteria required by the Codex Committee on Methods of Analysis and Sampling for methods that may be used for control, inspection or regulatory purposes.

**Example:** Volhard Method or Mohr Method for chlorides

(d) Tentative Method (Type IV)

**Definition:** A Type IV Method is a method which has been used traditionally or else has been recently introduced but for which the criteria required for acceptance by the Codex Committee on Methods of Analysis and Sampling have not yet been determined.

**Examples:** chlorine by X-ray fluorescence, estimation of synthetic colours in foods.

19) CCMMP: Draft Amendment to Section 2 “Description” of the General Standard for Cheese

*Mixed Competence*

*Member States Vote*

ALINORM 06/29/11, Appendix II

**EC position:** In favour of adoption.

20) CCMMP: Draft Standard for a Blend of Evaporated Skimmed Milk and Vegetable Fat

*Mixed Competence*

*European Community Vote*

ALINORM 06/29/11, Appendix III

**EC Position:** In favour of adoption. The ECMS wish to underline the need to retain provisions dealing with the names of the products in its current state, as they prevent any confusion between the products covered by these standards and products exclusively made of milk and offer in addition a degree of flexibility for the use of names recognised in national legislation (however the mention of “filled milk” as an example in the standard is not acceptable).

21) CCMMP: Draft Standard for a Blend of Skimmed Milk and Vegetable Fat in Powdered Form

*Mixed Competence*

*European Community Vote*

ALINORM 06/29/11, Appendix IV

**EC position:** Same as previous point

22) CCMMP: Draft Standard for a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat

*Mixed Competence*

*European Community Vote*

ALINORM 06/29/11, Appendix V

**EC position:** Same as previous point

23) CCMMP: Draft Revised Standard for Cheddar (C-1)
Mixed Competence
Member States Vote
ALINORM 06/29/11, Appendix VI
EC position:
The European Community and its Member States (ECMS) fully support the final adoption of all individual cheese standards as proposed by the CCMMP and welcome their finalization at the same time in accordance with the critical review carried out by the Executive Committee during its 55th Session (CX/EXEC 05/55/3).

However the ECMS note that CCFL was not in a situation to endorse the labelling provisions requiring mention of the country of origin despite the justification provided by CCMMP. The ECMS strongly support the declaration of the country of origin as required by section 7.2 as its omission for this particular type of foods could mislead or deceive the consumer; this approach is fully in line with section 4.5.1 of the General Standard for the Labelling of Prepackaged Foods.

As a compromise, the ECMS could accept that the provisions regarding country of origin labelling would not be applicable for Cream Cheese (C-31) and Cottage Cheese (C-16) if this concession would allow the lifting of the remaining reservations (United States, Canada, New Zealand, Australia).

The ECMS do not believe that a partial adoption of the standards (i.e. without section 7.2.) could be an appropriate way forward as these standards were discussed as a package, the labelling requirements of which constitute an essential component.

24) CCMMP: Draft Revised Standard for Danbo (C-3)
Mixed Competence
Member States Vote
ALINORM 06/29/11, Appendix VII
EC position: See Cheddar.

25) CCMMP: Draft Revised Standard for Whey Cheeses
Mixed Competence
Member States Vote
ALINORM 06/29/11, Appendix VIII
EC position: in favour of adoption.

26) CCMMP: Proposed draft Revised Standard for Edam (C-4)
Mixed Competence
Member States Vote
ALINORM 06/29/11, Appendix IX
EC position: See Cheddar.

27) CCMMP: Proposed draft Revised Standard for Gouda (C-5)
Mixed Competence
Member States Vote
ALINORM 06/29/11, Appendix X
EC position: See Cheddar.
28) CCMMP: Proposed draft Revised Standard for Havarti (C-6)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XI  
**EC position:** See Cheddar.

29) CCMMP: Proposed draft Revised Standard for Samso (C-4)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XII  
**EC position:** See Cheddar.

30) CCMMP: Proposed draft Revised Standard for Emmental (C-9)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XIII  
**EC position:** See Cheddar. Although the ECMS do not support at all the request of Switzerland to revoke the standard of Emmental, the proposed strategy on this issue is to keep a low profile and avoid being in the front row, should a discussion occur.

31) CCMMP: Proposed draft Revised Standard for Tilsiter (C-11)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XIV  
**EC position:** See Cheddar.

32) CCMMP: Proposed draft Revised Standard for Saint-Paulin (C-13)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XV  
**EC position:** See Cheddar.

33) CCMMP: Proposed draft Revised Standard for Provolone (C-15)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XVI  
**EC position:** See Cheddar.

34) CCMMP: Proposed draft Revised Standard for Cottage Cheese (C-16)  
*Mixed Competence*  
*Member States Vote*  
ALINORM 06/29/11, Appendix XVII  
**EC position:** See Cheddar. COOL provisions could be dropped for compromise.

35) CCMMP: Proposed draft Revised Standard for Coulommiers (C-18)  
*Mixed Competence*  
*Member States Vote*
36) CCMMP: Proposed draft Revised Standard for Cream Cheese (C-31)

Mixed Competence

Member States Vote

ALINORM 06/29/11, Appendix XIX

EC position: See Cheddar. COOL provisions could be dropped for compromise.

37) CCMMP: Proposed draft Revised Standard for Camembert (C-33)

Mixed Competence

Member States Vote

ALINORM 06/29/11, Appendix XX

EC position: See Cheddar.

38) CCMMP: Proposed draft Revised Standard for Brie (C-34)

Mixed Competence

Member States Vote

ALINORM 06/29/11, Appendix XXI

EC position: See Cheddar.

39) CCMMP: Proposed draft Standard for Mozzarella

Mixed Competence

Member States Vote

ALINORM 06/29/11, Appendix XXII

EC position: See Cheddar.

40) CCMMP: Proposed draft Standard for Dairy Fat Spreads

European Community Competence

European Community Vote

ALINORM 06/29/11, Appendix XXIII

EC position: In favour of adoption. Although there might be some divergences of approach compared to the Standard for Fat Spreads and Blended Spreads, it is considered that the current text could be acceptable as is.

41) CCNFSDU: Draft Revised Standard for Processed Cereal-Based Foods for Infants and Young Children

European Community Competence

European Community Vote

ALINORM 06/29/26, Appendix II

EC position: In favour of adoption. Extensive comments on this standard have been provided by Argentina, China, Peru, US, Venezuela, ENCA and ILCA. There is a risk that the text is sent back to CCNFSDU, what we would like to avoid.

The European Community (EC) fully supports the adoption of the Draft Revised Standard on Processed Cereal-based Foods Intended for Infants and Young Children. The revision of the standard has been discussed extensively for a long period of time and it is important that the standard should be revised.
The EC notes that the Codex Committee on Food Additives and Contaminants (CCFAC) endorsed the food additives provisions of the draft revised standard with some modifications. CCFAC also endorsed additional provisions on flavours and recommended that they should be included in the section 4 “Food Additives”. The EC agrees to all the amendments proposed by CCFAC.

**Defensive points**

*Modifications to paragraph 8.1.1 second sub paragraph*

**Comments by Argentina**

Argentina proposed to add a reference to paragraph 7.1.1 of the Guidelines for the Use of Nutrition and Health Claims. Paragraph 7.1.1 of the Guidelines refers specifically to health claims, which are not mentioned in the current wording of 8.1.1. Therefore, the EC should not support this proposed amendment.

**USA**

USA considers that the wording of paragraph 8.1.1 is confusing as it only refers to “nutrition claims” whereas paragraph 1.4 of the Guidelines for the Use of Nutrition and Health Claims mentions both nutrition and health claims. The EC considers that the provisions of the Guidelines for the Use of Nutrition and Health Claims would apply as is specifically mentioned in the first subparagraph of 8.1.1 and therefore health claims could be made subject to national legislation. If this point is raised the EC would not support the reopening of this issue.

**Comments of ENCA and ILCA**

The two NGO observers, ENCA and ILCA, have submitted the same extensive comments on the draft revised standard. These comments have been presented in CCNFSDU during the discussions on the revision of the standard, however, they did not receive the support of the Committee. The EC should oppose the reopening of the discussion in CAC.

It is possible that due to comments of ENCA and ILCA it may be suggested that there is not consensus on the standard and that the standard should be sent back to the CCNFSDU. If this happens, the EC position should be that such a decision would not be justified as the issues raised in the comments of the observers have already been considered by the CCNFSDU but they were not supported by the members of the Committee.

**42) CCPR: Draft Maximum Residue Limits for Pesticides, including Dried Chili Pepper**

**European Community Competence**

**European Community Vote**

ALINORM 06/29/24, Appendix II

**EC position**: The European Community (EC) maintains and confirms its reservations on the adoption of a maximum residue limit for

- **METHIOCARB (132)** of 2 mg/kg in Peppers, Sweet

  *NB: To the concern expressed by the Delegation of Germany regarding the proposed MRL for pepper, the Delegation was asked to send their comments in “concern form”.*

- **DELTAMETHRIN (135)** of 2 mg/kg in Leafy vegetables
The EC has established a lower ARfD than JMPR based on the same data and does not support the advancement of this MRL because of the dietary intake concerns.

- **OXYDEMETON-METHYL (166) of 0.05 mg/kg in Pears**
  The EC has a strong reservation against the advancement of the MRL for pear to Step 8 due to intake concerns.

- **CHLORPROPHAM (201) of 30 mg/kg in Potato**
  The EC is opposed to the advancement of the MRL for potato because of intake concerns related to micro-waved unpeeled potatoes for toddlers.

43) **CCPR: Draft Guidelines on Estimation of Uncertainty of Results**

**Mixed Competence**

**Member States Vote**

ALINORM 06/29/24, Appendix IV

**EC position:** In favour of adoption.

44) **CCPR: Proposed draft Maximum Residue Limits for Pesticides**

**European Community Competence**

**European Community Vote**

ALINORM 06/29/24, Appendix III

**EC position:** In favour of adoption.

45) **CCRVDF: Draft Maximum Residue Limits**

**European Community Competence**

**European Community Vote**

ALINORM 06/29/31, Appendix II

**EC position:** In favour of adoption except for Trichlorfon in cattle milk.

The European Community (EC) maintains and confirms its reservation on the adoption of a maximum residue limit for Trichlorfon (Metrifonate) at 50 µg/kg in cattle milk.

**Background (16th CCRVDF report – ALINORM 06/29/31)**

“Trichlorfon (metrifonate)"

45. The Committee recalled that at its 15th Session it had agreed to hold the MRL for Trichlorfon at Step 7 pending the submission of new data for JECFA re-evaluation. It further noted that the JECFA Secretariat had agreed to reschedule Trichlorfon as a priority substance and to specifically address the toxicological concerns raised by the Delegation of the European Community.

46. The JECFA Secretariat explained that based on the request of the 15th Session a detailed explanation of the scientific concerns raised by the European Community had been received by the JECFA Secretariat and these were considered at the 66th JECFA meeting. The full draft assessment report had been provided to the European Community after the JECFA meeting, and was also distributed as CRD 6 for the 16th CCRVDF. JECFA had responded in detail to all the specific toxicological concerns raised, taking into account all available information, including some new data that had been submitted. In conclusion JECFA confirmed the ADI for Trichlorfon established at the 60th meeting since it did not find any basis for revising it. The previously recommended MRLs were not reconsidered.
47. The Delegation of the European Community acknowledged the submission of the draft JECFA report on the assessment of Trichlorfon and stated that due to the short interval between the 66th JECFA meeting and the 16th Session of CCRVDF, it had not been possible for them to review the JECFA assessment prior to the Session of CCRVDF. The Delegation confirmed the concerns previously expressed regarding the safety of Trichlorfon, in relation to genotoxicity, development toxicity, neurotoxicity and the assessment of pharmacokinetics data, which in their view did not allow the establishment of an ADI and subsequently MRLs for Trichlorfon. In addition, the Delegation had expressed concern that for the main metabolite, dichlorvos, no reliable ADI had been established.

48. Therefore the Delegation of the European Community proposed to defer the discussion on the MRLs until the next Session of the Committee in order to better examine the JECFA report. The position of the European Community was supported by two other delegations.

49. Other delegations were in favour of advancing the MRL because: all concerns as to the safety of Trichlorfon had been adequately addressed by JECFA; the conclusions of JECFA were clear and no new data are available to consider a further evaluation; the product was in use in many countries; and further delay in recommending a MRL in milk for this substance could have serious implication on trade.

50. The Committee agreed to advance the MRL for Trichlorfon to Step 8 and noted the reservation of the European Community and its Member States to this decision for the reasons mentioned above.”
Agenda item 4 - Part 2 – Standards and related Texts submitted for adoption

46) CCFAC: Codex General Standard for Contaminants and Toxins in Foods, including Schedule I

*Mixed Competence*

*European Community Competence*

ALINORM 06/29/12, Appendix XVIII

**EC position:** In favour of adoption. The 37th CCFAC agreed to Append Schedule I to the GSCTF and to request the 28th CAC to revoke the existing individual Codex standards for Maximum/Guideline Levels for contaminants and toxins. The 28th CAC in noting that Schedule I had not officially been submitted for adoption, requested the CCFAC to submit it for adoption.

47) CCFAC: Amended Annex to Table 3 of the GSFA

*European Community Competence*

ALINORM 06/29/12, Appendix VIII

**EC position:** In favour of adoption. This amendment is a consequential change to the inclusion of the food additives provisions of the commodity standards with a one-to-one relationship with a food category of the GSFA into the GSFA.

48) CCFAC: Revision of the Descriptor of Food Category 13.6 “Food supplements” of the GSFA

*European Community Competence*

ALINORM 06/29/12, Appendix XXXIII

**EC position:** In favour of adoption. This amendment is related to the descriptor of the Food category 13.6 “Food Supplement of the GSFA” to align it with the Codex Guidelines for Vitamin and Mineral Food Supplements (CAC/GL 55/2005).

49) CCRVDF: Compendium of Methods of Analysis Identified as Suitable for Support to Codex MRLs

*Mixed Competence*

ALINORM 06/29/31, Appendix IX

**EC position:** The European Community and its Members States (ECMS) are rather surprised to see that the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF)’s “Compendium of Methods of Analysis Identified as Suitable for Support to Codex MRLs” (ALINORM 06/29/31, Appendix IX) is proposed for adoption in Part 2 of Annex to ALINORM 06/29/05.

- In paragraph 16 of ALINORM 06/29/9C-Add.2 (Agenda item 11), this discussion is introduced in an open manner (emphasis added):

  “The Commission may wish to recommend that the above Compendium be not given the status of Codex Standard, Guidelines or recommendation but be maintained and updated by the Committee for use by Codex members.”

- As indicated in the notes of Part 2 of Annex to ALINORM 06/29/05 (Agenda item 4):
“This Compendium lists methods of analysis identified by the CCRVDF as suitable for support to Codex MRLs. The Committee will regularly update and revise the Compendium on the basis of information submitted by Codex members and observers.”

- According to paragraphs 119 and 120 of ALINORM 06/29/31 (emphasis added) on the Methods of analysis for residues of veterinary drugs in foods:

  “119. The Committee endorsed the recommendation of the ad hoc Working Group to ask the Codex Secretariat to issue a Circular Letter requesting that members and observers review the list of methods; review and update any addresses of contact points for information; advise of any methods for which they are no longer able to provide information; and provide information on substances and matrices for which validated methods are still required.

  120. The Committee agreed to forward to the 29th Session of the Codex Alimentarius Commission the Compendium of Methods of Analysis Identified as Suitable to Support Codex MRLs (see Appendix X).”

- There is no direct reference to possible adoption in the final report of the 16th session of the Codex Committee on Residues of Veterinary Drugs in Foods. The ECMS’ recollection of discussion at the last CCRVDF meeting is that this list of methods of analysis should have no official status in the Codex step procedure. The rationale being that the Committee does not have the resources to check in details each method and to compare different methods on scientific grounds.

- The ECMS recognise that such a Compendium is extremely useful for developing countries.

- From an ECMS viewpoint, this Compendium is drafted for information purposes only, as a resource list, and it is meant for continuous revision at each session the CCRVDF.

- The formal adoption of this Compendium would prejudge the status of this Compendium which still has to be discussed within the CCRVDF. In addition it must be noted that if this Compendium were to be adopted, methods of analysis relating to compounds with no Codex MRL should be withdrawn from the list.

Background information:

- It has to be noted that a similar situation can be found in the framework of the Codex Committee on Pesticide Residues (CCPR), in paragraphs 179 to 181 of ALINORM 06/29/24 (emphasis added) on the “Proposed draft Revision of the List of Methods for Pesticides Residue Analysis”:

  “179. The Chair of the Working Group provided an update of the collation of methods of analysis. The Representative of IAEA informed the Committee that the methods of analysis currently available on the IAEA website (CRD 19) had been provided by several countries and consist mostly of abstracts, methods principles and literature references, as well as links to relevant external web pages.

  180. The Delegation of Australia stated that the list of methods should be considered as a resource list and was not a list of preferred or obligatory methods for Codex purposes. Some delegations indicated that they would provide relevant methods to the Committee or that their methods were available free of charge on the internet.

  181. The Committee agreed that a Circular Letter would be sent requesting information on methods for the determination of pesticide residues, to be addressed to the Codex Secretariat and the IAEA, for further consideration at the next session.”

Conclusion:

The ECMS are opposed to the adoption, at this stage of the relevant work of the CCRVDF, of the Compendium of Methods of Analysis Identified as Suitable for Support to Codex MRLs as proposed in Part 2 of Annex to ALINORM 06/29/05.
The ECMS are of the opinion that “the Commission should recommend that the above Compendium be not given the status of Codex Standard, Guidelines or recommendation but be maintained and updated by the Committee for use by Codex members”.

**Agenda item 4 - Part 3 – Standards and related Texts held at the Commission at Step 8**

50) Draft MRLs for Bovine Somatotropin (ALINORM 95/31; Appendix II) held at Step 8 by the 23rd Session of the Commission (1999).

*European Community Competence*

*European Community Vote*

**EC position:** Item not to be discussed as there is agreement to hold it at step 8.
**Mixed Competence**  
**European Community Vote**  
ALINORM 06/29/12, para 98 and Appendix XV  
**EC position:** In favour of advancement to step 5.  
**Background:**  
**Extract of CCFAC 38 report:**  
97. With regard to carrier and packaging gas, the Committee noted that the GSFA included additives which have these functions and, therefore, agreed to retain these two functional classes in the Table and to request the Codex Committee on Food Labelling to clarify the labelling requirements of carrier and packaging gas. In waiting for this clarification, the Committee agreed to put the two terms in square brackets.  
**Extract of CCFL 34 report:**  
 Committee on Food Additives and Contaminants  
7) The Committee was informed that the Class Names and International Numbering System (CAC GL 36-1989) include a list of functional classes identical to the list in section 4.2.3.3 of the General Standard for the Labelling of Prepackaged Foods, and their description and that the CCFAC had advanced to Step 5 a Proposed Draft Revision of that list. In this context, the CCFAC had asked the CCFL to clarify the labelling provisions for labelling of carriers and packaging gases.  
8) The Delegation of the United States indicated that packaging gases, mostly used as processing aids, could be considered as additives according to their technological function and amount in the end product. The Delegation also recalled that the Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) had asked the CCFAC to consider the issue of carriers and to consider the establishment of a new functional class if required.
9) The Delegation of the EC indicated that, although carriers and packaging gases could be considered as food additives under certain circumstances, it did not support at this stage any amendment to the current list of additive classes in section 4.2.3.3, pointing out that it was not the responsibility of CCFL to determine whether substances were additives or processing aids and that the functional classes should be clarified by the CCFAC. The Delegation also noted that there appeared to be some contradiction in the report of the CCFAC since paragraph 4 of the section asked a specific question from the CCFL whereas the last paragraph stated that the revised Table in Annex XV would be sent to the CCFL and CCNFSDU for information.

10) Several delegations expressed the view that CCFAC should finalize the description of functional classes and clarify the status of carrier and packaging gases in order to allow CCFL to consider labelling requirements for additives.

11) The Committee noted that the revised list of functional classes included some other amendments as compared with the current list in the General Standard and that the Committee would need to consider the inclusion of these revisions in the General Standard after they had been finalized. In particular, it was noted that the class of “acids” had been deleted and integrated into “acidity regulators”.

12) Several delegations pointed out that they had been informed of the request from CCFAC during the present session, since CCFAC had been held immediately prior to the CCFL, and therefore they could not express a position on this question at this stage but needed more time to consider the implications of the revision of the functional classes more carefully, especially as regards carriers and packaging gases.

13) The Committee agreed that before it could consider the labelling provisions applying to new and amended functional classes of additives, these classes had to be clearly defined and asked the CCFAC to clarify the conditions under which carriers and packaging gases were considered as additives or as processing aids, possibly with some specific examples. The Committee noted that the next session of the CCFAC was expected to finalize the revision of the Class Names and agreed to consider this question further at its next session in the light of the conclusions of the CCFAC.

The classification of carriers and packaging gases as food additives depends on their technological function according to the definition of a food additive. Once it is decided these substances should be considered as food additives, then CCFL will have to consider the modification of the list of food additive classes to appear on the label as required by the General Standard for the Labelling of Prepackaged Foods.

2) CCFAC: Proposed draft Maximum Level for Total Aflatoxins Almonds, Hazelnuts and Pistachios “ready to eat”

*European Community Competence*

*European Community Vote*

ALINORM 06/29/12, para 132 and Appendix XXII

**EC position:**

The Codex Committee on Food Additives and Contaminants (CCFAC) agreed to advance to Step 5 the proposed maximum level of 8 µg/kg for total aflatoxins in ready-to-eat almonds, hazelnuts and pistachios. The delegation of Iran expressed its reservation to this decision. (ALINORM 06/29/12 - §§ 131 and 132 and Appendix XXII)

The European Community (EC) can accept the adoption of the level of 8 µg/kg for total aflatoxin in ready-to-eat almonds, hazelnuts and pistachios at Step 5 by the Codex Alimentarius Commission.
The EC wishes to indicate that a possible future acceptance of this level for ready-to-eat almonds, hazelnuts, and pistachios at Step 8 of the Codex uniform procedure will depend on the consideration of the different issues which will be addressed in the discussion paper on the aflatoxin level in ready-to-eat nuts (ALINORM 06/29/12, § 129) in particular:

* the consumer health risk assessment of different levels of aflatoxins in ready-to-eat nuts
* the sampling plan for aflatoxin contamination in almonds, Brazil nuts, hazelnuts, and pistachios
* the effects of codes of practice

3) CCFAC: Proposed draft Maximum Levels for Tin in Canned Foods (other than beverages) and in Canned Beverages

European Community Competence
European Community Vote
ALINORM 06/29/12, para 183 and Appendix XXVIII

EC position: The Codex Committee on Food Additives and Contaminants (CCFAC) agreed to forward the draft maximum level of 150 mg/kg in canned beverages and 250 mg/kg in canned foods other than beverages to the 29th session of the Codex Alimentarius Commission for adoption at Step 5. The delegation of the European Community expressed its reservation to this decision.

The EC maintains its reservation for the following reasons:

1) Addendum to toxicological monograph on the assessment at the 64th meeting of JECFA not yet available

The JECFA was requested to assess the likelihood of the occurrence of effects at the proposed maximum levels (200 mg/kg in canned beverages and 250 mg/kg in canned foods other than beverages). In February 2005 at its 64th meeting, the JECFA performed this assessment and reconsidered studies of the acute toxic effects seen in humans after consumption of foods containing high concentrations of inorganic compounds of tin, and considered also a new study on the comparative assessment of gastrointestinal potency in man of tin chloride and tin migrated from packaging. Only the summary conclusions of the 64th meeting are yet available (WHO Technical Report Series – 930) and the addendum to the toxicological monograph is still not yet published.

2) Lower levels can be achieved by applying good practices

The European Community proposes a maximum level of 200 mg/kg in ‘canned foods other than beverages’ and 100 mg/kg in ‘canned beverages’. Available data have shown that these levels are already readily achievable.

In addition, The Codex Alimentarius Commission adopted at its 28th Session in 2005 (ALINORM 05/28/42, Appendix V) the “Code of Practice for the prevention and reduction of inorganic tin contamination in canned foods” (CAC/RCP 60-2005)

In the preamble to the Codex General Standard for Contaminants and Toxins in Foods (CODEX STAN 193-1995 – rev 2-2005) one of the criteria mentioned to be applied for the
establishment of maximum levels for maintaining a consistent policy in the matter is the following:

“Maximum levels shall be set as low as reasonably achievable. Providing it is acceptable from the toxicological point of view, maximum levels shall be set at a level which is (slightly) higher than the normal range of variation in levels in foods that are produced with current adequate technological methods, in order to avoid undue disruptions of food production and trade. Where possible, maximum levels shall be based on GMP and/or GAP considerations in which the health concerns have been incorporated as guiding principle to achieve contaminant levels as low as reasonably achievable.”

Therefore the European Community is of the opinion that the availability of data on the presence of inorganic tin in canned beverages and canned foods other than beverages, obtained after the implementation of the recommended measures to prevent and reduce the presence of inorganic tin in canned foods as outlined in the “Code of Practice for the prevention and reduction of inorganic tin contamination in canned foods (CAC/RCP 60-2005) should be awaited before proceeding with the discussions on a maximum level.

3) High levels not needed for technological reasons

Tin is used to protect the steel base both externally and internally in contact with foods. The lacquering of cans significantly reduces the risk of tinplate corrosion and avoid tin dissolution.

The use of plain tinplate cans also serves a functional/technological purpose. The need for tin dissolution to maintain the desired colour and flavour attributes of products such as asparagus, light coloured fruits and tomato based products has long been established. The presence of tin creates a reducing atmosphere in the can and prevents undesirable oxidative changes in these products, which would otherwise develop brown discolorations and unacceptable flavours.

However the level of tin needed for this functional/technological purpose are much lower than the levels discussed. In EU-legislation stannous chloride is authorised in canned and bottled white asparagus for this technological purpose at a maximum levels of 25 mg tin/kg canned or bottled food

Therefore the functional / technological need of tin for some canned foods does not provide a justification for the levels currently proposed for adoption at Step 5.

**Background:**
The maintenance at this stage of the reservation of the EC as regards the proposed Codex levels for tin in canned food and beverages for adoption at step 5 is justified for the reasons outlined in the EC position focusing on the incomplete information currently available to enable EC and CCFAC to take an informed decision:
- complete JECFA risk assessment not yet available (only summary conclusions)
- positive effects on the reduction of the tin levels as the consequence of the application of the Codex Code of Practice
- no concrete information provided on what levels of tin are needed for technological purposes (argument used in the discussions to justify the proposed levels)
If this information will be available and discussed in detail in the Codex Committee dealing with contaminants, then EC will be in the position to consider its position and to take an informed decision.

4) CCNFSDU: Draft Revised Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants (Section B)

**European Community Competence**

**European Community Vote**
ALINORM 06/29/26, para 126 and Appendix IV B

**EC position:** In favour of advancement to step 5. Extensive comments have been provided (Australia, Bolivia, Brazil, Costa Rica, Norway, Peru, US, Venezuela, ILCA, ISDI, WSRO).

The European Community (EC) fully supports the adoption of the Section B of the Draft Revised Standard on Infant Formulae and Formulae for Special Medical Purposes Intended for Infants at Step 5 of the procedure. This would bring the two parts of the draft revised standard together at the same step in the procedural process.

The EC fully supports the structure of Section B of the draft revised standard with cross references to the relevant Codex texts which should reduce the risk of discrepancies between the relevant standards.

Due to the nature of the products covered by this section of the standard, provisions different from those that apply to Section A of the standard may need to be included, for example in relation to the essential composition and food additives. The specific details of such provisions will depend on the outcome of the discussions on Section A of the standard.

5) CCMAS: Proposed draft Guidelines for Settling Disputes over Analytical (Test) Results

**Mixed Competence**

**Member States Vote**
ALINORM 06/29/26, para 43 and Appendix III

**EC position:** In favour of advancement to step 5.

6) CCMMP: Proposed draft Model Export Certificate for Milk and Milk Products

**Mixed Competence**

**European Community Vote**
ALINORM 06/29/11, para 142 and Appendix XXIV

**EC position:** In favour of advancement to step 5. The ECMS have some concerns as regards the mention of the name and address of the producer on the certificate.

7) CCPR: Proposed draft MRLs

**European Community Competence**
European Community Vote
ALINORM 06/29/24 paras 93 – 94; 134 – 135 and Appendix VI
EC position: In favour of advancement to step 5. As regards Phorate, this substance has been on the agenda of last years JMPR. The JMPR concluded that there are short term intake concerns for potatoes only. That's why CCPR proposed to advance from Step 4 to Step 5 only. It is general policy of CCPR in this cases to go to Step 5, but the proposed MRL will not go beyond Step 6 if the intake problems are continuing to exist. And, according to the CCPR policy-document, if CCPR has returned for 3 times the MRL proposal back to Step 6, it will be discussed within JMPR (that has to look to a lower GAP). Therefore the EC does not oppose the advancement of the proposed MRL for Phorate to Step 5.

8) CCRVDF: Proposed draft MRLs for Colistin and Ractopamine

European Community Competence
European Community Vote
ALINORM 06/29/31, para 77 and Appendix IV
EC position: In favour of advancement to step 5.

9) CCRVDF: Proposed draft Guidelines for National Regulatory Food Safety Assurance Programmes Associated with the Use of Veterinary Drugs in Food Producing Animals

European Community Competence
European Community Vote
ALINORM 06/29/31, para 86 and Appendix VII
EC position: In favour of advancement to step 5.

10) Work by correspondence (ref ALINORM 04/27/41 para.172): Proposed draft revised Recommended International Code of Practice for the Processing and Handling of Quick Frozen Foods

Mixed Competence
European Community Vote
ALINORM 06/29/6 Add.1
EC position: In favour of advancement to step 5.
Background: Developed by correspondence as per quality provisions (Codex and USA Secretariats). Finalization of hygienic/safety provisions by the Codex Committee on Food Hygiene after adoption at Step 5.
Agenda Item 6 – Revocation of existing Codex Standards and Related Texts

1) CCPR: Maximum Residue Limits for Pesticides

*European Community Competence*

*European Community Vote*

ALINORM 06/29/24; paras 47 – 142 and Appendix VII

**EC position:** In favour of revocation.

2) CCFAC: List of Individual Codex Maximum Levels and Guideline Levels for Contaminants and Toxins

*Mixed Competence*

*European Community Vote*

ALINORM 05/28/12, para 124 and Appendix XVIII

**EC position:** In favour of revocation.

3) CCFAC: Food Additive Provisions of the GSFA

*European Community Competence*

*European Community Vote*

ALINORM 06/29/12, paras 63 and 81 and Appendices VII, XII and the attached Annex

**EC position:** In favour of revocation.
Agenda Item 7 – Proposals for the Elaboration of new Standards and Related Texts and for the Discontinuation of Work

Proposals for New Work

1) TFFBT: Proposed Draft Guideline for the Conduct of Food Safety Assessment of Foods derived from Recombinant-DNA Animals
   European Community Competence
   European Community Vote

   ALINORM 06/29/34, Paras. 19 and 23, Appendix II

   EC position: In favour of new work.

2) TFFBT: Proposed Draft Annex to the Codex Guideline for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Plants (CAC/GL 45-2003) regarding food safety assessment of foods derived from recombinant-DNA plants modified for nutritional or health benefits
   European Community Competence
   European Community Vote

   ALINORM 06/29/34, Paras. 32 and 36, Appendix III.

   EC position: In favour of new work.

3) CCFAC: Guidelines for the Use of Flavourings
   Mixed Competence
   European Community Vote

   ALINORM 06/29/12, Para.87 and Appendix XIV

   EC position: In favour of new work.

4) CCFAC: Revision of the Preamble of the Codex General Standard for Contaminants and Toxins in Foods
   Mixed Competence
   European Community Vote

   ALINORM 06/29/12, Para.119 and Appendix XIX

   EC position: In favour of new work.

5) CCFAC: Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Wine
   European Community Competence
   European Community Vote

   ALINORM 06/29/12, Para.140 and Appendix XXIII

   EC position: In favour of new work.
6) CCFAC: Code of Practice for the Reduction of Acrylamide in Food
Mixed Competence
Member States Vote

ALINORM 06/29/12, Para.185 and Appendix XXIX
EC position: In favour of new work.

7) CCFAC: Code of Practice for the Reduction of Contamination of Food with PAH from Smoking and Direct Drying Processes
European Community Competence
European Community Vote
ALINORM 06/29/12, Para. 188 and Appendix XXX
EC position: In favour of new work.

8) CCMMP: Amendment to the List of Additives of the Code Standard for Creams and Prepared Creams
European Community Competence
European Community Vote
ALINORM 06/29/1, Para.159 and Appendix XXVII
EC position: In favour of new work.

9) CCPR: Priority List of Pesticides (New Pesticides and Pesticides under Periodic Review)
Mixed Competence
European Community Vote
ALINORM 06/29/24, Paras 211 - 221 and Appendix X
EC position: In favour of new work.

10) CCPR: Extension of the Work on the Revision of the Codex Classification of Foods and Animal Feeds
European Community Competence
European Community Vote
ALINORM 06/29/24, Paras 170-171 and Appendix IX
EC position: In favour of new work.

11) CCRVDF: Priority List of Veterinary Drugs Requiring Evaluation of Re-evaluation
European Community Competence
European Community Vote
ALINORM 06/29/31, Para.133 and Appendix XI
EC position: In favour of new work.

12) CCFL: Proposed Draft Amendment to the Guidelines for Organically Produced Foods (Ethylene)
Mixed Competence
Member States Vote
EC position: In favour of new work.

13) CCFL: Definition of advertising
Mixed Competence
European Community Vote
ALINORM 06/29/22, Para. 146
EC position: In favour of new work. US, Philippines and Food Industry against.

14) CCMAS: Revision of Principles for the Establishment or Selection of Codex Sampling Procedures in the Procedural Manual
Mixed Competence
Member States Vote
ALINORM 06/29/23, para.113-114
EC position: In favour of new work.

15) CCMAS: Review of Analytical Terminology for Codex Use approved as new work by the 26th Session of the Commission3 to be transferred from the Procedural Manual to a Proposed Draft Guideline on Analytical Terminology
Mixed Competence
Member States Vote
ALINORM 06/29/23, para.55
EC position: In favour of new work.

Proposals for the Discontinuation of Work

1) CCFAC: Discontinuation of work on draft and proposed draft Food Additive Provisions of the GSFA
European Community Competence
European Community Vote
ALINORM 06/29/12, Para. 81 and Appendix XIII
EC position: In favour of discontinuation of work.

2) CCPR: Proposed Draft Amendment to the Codex MRL Elaboration Procedure (In Relation to the Establishment of Interim MRLs)
Mixed Competence
European Community Vote
ALINORM 06/29/24, paras 203 - 210
EC position: In favour of discontinuation of work.
PART IV  PROGRAMME AND BUDGETARY MATTERS

Agenda item 8  Financial and Budgetary Matters

Member States Competence.
Member States Vote.
ALINORM 06/29/9

- Point for information

9  Strategic Planning of the Codex Alimentarius Commission

Member States Competence.
Member States Vote.
ALINORM 06/29/9A

- In favour of the recommendations formulated by the Working Group comprising the Chairperson and three Vice-Chairpersons
PART V POLICY AND GENERAL MATTERS

Agenda item 10 Implementation of the Joint FAO/WHO Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards

Member States Competence.
Member States Vote.

a) General Implementation Status

EC position:
The Member States of the European Community (MSEC) highly appreciate the work that has been carried out until now on the implementation of proposals endorsed by the 26th Session of the Codex Alimentarius Commission, reflected in Tables I and II of the document.

The MSEC especially recognize the key supporting role of the Executive Committee as regards its contribution to the management tasks and the important supporting role of the Codex Committee on General Principles to take on a large number of the proposed actions, including revisions of the Procedural Manual.

The MSEC are of the opinion that following directions for improvement should be pursued:

- Strengthen the advisory role of the Executive Committee in keeping the Codex work tailored to the needs of its Members;
- Strengthen the resources of the Codex Secretariat to provide to the Executive Committee with strategic proposals based on thorough analysis;
- Continue modernising the Procedural Manual with the assistance of CCGP. In particular, the relations between the Commodity Committees and General Committees are described in the Procedural Manual but few guidance is given for the relations between General Committees. Consistency in guidance would strengthen the management of Codex.

Scientific advice in Codex

The MSEC wish to express their deep concerns regarding financial problems encountered by the joint FAO/WHO expert committees and consultations. In this regard, it seems that this problem mainly originates in the financial contribution from WHO. The MSEC therefore urge WHO to put in place the appropriate mechanisms to secure the financing of this essential activity at the basis of Codex work.
b) Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces

ALINORM 06/29/9B Part I
ALINORM 06/29/9B
Part II

EC position

Proposal 1. The Commission may wish to consider setting an upper limit on the number of Codex sessions planned for in one biennium (e.g. forty). In order to achieve a balanced session schedule within a biennium, an indicative upper limit may be set on the number of Codex sessions planned in one calendar year (e.g. twenty).

The MSEC support proposal 1.

Proposal 2. The Commission may wish to consider setting a target upper-limit on the number of active subsidiary bodies that can co-exist at one time, in order to avoid the increase of Codex sessions beyond a manageable level (e.g. eighteen, excluding coordinating committees). Before proposing to establish a new subsidiary body, the Commission should consider dissolving or adjourning others, in accordance with work priorities identified by the Commission and in particular the Commission’s six-year Strategic Plan.

The MSEC oppose proposal 2

Proposal 3. The Commission may wish to invite committees to consider adopting a longer inter-session interval with the understanding that a structured, effective inter-session working mechanism is put in place in accordance with the Guidelines on Physical Working Groups and on Electronic Working Groups.

The MSEC support proposal 3. Recent experiences (e.g. CCFICS working groups) have demonstrated that much progress can be achieved during the inter-session with appropriate mechanism.

Proposal 4. The Commission may wish to decide that the duration of a Codex session should be kept within seven days, including the pre-session meetings of working groups, if any, in order to keep its proceedings well focused, ensure transparency, and facilitate effective participation of the members.

The MSEC support proposal 4, which allows organising physical working group sessions prior to the plenary.

Proposal 5. The Commission should consider, on a case by case basis, the advantages and disadvantages of using an ad hoc task force or a commodity committee in developing or revising commodity standards, while giving priority to the establishment of a Task Force rather than a Committee when the establishment of a new subsidiary body is required.

The MSEC support proposal 5. Taskforces have more focused terms of reference and are dissolved once the task is completed. Good results were achieved by taskforces in the recent past (e.g. TBBT, TFFJ, TFAF).

Proposal 6. The Commission may wish to keep under review the mandates as well as present and future workload of subsidiary bodies and consider, when appropriate, merging or dissolving existing committees.
The MSEC have some reservations as regards proposal 6, merging committees can be appropriate in certain cases but could lead to committees with a too broad scope, such as the example of the Committee on Animal Production Food Safety which would cover very different fields from veterinary drugs issues to animal feeding and hygiene.

Proposal 7. The Commission may wish to conduct a next comprehensive review of the committee structure and mandates of subsidiary bodies of the Commission after 2011 and consider whether changes would be desirable, in particular in regard to the re-organization of commodity work of the Commission, in the light of an assessment of the effect of the Critical Review in streamlining the commodity work of the Commission.

The MSEC support proposal 7. Several years are indeed needed to experience the new mechanisms recently put in place, such as the critical review carried out by CCEXEC.

Proposal 8. The commodity work of coordinating committees should concentrate on the development of regional standards, in compliance with their terms of reference. Conversion of a regional standard into a worldwide standard should be considered only after its adoption at Step 8 and at the recommendation of the commodity committee concerned, substantiated by a project document.

The MSEC agree with the fact that Regional Standards should not always be converted to worldwide standards and that this should be considered on a case by case basis after their adoption at step 8.

Proposal 9. The Commission may wish to keep under review the relations between committees, namely relations between commodity committees and general subject committees. The Commission may wish to encourage the Committee on General Principles and the Committee on Food Additives and Contaminants, and other committees if required, to continue discussion on relations between committees, including endorsement procedures, and review and report their recommendations to the Commission.

The MSEC support the streamlining of endorsement procedures.

Proposal 10. The Commission may wish to consider whether the current arrangement is appropriate for Codex to carry out immediate and future tasks relating to nutrition. Such consideration should take into account priority areas of the work of the Commission, with due regard to its strategic plan 2008-2013 under elaboration.

The MSEC consider that CCNFSDU and CCFL should have a leading role in Codex for the consideration of nutrition issues. In addition, regional coordinating committees could have a valuable input on these issues.

Proposal 11. The Commission may wish to request the Codex Secretariat, in cooperation with FAO and WHO, to obtain basic information on the development and use of private standards, especially those other than ISO standards, at the international level and provide relevant information to the Executive Committee and the Commission in 2007.

The MSEC support a wider openness of Codex to the development of private standards and are of the opinion that a better synergy could be put in place to achieve better results in less time.
Agenda item 11  Matters arising from the Reports of the Commission, Codex Committees and Task Forces

ALINORM 06/29/9C

1) CAC28: Future Work on Antimicrobial Resistance in Codex

Mixed Competence
European Community Vote

Background:

The 28th Session of the Codex Alimentarius Commission (CAC) took note of a summary of an “Informal sharing of ideas regarding proposed terms of reference for future Codex work on antimicrobial resistance”, as contained in CAC/28 LIM. 32. The Commission supported the proposal in general, which was considered as providing a good basis for determining future Codex work on antimicrobial resistance. It was however suggested that Codex future work should have a clear focus on public health and ensure a holistic approach to solving the question at hand, should address antimicrobials in general so as to cover the use of pesticides and additives and not be restricted solely to antimicrobial drugs, and should also include animal feed. The scope should take into account ongoing work in other international organisations, in particular OIE and should adhere to the Working Principles for Risk Analysis in the Framework of the Codex Alimentarius. The Commission noted that, according to the “Criteria for the Establishment of Subsidiary Bodies of the Codex Alimentarius Commission”1, before the Commission could establish a Task Force, the Commission needed: to agree upon a name of the Task Force; to define the terms of reference that should be limited to the immediate task at hand and clearly state the objective(s) to be achieved with the indication of either (i) the number of sessions to be convened, or (ii) the date (year) by which the work was expected to be completed. The Commission agreed, in principle, to the establishment of an ad hoc Intergovernmental Task Force to deal with the issue related to antimicrobial resistance. It was agreed that a final decision as to its establishment would be taken at the next session. In order to facilitate this decision, the Commission agreed that the Codex Secretariat in collaboration with FAO and WHO would prepare a Circular Letter based on the proposal in LIM 32, taking into account the above discussion, in order to request comments on what should be the specific terms of reference of such a Task Force. (ALINORM 05/28/41, paras 182-184)

EC position:

In response to Codex Circular Letter 2005/33-CAC “Request for comments on Codex work on antimicrobial resistance”, the European Community and its 25 Member States are pleased to offer the following comments.

(a) Comments on the proposal attached in Annex I (to CL 2005/33-CAC) for new Codex work on antimicrobial resistance
General Comments

• The European Community and its Member States support the establishment of an ad hoc Intergovernmental Task Force on Antimicrobial Resistance.

• This new work should begin as soon as possible.

Specific Comments

• B. Scope:

- The European Community and its Member States would like to include the option of taking into account the work carried out by regional economic integration organisations. This could be addressed with the following change at the end of the first paragraph under “B. Scope”:

“The outcome of Codex work in this area would be guidance on methodology and processes, including specific risk management options for risk reduction, based on risk assessment as provided by FAO/WHO through JEMRA and in close collaboration with OIE, taking into account work undertaken in this field at national/regional and international level.”

- The European Community and its Member States strongly support activities aimed at preventing the development of antimicrobial resistance in a balanced way in all relevant areas: human medicine, veterinary medicine related in particular to animal and food productions, and plant protection.

In this context, the first indent of the second paragraph should cover all food and not only “antimicrobials used in animals intended for food (including aquaculture) and in feed production”. As indicated in the first paragraph of the Circular Letter (“It was however suggested that Codex future work should (…) address antimicrobials in general so as to cover the use of pesticides and additives and not be restricted solely to antimicrobial drugs, and should also include animal feed.”) and in order to cover pesticides and other antimicrobials used in plant production and at different steps of the food processing chain, the European Community and its Member States would propose the following changes:

“To achieve this outcome, elements would include:

- The establishment of risk profiles with respect to the development of antimicrobial resistance arising from the use potential of different antimicrobials used in the food chain, i.e. in feed production and processing, in food production and processing, including in food producing animals intended for food (including aquaculture) and in feed production.”

Same version (without “track changes”):

“- The establishment of risk profiles with respect to the development of antimicrobial resistance arising from the use of different antimicrobials in the food chain, i.e. in feed production and processing, in food production and processing, including in food producing animals.”

• C. Activities:

- As a consequential change, paragraph iii) under C should be changed accordingly:
“iii) Establish risk profiles with respect to the antimicrobial resistance potential of different antimicrobials used in food producing animals, intended for food and in feed production and processing, including identification of additional data needed for scientific advice.”

- The European Community and its Member States believe that the phrase “food producing animals” could be used throughout the document and replace the phrase “animals intended for food”, this would lead to the following additional changes to paragraphs ii) and vi) under C:

  “ii) Prioritize the antimicrobials used in food producing animals intended for food and in feed production, with a particular emphasis on their public health and animal health significance, taking into consideration ongoing FAO, WHO and OIE work to define antimicrobials critically important to human and animal health.

  (...) 

  vi) Develop specific risk management advice based on the identified priorities, the risk profiles, the results of the risk assessments, as well as existing documents/guidelines from FAO, WHO and OIE related to the containment of antimicrobial resistance in food producing animals for food and ongoing work from FAO, WHO and OIE on critically important antimicrobials.”

- In addition, the European Community and its Member States believe that in accordance with the provision of the Procedural Manual of the Codex Alimentarius Commission relating to the Procedures for the Elaboration of Codex Standards and Related Texts, all relevant Codex subsidiary bodies (CCFH, CCRVDF, etc.) should be invited to comment on the draft documents when appropriate.

(b) Suggestions for the title of a new ad hoc Intergovernmental Codex Task Force to deal with antimicrobial resistance and for the length of its mandate

• The European Community and its Member States would suggest naming the new task force as follows:

  “Codex Ad Hoc Intergovernmental Task Force on Antimicrobial Resistance”

• Bearing in mind that it was agreed in July 2005 that a final decision as to the establishment of this task force would only be taken at the next session of the Codex Alimentarius Commission, the European Community and its Member States believe that the Intergovernmental Task Force on Antimicrobial Resistance could be invited to submit its final report to the Commission in 2010 at the latest.
2) CAC28: Future Work on Animal Feeding in Codex

Mixed Competence
Member States Vote

EC position:
In response to Codex Circular Letter 2004/33-CAC “Request for comments on future areas of work on Animal feeding”, the European Community is pleased to offer the following proposal:

1. The purpose and the scope of the Task Force
To develop standards, guidelines, codes or recommendations, as appropriate, for feeds, on the basis of scientific evidence, risk analysis and having regard to other legitimate factors relevant to the health of consumers and to ensure fair practices in the food trade.

2. Its relevance and timeliness
The aim of the Task Force will be to ensure that the proposed future work fits well with other developments in Codex and makes a major contribution to the safety of the feed sector for which other committees have not developed specific standards.

The ad hoc Intergovernmental Codex Task Force on Animal Feeding (2000-2004) produced the draft Code of Practice on Good Animal Feeding. The fifth session of the Task Force forwarded the remaining issues of the draft Code of Practice on Good Animal Feeding to the 27th Session of the Codex Alimentarius Commission for adoption at step 8 and inclusion in the above referred Draft Code. The Task Force, while noting that it had completed the work on the Draft Code of Practice on Good Animal Feeding, agreed that further work in the area of animal feed was needed and that a specific project proposal for new work should be prepared and submitted to the Commission for consideration. The Task Force agreed to refer the above discussion to the Commission with the understanding that it would provide clarification on how to proceed in this regard. In view of these proposals, and of views expressed in the final session of the Task Force, it is essential to continue with further work on animal feed and present a project proposal for discussion to the 27th session of the Codex Alimentarius Commission.

3. The main issues to be covered
The new Task Force should have a lifespan of four years to ensure completion of its work within a reasonable timeframe.

Keeping the scope of the work science-based, the Task Force should focus on three specific topics:

1. The three topics to be addressed are as follows:
   a) application of the HACCP system for feed and feed ingredients in relation to the principles set up in Section 4 of the Code of Practice on Good Animal Feeding;
   b) development of detailed rules for a global system for exchanges of information in feed control emergency situations or on rejection of imported feed; and
   c) minimisation of the presence of undesirable substances in animal feed: establishment of maximum levels and development of Codes of Good Practice.

This will facilitate the achievement of the goal of the new Task Force in producing useful outputs within the limited resources.

4. An assessment against the criteria for the establishment of work priorities
The food standards adopted by the Codex Alimentarius aim to protect consumer health and ensure fair practices in the food trade. The food chain is becoming increasingly complex. Every part of the chain must be as strong as the others if we want to protect human health. It
is essential to assess and monitor the risks to consumer health associated with the use of different feed ingredients as well as those associated with feed processing, feed production and trading practices.

All the food scares with products of animal origin, especially those deriving from animal feed, demonstrate that Codex standards should follow a comprehensive and integrated approach along the food chain. Feed is an essential element in the food chain that needs to be addressed as comprehensively as any other. The safety of foods of animal origin, their potential risk to consumer health and fair practices in the food trade must be fully considered. There is no internationally uniform national legislation in this area. Therefore this proposal is consistent with the Criteria for the Establishment of Work Priorities as set out below.

Criteria applicable to general subjects
(a) Consumer protection from the point of view of health and fraudulent practices.

The current draft Code of Practice on Good Animal Feeding is a good instrument aimed at improving food safety. Nevertheless, some aspects are not covered by the Code and need to be properly addressed in order to strengthen consumer protection and prevent the introduction and development of fraudulent practices.

Specific HACCP systems have been designed for the food chain, and the guidelines for implementation of HACCP principles have mainly focused on the food industry. Codex should encourage developments towards the application of HACCP principles in the feed sector along the different steps of the feed chain. Section 4 of the Code of Practice on Good Animal Feeding emphasises the importance of the application of HACCP principles in feed.

Feed-specific HACCP guidelines will help improve feed hygiene conditions, increase confidence in the food supply and reduce barriers to international trade. Often feed materials that are safe per se may undergo processing, transport, storage, etc under poor hygienic conditions and become unsafe. The Codex Committee on Food Hygiene (CCFH) only covers in its terms of reference the aspects related to food hygiene; therefore it is wholly justified that the new Task Force should develop minimum standards for feed hygiene. Other committees have stressed the importance of aspects related to feed hygiene in the context of food safety: for example, in the tenth session of the Codex Committee on Meat Hygiene (CCMH) the Codex Working Group endorsed the proposal to insert a reference to the last CCMH report: Alinorm 04/27/16-AppendixII-page 37:

“29. There is a need for collaboration between all parties involved in feed production, feed manufacturing and use so as to establish any linkage between identified hazards and level of risk to consumers that may result from transmission through the food chain”

The feed sector requires a system that will provide the control authorities with an effective tool for exchange of information on measures taken to ensure food safety. The development of a global system to exchange information is critical for limiting the spread of a food safety problem and to allow the implementation of appropriate measures in a timely fashion. The Task Force should take into consideration at least the following elements: scope, objectives, criteria for notification and types of notification, establishment of official contact points; and minimum information required in a notification.

Guidance to exchange information is not new in the food sector but it has not been developed in the case of feed. The Task Force should perform this task in line with the
works already performed by the Codex Committee on Food Import and Export Certification and Inspection Systems (CCFICS), in particular the Guidelines for Exchange of Information between Countries on Rejection of Imported Food and the Guidelines for Exchange of Information in Food Control Emergency Situations. The CCFICS has focused on food, therefore aspects related to feed should be developed by the Task Force in collaboration with CCFICS.

A working group created by the Task Force on Animal Feeding identified various groups of substances that have direct impact on human health and for which maximum levels should be established for toxic substances such as heavy and other metals (e.g. cadmium and arsenic); toxins (e.g. mycotoxins); dioxins, furans and dioxin-like PCBs; and maximum limits for pesticide residues. Many of these substances are hazardous because of their high persistence, bioaccumulation and toxicity.

The Global Stockholm Convention has recognised some persistent organic pollutants that, amongst others, can be present in animal feed. Other international organisations, such as the United Nations Economic Commission for Europe, have also developed the Protocol to the Convention on Long-range Transboundary Air Pollution, which refers to different substances that may be present along the food chain.

The Task Force should therefore focus on these substances which are of the greatest concern and develop Codes of Good Practice to facilitate the implementation of appropriate measure to minimise their presence.

In the report of the third session of the Task Force it was noted that most of the data presented by the relevant Codex committees, in particular maximum levels for contaminants, did not refer to feed and feed ingredients. Since its first session in 1964, the Codex Committee on Food Additives and Contaminants (CCFAC) has only discussed the presence of dioxins in feed. The Task Force would use its expertise to establish MRLs/EMRLs for feed and report to the relevant Codex committees.

(b) Diversification of national legislation and apparent resulting or potential impediments to international trade.

As the proposed topics are not included in any international standards, guidelines or recommendations, there would be divergent national standards which could be potential impediments to international trade of feed.

(c) Scope of the work and establishment of priorities between the various sections of the work.

The scope of the work is mentioned in section 2 of this document. The main aspects that need to be covered are also referred in section 3 of this document. The Task Force in its first session should decide on the prioritization of the work.

(d) Work already undertaken by other international organisations in this field.

There is no global organisation that produces international standards for animal feed. The work performed in this field by other international organisations, such as the FAO, does not address the proposed topics.

5. Relevance to the Codex strategic objectives

The new work proposed would contribute to the safety of human health and to ensuring fair practices in the feed trade by satisfying the following objectives in the “Strategic objectives and Priorities” (CAC Strategic Framework 2003-2007).

Objective 1: Promoting sound and regulatory frameworks.

Objective 2: Promoting widest and consistent application of scientific principles and risk analysis.
Objective 3 Promoting linkages between Codex and other Multilateral Regulatory Instruments and conventions.

Objective 4 Enhancing capacity to respond effectively and expeditiously to new issues, concerns and developments in the food sectors.

Objective 6 Promoting maximum application of Codex standards.

The previous Task Force left unaddressed several important aspects that need to be addressed by the new Task Force.

6. Information on the relationship between the proposal and other existing Codex documents

The previous Task Force produced the draft Code of Practice on Good Animal Feeding. The texts expected to be drafted by the new Task Force will also be developed in a similar manner and build upon the good work already completed.

The proposal identified in item 3 covers various areas of work for which it is necessary to take full account of, and collaborate with, other Codex committees or international bodies. As regards Codex Committees, the work done by CCGH, CCMH and CCFICS is of particular importance.

7. Identification of any requirement for, and availability of, expert scientific advice

An FAO/OIE/WHO expert consultation may be required, depending upon the detailed aspects to be covered by the new work that will be identified at the first Task Force meeting. The organisations cited undertake some activities related to animal feeding and their appropriate and timely scientific input might be required.

8. Identification of any need for technical input to the Task Force from external bodies so this can be planned for.

See item 7

9. The proposed time-line for completion of the new work, including the start date, the proposed date for adoption at step 5 and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years.

The proposed time frame is 4 years (one session per year). The first session of the Task Force will be convened the following year (during the last quarter) after the decision to approve the new work is taken by the CAC. Adoption at step 5 will be at the latest at the third session of the Task Force, with adoption at step 8 by the CAC the following year.

For the sake of coordination it is proposed, where applicable, to submit the proposed drafts at step 4 of the procedure to other relevant Codex committees

Draft terms of Reference for the project proposal for the new Ad Hoc Intergovernmental Task Force on Animal Feeding

Objectives

To develop standards, guidelines, codes or recommendations, as appropriate, for feeds, on the basis of scientific evidence, risk analysis and having regard to other legitimate factors relevant to the health of consumers and to ensure fair practices in the food trade.

Time frame

The Task Force shall complete its work within four years.

Terms of reference

(a) to extend the Code of Practice for Good Animal Feeding to develop guidelines on HACCP (Hazard Analysis and Critical Control Points);
(b) development of detailed rules for a global system for exchanges of information in feed control emergency situations or on rejection of imported feed;
(c) minimisation of the presence of undesirable substances in animal feed: to establish maximum limits in feed for undesirable substances which are transferable to the ultimate human consumer and are carcinogenic, mutagenic and/or bio-accumulative or otherwise injurious to health; and to develop Codes of Good Practice.
(d) to take full account of, and collaborate with, other Codex committees and relevant international bodies, including FAO, WHO, OIE and IPPC.
3) CCNFSDU27: Implementation of the WHO Global Strategy on Diet, Physical Activity and Health: Action that could be taken by Codex

*Mixed Competence*

*Member States Vote*

**Extract of CCFL34 report:**

**MATTERS REFERRED BY FAO AND WHO: IMPLEMENTATION OF THE GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH (Agenda Item 2b):**

14) The Representative of FAO, speaking on behalf of FAO and WHO, recalled that, during the 33rd Session of the CCFL, WHO had invited the delegates to become familiar with the WHO Global Strategy on Diet, Physical Activity and Health, elaborated in 2004 with the aim of preventing and controlling the heavy and growing burden of non-communicable diseases and that FAO had endorsed the strategy. The World Health Assembly had identified the Codex Alimentarius Commission as an international partner which could strengthen public health efforts and noted that areas for further development could include:

- labelling to allow consumers to be better informed about the benefits and contents of foods;
- measures to minimize the impact of marketing on unhealthy dietary patterns;
- fuller information about healthy consumption patterns;
- production and processing standards regarding the nutritional quality and safety of products.

15) In July 2005, the 28th Session of the Codex Commission agreed that the FAO and WHO should prepare a document on the actions Codex might take, in the context of its operational mandate, to facilitate the implementation of the Global Strategy, for consideration by the CCNFSDU and the CCFL. In November 2005, WHO and FAO attended the 27th Session of the CCNFSDU and presented a discussion paper that was similar to the document under consideration at the present session.

16) The Representative pointed out that FAO and WHO were very interested in learning the views of delegates about the aspects of the Global Strategy that are relevant to CCFL and possible areas for future work of CCFL and provided an update of the action taken since the last sessions of CCFL and CCNFSDU.

17) WHO and FAO held an electronic forum to allow delegations to provide their views on the possible roles of the Codex Alimentarius Committees in implementation of the Global Strategy. All Codex members were invited to participate in the electronic forum, which was held from 15 February – 7 April 2006. The Representative of FAO indicated that the issues raised in the forum and comments of Codex members and observers were available on the WHO website at the following address: http://www.who.int/nutrition/FAOWHO_eforum/en/index.html; that the comments of the forum would serve as inputs for preparing the proposed action document for Codex. Finally, WHO and FAO were preparing a document that would provide an update on the progress so far in developing the requested actions document and would include a summary of the results of the forum, for consideration by the 29th Session of CAC in July 2006.

18) The Committee expressed its appreciation to WHO and FAO for the preparation of the discussion paper and had an extensive discussion on how to proceed further with the implementation of the Global Strategy as related to food labelling and related matters within the mandate of the CCFL.

19) Many delegations expressed their strong support for the Global Strategy, and informed the Committee of the action they were taking at the national level in order to ensure its implementation. Many delegations and observers recognized that Codex had an important role to play in the implementation of the Global Strategy and supported further consideration of the aspects that were relevant to the mandate of the CCFL.
20) The Delegation of Austria, speaking on behalf of the Member States of the European Community present at the session, expressed its support for the initiative of WHO, and pointed out that the CCFL and the CCNFSDU should play a central role in the implementation of the Global Strategy. The Delegation indicated that a more general reflection was needed as to how nutrition issues should be integrated into Codex work while retaining its mandate.

21) The Delegation of India, supported by other delegations and observers, expressed the view that three main areas of work should be considered: mandatory nutrition labelling for all processed foods irrespective of whether claims were made; mandatory quantitative ingredient declaration; and health claims in advertising and labelling.

22) The Delegation of Senegal, supported by several delegations, pointed out that Codex activities should extend beyond food safety and contribute to the protection of consumers form diet related noncommunicable diseases, and stressed the essential role of food labelling to allow consumers to make an informed choice. The Delegation also highlighted the specific problems faced by consumers in developing countries in view of the proliferation of products with misleading labelling and claims on the market.

23) Several delegations pointed out that the Global Strategy was a very comprehensive set of recommendations and that only certain aspects could be addressed within the mandate of Codex. Some delegations stressed the need for coordination between the CCFL and the CCNFSDU as they were the main committees concerned by the implementation of the Global Strategy in the framework of Codex. It was also noted that the proposals for new work related to the Global Strategy would need to be prioritized, especially if they required scientific advice, since several such requests were already pending to address food safety issues, that were a priority for Codex.

24) The Delegation of South Africa, supported by the Observer from NHF, put forward several proposals for further consideration: recognizing that nutrients are not toxins and that their assessment should reflect acknowledged benefits and desired impact from their use in order to achieve positive outcomes and that they should generally be recognized as safe; banning the addition of partially and fully hydrogenated trans fatty acids in foods; allowing the enrichment of foods with dietary supplements in order to optimise nutrient density to compensate for a decline in micronutrients in various foods; ensuring that global legislation prevent the use of industrial toxins and additives that are not supported by biochemistry and clinical experience; supporting nutrition and health claims and advertising for those foods that contribute to a healthy life style, while banning such claims for those foods that do not contribute to a healthy life style, especially as regards advertising directed to children, all in the context of optimal health.

25) The Delegation of the United States expressed the view that the following issues were particularly relevant in relation to the Global Strategy: the general requirement for mandatory nutrition labelling, as well as the list of nutrients that should be declared when claims were made; the scientific basis of health claims; and the use of sound nutrition principles in the modification of standardised foods.

26) Several delegations proposed to establish an electronic working group to consider further work related to the Global Strategy and the comments from the FAO/WHO e-Forum. Other delegations pointed out that WHO and FAO were in the process of compiling and analysing the comments received in the e-Forum and preparing a new document for consideration by the Commission. The Committee therefore agreed that it was premature at this stage to establish a working group.

27) The Chairperson noted that the comments and proposals made in the discussion could be grouped according to the following main themes:
• Enhancing and improving the label information about the nutritional aspects of foods offered to consumers to assist them in making informed choices about foods to improve their health. In this regard, making nutrition labelling mandatory even in the absence of claims was suggested by several delegations.

• The importance of truthful and non-misleading marketing practices and advertising in the promotion of the nutritional aspects of foods was mentioned as part of the implementation of the Global Strategy.

• Food standards: It was noted that Codex standards should not impede the development of modified versions of these foods intended to assist consumers in improving their food choices.

• Sound science: The importance of a sound scientific basis for any actions taken to implement the Global Strategy was emphasized. The work on the framework for the scientific basis for health claims was noted in this regard.

• Improving access to information that is adequate, accurate and truthful is important and particularly challenging with low levels of literacy.

28) Several delegations expressed the view that these proposals should be considered only as questions for further discussion and did not reflect the consensus of the Committee, since there were different views regarding some areas of work, especially mandatory nutrition labelling and advertising. It was also noted that specific food standards were the responsibility of the relevant Commodity Committees and would not be considered by the CCFL.

29) The Delegation of South Africa proposed that health and nutrition be acknowledged as part of the Codex mandate in view of their importance in the implementation of the Global Strategy.

30) Some delegations did not support any reference to specific areas of work at this stage, as this should be considered later in the light of the result of the e-Forum and the document to be prepared by FAO and WHO, with the understanding that relevant project documents would be developed in the future as required.

31) The Committee noted some specific proposals for wording put forward in the discussion: referring to “truthful and non misleading information” as the question of advertising was still under discussion; highlighting the importance of nutrition information in allowing consumers to make appropriate food choices that would reduce the risk of chronic diseases; and including a reference to “optimizing health and nutrition”. The Chairperson however pointed out that the above list was only intended to reflect the proposals made in the discussion and were not specific proposals for new work.

32) The Representative of FAO thanked the Committee for its support of the Global Strategy and its constructive discussion and indicated that FAO and WHO would take into account the themes proposed at the current session in the preparation of a new document for consideration by the Commission.

33) The Committee noted that WHO and FAO would inform the Commission of the results of the e-forum on the Global Strategy and seek the agreement of the Commission to proceed with the development of a document containing proposals for future areas of work in the implementation of the Global Strategy. This document would be sent out in a CL from the Commission for comment and could allow the CCFL to propose new work to implement the Global Strategy.

**EC position:**

The European Community and its Member States (ECMS) supported the adoption of the WHO Global Strategy on Diet, Physical Activity and Health (DPAH) in 2004. There is relevant action at the Community level and at national level to take forward initiatives that are
compatible with Global Strategy on DPAH. Therefore, the ECMS welcome the consideration of the role of the Codex Alimentarius in the implementation of the WHO Global Strategy on DPAH taking into consideration the mandate of the Codex Alimentarius.

The ECMS would like to thank the WHO and FAO for preparing the discussion paper CAC/29 LIM 6 and for organising the e-forum on the role of Codex Alimentarius Committee in the implementation of the Global Strategy on Diet Physical Activity and Health.

The ECMS believe that it is important for the CAC to agree which potential areas of work highlighted in the e-forum would fall within the mandate of Codex Alimentarius, and therefore, could be further considered by the individual committees.

In this context the ECMS has the following comments on the suggestions for areas of action included in Appendix 2 of the discussion document CAC/29 LIM6:

**Paragraph 3** – The ECMS agree that the Codex Alimentarius has a role in the implementation of the Global Strategy within the terms of its mandate related to protecting the health of the consumers and ensuring fair practices in food trade.

**Paragraph 4** - Codex commodity standards have been simplified to focus on the basic characteristics of the most widely traded foodstuffs, in order to promote fair practices in the food trade and to ensure that they are not over-prescriptive in international trade. The Codex Alimentarius Commission has almost reached the end of this revision process and plans to channel its limited resources away from the discussion on commodity standards towards texts that concern the protection of the consumers’ health (e.g. food additives, contaminants, microbiological risk). Taking into account this strategy and the content of the existing standards, the ECMS believe that there would need to be a careful consideration of whether the commodity standards should be part of the Codex’s contribution to the implementation of the Global Strategy on Diet, Physical Activity and Health.

The ECMS believe that as the majority of the commodity standards concern individual foods and are not intended to provide a complete diet then the inclusion of limits on certain nutrients for nutritional reasons, such as fats, added sugars and salt is not the usual purpose of the standards. Of course, nutritional consideration would be appropriate for those products that are intended for specific nutritional purposes. Consideration should be given to how compositional standards could be part of the considerations related to the implementation of the Global Strategy on Diet, Physical Activity and Health.

There is a suggestion in the discussion paper that Guidelines for the Use of Codex Committees on the Inclusion of Provisions on Nutritional Quality in Food Standards and Other Codex Texts should be re-established or developed. The ECMS were unable to identify an existing text, and believes that the development of such a document would require a significant input of resources and that it would take a long period of time to complete such a project.

**Paragraph 5** – in line 5 it is suggested that a mechanism for sharing the results of efforts to implement Codex Guidelines among member states would be helpful. It is not clear whether the proposal is to establish such a mechanism within the Codex Alimentarius structure, however, the World Trade Organisation (WTO) systems (TBT and SPS) mean that member states would be informed when measures that have a potential impact on trade are proposed.
by national governments. The ECMS believes that the establishment of a specific mechanism for the sharing of experience would be outside the scope of the Codex Alimentarius mandate.

With respect to advertising, the ECMS believes that the regulation of the labelling of foods should also apply to the advertising of the products. In addition, the ECMS considers there may need to be further consideration of the impact of information technology on the provision of information to the consumer. However, the ECMS considers that the setting of standards for advertising of food directed at children would be outside the scope of the mandate of Codex Alimentarius in this area.

**Paragraph 8** – This paragraph is a confusing as it is not clear whether “authoritative statements” and “health claims” are two different concepts. If they are different, the ECMS consider that the authoritative statements about the attributes of a diet in reducing risk of diet-related disease is outside the scope of the Codex Alimentarius’ mandate. The scientific advice on the diet overall and its impact on health is the responsibility of other bodies – governments, international organisations other than Codex, such as the WHO, or national bodies.

The proposal to develop a list of generally accepted health or reduction of risk of chronic diseases claims would need consideration as to whether such a process would be feasible within the Codex Alimentarius system.

**Paragraph 10** – The ECMS consider that the suggestions for potential mechanisms, or dedicated bodies, to provide advice related to the risk assessment of nutritional issues should be given consideration. The interaction of potential new structures with the existing systems for risk assessment within WHO/FAO would need to be taken into account.

**Paragraph 11** – The ECMS believes that is the responsibility of the Codex Alimentarius Commission to agree the work of the specific committees. The specific committees can respond to requests from the Codex Alimentarius Commission on nutrition related issues and can contribute to such work specified within their terms of reference. Depending on the overall work priorities, individual committees could be asked to review if the standards that fall within their competence include provisions that are relevant to nutrition.

**Next steps**

The ECMS would support the WHO and FAO producing a document highlighting possible areas, agreed by CAC as being within the mandate of Codex, where the scope for the implementation of the Global Strategy could be explored. The ECMS agrees that the views of Codex Members and Observers should be sought by way of a circular letter, the responses to which should be considered at the next sessions of the CCNFSU and CCFL.
4) CCMMP7: Whey Powders  
*Mixed Competence*  
*European Community Vote*  
agreement

5) CCMMP7: Codex General Standard for cheese  
*Mixed Competence*  
*European Community Vote*  
agreement

6) CCMMP7: Nitrogen Conversion Factor:  
*Mixed Competence*  
*European Community Vote*  

**Background:**  
The European Community (EC) legislation on infant formula and follow-on formula includes conversion factors for the estimation of protein from the total nitrogen content. The existing legislation includes the conversion factor of 6.38 for the calculation of protein in formula based on intact cows’ milk protein and a conversion factor of 6.25 for other protein sources (soya protein isolates or hydrolysed protein, including hydrolysed cows’ milk protein).

However the EC notes that both the recommendations of the *ad hoc* International Expert Group (under the chairmanship of the European Society for Paediatric Gastroenterology Hepatology and Nutrition) and of the European Scientific Committee on Food propose to use a single conversion factor (6.25) for the calculation of protein content from total nitrogen for all protein sources instead of two different factors. These two recommendations which relate specifically to infant formulae take into account the nutritional difference between milk protein and vegetable protein sources through a combination of the protein conversion factor and the minimum levels of protein required for products made from different protein sources. This scientific advice have been taken into account by the European Commission regarding its proposal for the on-going recast of Directive 91/321/EEC on infant formula and follow-on formula.

**EC position:**  
The EC agrees that in general there should be consistency between Codex standards taking into account the specificity of the products concerned and the purpose or scope of application of the text. The EC welcomes the request for clarification by CCMAS on the appropriate factor to be used when converting nitrogen content to protein content when analysing milk protein in the context of current methods of analysis.
7) CCPR38: Pilot Project for Estimation of National MRLs as Interim Codex MRLs for Safer Replacement Pesticides

Mixed Competence
European Community Vote
- Point for information

8) CCFICS14: Working group on Equivalence Appendices

Mixed Competence
Member States Vote
- Point for information

9) CCGP 23: Use of the term “interim”

Member States Competence
Member States Vote
- In favour of the proposed recommendations

10) CCGP23: Reference to Codex Standards

Member States Competence
Member States Vote
- In favour of the proposed recommendations

11) CCFAC38: General Standard for Food Additives (GSFA)

European Community Competence
European Community Vote
- In favour of the proposed recommendations

12) CCFAC38: Codex General Standard for Contaminants and Toxins in Foods (GSCTF)

Mixed Competence
Member States Vote
- In favour of the proposed recommendations

13) CCFAC38: FAO/WHO Expert Consultation on the health risks associated with methylmercury and dioxins and dioxin-like PCBs in fish and the health benefits of fish consumption

Mixed Competence
European Community Vote
- In favour of the proposed recommendations

14) CCFAC38: Revision of the GSFA descriptor of food category 13.6 “Food Supplements”

European Community Competence
European Community Vote
- In favour of the proposed recommendations

15) CCFAC38: Guideline levels for Methylmercury in Fish

European Community Competence
European Community Vote
- In favour of the proposed recommendations

16) CCRVDF16: Compendium of Methods of Analysis Identified as Suitable to Support Codex MRLs

Mixed Competence
European Community Vote

EC position:
The European Community and its Member States (ECMS) are rather surprised to see that the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF)’s “Compendium of Methods of Analysis Identified as Suitable for Support to Codex MRLs” (ALINORM 06/29/31, Appendix IX) is proposed for adoption in Part 2 of Annex to ALINORM 06/29/05.

- In paragraph 16 of ALINORM 06/29/9C-Add.2 (Agenda item 11), this discussion is introduced in an open manner (emphasis added):
  “The Commission may wish to recommend that the above Compendium be not given the status of Codex Standard, Guidelines or recommendation but be maintained and updated by the Committee for use by Codex members.”

- As indicated in the notes of Part 2 of Annex to ALINORM 06/29/05 (Agenda item 4):
  “This Compendium lists methods of analysis identified by the CCRVDF as suitable for support to Codex MRLs. The Committee will regularly update and revise the Compendium on the basis of information submitted by Codex members and observers.

- According to paragraphs 119 and 120 of ALINORM 06/29/31 (emphasis added) on the Methods of analysis for residues of veterinary drugs in foods:
  “119. The Committee endorsed the recommendation of the ad hoc Working Group to ask the Codex Secretariat to issue a Circular Letter requesting that members and observers review the list of methods; review and update any addresses of contact points for information; advise of any methods for which they are no longer able to provide information; and provide information on substances and matrices for which validated methods are still required.

  120. The Committee agreed to forward to the 29th Session of the Codex Alimentarius Commission the Compendium of Methods of Analysis Identified as Suitable to Support Codex MRLs (see Appendix X).”

- There is no direct reference to possible adoption in the final report of the 16th session of the Codex Committee on Residues of Veterinary Drugs in Foods. The ECMS’ recollection of discussion at the last CCRVDF meeting is that this list of methods of analysis should have no official status in the Codex step procedure. The rationale being that the Committee does not have the resources to check in details each method and to compare different methods on scientific grounds.

- The ECMS recognise that such a Compendium is extremely useful for developing countries.
From an ECMS viewpoint, this Compendium is drafted for information purposes only, as a resource list, and it is meant for continuous revision at each session the CCRVDF.

The formal adoption of this Compendium would prejudge the status of this Compendium which still has to be discussed within the CCRVDF. In addition it must be noted that if this Compendium were to be adopted, methods of analysis relating to compounds with no Codex MRL should be withdrawn form the list.

**Background information:**

It has to be noted that a similar situation can be found in the framework of the Codex Committee on Pesticide Residues (CCPR), in paragraphs 179 to 181 of ALINORM 06/29/24 (emphasis added) on the “Proposed draft Revision of the List of Methods for Pesticides Residue Analysis”:

> 179. The Chair of the Working Group provided an update of the collation of methods of analysis. The Representative of IAEA informed the Committee that the methods of analysis currently available on the IAEA website (CRD 19) had been provided by several countries and consist mostly of abstracts, methods principles and literature references, as well as links to relevant external web pages.

> 180. The Delegation of Australia stated that the list of methods should be considered as a resource list and was not a list of preferred or obligatory methods for Codex purposes. Some delegations indicated that they would provide relevant methods to the Committee or that their methods were available free of charge on the internet.

> 181. The Committee agreed that a Circular Letter would be sent requesting information on methods for the determination of pesticide residues, to be addressed to the Codex Secretariat and the IAEA, for further consideration at the next session.”

**Conclusion:**

The ECMS are opposed to the adoption, at this stage of the relevant work of the CCRVDF, of the Compendium of Methods of Analysis Identified as Suitable for Support to Codex MRLs as proposed in Part 2 of Annex to ALINORM 06/29/05.

The ECMS are of the opinion that “the Commission should recommend that the above Compendium be not given the status of Codex Standard, Guidelines or recommendation but be maintained and updated by the Committee for use by Codex members.”
17) CCRVDF16: Temporary Codex MRL for Tilmicosin in sheep’s milk

*European Community Competence*

*European Community Vote*

- In favour of the proposed recommendations

18) CCMAS27: Codex Guidelines for the Assessment of the Competence of Testing Laboratories Involved in the Import and Export Control of Food (CAC/GL 27-1997)

*Mixed Competence*

*Member States Vote*

- In favour of the proposed recommendations (para 23: in favour of 2 reference numbers)

19) Additional Information on the Discussion on Protein Conversion Factor in CCMMP and CCNFSDU

*European Community Competence*

*European Community Vote*

- See CCMMP part
Agenda item 12  Relations between the Codex Alimentarius Commission and other International Organizations

Member States Competence.
Member States Vote.

ALINORM 06/29/9D
- Point for information

Agenda item 13  FAO/WHO Project and Trust Fund for Enhanced Participation in Codex

Member States Competence.
Member States Vote.

ALINORM 06/29/9E
- Point for information
Agenda item 14 Other Matters arising from FAO and WHO

ALINORM 06/29/9F

1) Part I: Outcomes of Recent FAO/WHO Expert Meetings

Mixed Competence
European Community Vote
- Point for information

2) Part II: Progress Report on the FAO/WHO Consultative Process on Provision of Scientific Advice to Codex and Member Countries

Mixed Competence
European Community Vote
- Point for information

3) Part III: Status of Requests for FAO/WHO Scientific Advice

Mixed Competence
Member States Vote
- Point for information

4) Part IV: Other FAO and WHO Matters

Revision of WHO Guidelines for Drinking-Water Quality

European Community Competence
European Community Vote

Background:
- Following a WHO request, the Codex secretariat has sent in May 2006 the CL 2006/13-NMW to the Codex Members with a request for comments (before 1 October 2006) on the revision of "health related limits for certain substances" in section 3.2 of NMW Codex standard 108-1981. The CL relates only to the section 3.2 on the above standard - which was already amended in 2001 and not to the whole standard. The CAC should therefore only validate the principle of the CL and not propose a global revision of the NMW Codex standard.
PART VI  ELECTIONS AND APPOINTMENTS

Agenda item 15  Election of Chairperson and Vice-Chairpersons of the Commission

Member States Competence.
Member States Vote.
ALINORM 06/29/2

Agenda item 16  Designation of Countries responsible for Appointing the Chairpersons of Codex Committees and Task Forces

Member States Competence.
Member States Vote.
ALINORM 06/29/9G
PART VII OTHER MATTERS

Agenda item 17 Other Business and Future Work

*Competence and right to vote to be determined in light of issues to be dealt with (document not yet available).*

Agenda item 18 Adoption of the Report

*Member States Competence.*

*Member States Vote.*

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2This is without prejudice to the substantive competence that the Community has for individual items in the Report.