European Community Comments on
Codex Circular Letter CL 2006/29-CAC

Subject: Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces

The European Community and its 27 Member States (ECMS) are pleased to provide comments on the Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces in response to Codex Circular Letter 2006/29-CAC.

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 ECMS 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 ECMS would not favour a rigid adoption of proposal 2. A purely arithmetical approach to the number of active subsidiary bodies is not appropriate for the work of an international organisation whose work is based on Science. Should there be a justified need, Codex should have the possibility to establish a subsidiary body without dissolving or adjourning another whilst still keeping the number of bodies within manageable levels.

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 ECMS support proposal 3. Recent experiences (e.g. CCFICS, TFFBT, CCGP working groups) have demonstrated that much progress can be achieved during the inter-session with appropriate mechanisms. The ECMS would however express some concerns regarding the multiplication of physical working group meetings (e.g. last session of CCFH established 5 inter-session physical working groups to be held in English only), especially the resource implications.

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 ECMS support proposal 4, which allows for sufficient time to organise physical working group sessions prior to a 5 day-plenary session.
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 ECMS 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. TFFBT, 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 ECMS support the regular review of the mandates of subsidiary bodies. Merging committees can be appropriate in certain cases but should be done carefully as it 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 ECMS support proposal 7. Several years experience are indeed needed to evaluate 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 ECMS agree with the proposal 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 ECMS support the streamlining of endorsement procedures and, to this end, encourages CCGP to engage actively in and coordinate discussions with all other committees and task forces.

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 ECMS consider that CCNFSDU and CCFL should have a leading role in Codex for the consideration of nutrition issues.
On several occasions in the recent past, CCNFSDU has been invited by other Committees to provide scientific advice to them on issues related to nutrition. The scientific basis of its response has not been sufficiently clear and have raised concern from some members and observers. Future work on nutrition, which obviously requires extensive scientific support, should be undertaken in such a way as to be consistent vis-à-vis the functional separation between risk assessors and risk managers: Codex members always act as risk managers, when they attend the CAC or relevant subsidiary bodies. On the other hand, Codex members should give further consideration to the possibility that CCNFSDU makes use of publicly available scientific assessments to expedite its work on nutritional risk assessment.

In addition, regional coordinating committees could have a valuable input on these issues. Ongoing work at CCFL and CCNFSDU on the WHO Global Strategy on Diet, Physical Activity and Health may require a more active agenda to address nutritional 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 ECMS support a wider openness of Codex to the development of private standards and are of the opinion that better results could be achieved in less time. However a clear distinction should be kept between on one hand Codex Standards and related texts which pursue two objectives: protection of consumer health and promotion of fair practices in the food trade in addition to being a reference point for WTO, and on the other hand private standards which might aim at meeting certain specific consumer demands and which are mostly market driven.