

**CODEX COMMITTEE ON GENERAL PRINCIPLES  
(32<sup>nd</sup> Session)  
Virtual meeting, 8 - 17 February 2021**

**European Union Comments on**

**Agenda item 2**

**Matters referred to the Committee  
CX/GP 21/32/2**

*Mixed Competence  
Member States Vote*

The EU and its Member States (EUMS) thank the Secretariat for the information on matters arising from Codex subsidiary bodies, as provided in section B of the document and, in particular, the information about the recent sessions of CCEXEC and the sub-committee on the application of the Statements of Principle concerning the role of science (SoP).

As regards the SoP, we welcome the results of the sub-committee and the outcome of CCEXEC78 and CCEXEC80, which requested that the Codex Secretariat, in collaboration with FAO and WHO, develop a first draft of the practical guidance on the operationalisation of the SoP, in accordance with the Terms of Reference agreed by CAC42.

In this regard, EUMS would like to reiterate their full endorsement of the views set out in the outcome document of the informal discussions on the SoP at CCEURO-31 as contained in CX/EURO19/31/CRD 9. In particular, we consider that the guidance to be drafted by the Codex Secretariat should include all options available to Chairpersons in case of disagreements/difficulties finding consensus in the standards development process (i.e. adoption by vote; holding a standard at step 8; building differences of application into the text; not approving new work or discontinuation of work because of non-amenability to standardization; reservations/SoP) and that it should also provide examples of their use. This would enhance awareness of the available options and their utility, noting that those options are outlined in the paper on the “History and implications of the fourth paragraph of the statements of principle”<sup>1</sup> presented to CCEXEC77.

With regard to the account of the discussion in the report of CCEXEC80 we would like to point out that the SoP contain terminology which is open to interpretation, e.g. terms which are similar but not synonymous, or the term ”abstain from acceptance” in Statement 4.

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<sup>1</sup> CX/EXEC 19/77/10

We agree with the view that the guidance on the SoP should be relevant to Codex members as well as the Chairpersons of Codex subsidiary bodies, in particular new chairpersons, to enhance their understanding and facilitate Members' participation in Codex meetings, clarifying all available options when consensus is difficult to reach.

Finally, EUMS would like to stress the importance of ensuring the engagement of the wider Codex membership in the development of the guidance.

Unfortunately, a discussion on this issue in the margins of CCGP-32 had to be postponed due to the delays of this work caused by the COVID-19 pandemic. However, the EUMS are keen to continue to contribute to this important process, together with the whole Codex membership.

Therefore, we very much look forward to contributing, together with the wide Codex membership, to the development of the guidance, as concluded by CCEXEC80.

This is also in accordance with the CAC42 conclusion on this issue, which stressed the desirability to reinforce transparency and the possibility for all members to give input to this work, e.g. by making the exchanges and documents of the CCEXEC Sub Committee accessible to all Members.

#### Report of the CCEXEC Sub Committee on Codex and the Pandemic – Strategic challenges and opportunities

The EUMS would like to thank the Sub-Committee on Codex and the Pandemic and the Codex Secretariat for their work and the enormous efforts made by the Codex Secretariat, and FAO and WHO to keep the momentum of Codex work in these difficult times of the COVID-19 pandemic.

We take note that at present CCEXEC80 advises not to enter into a discussion about changes to formal Codex procedures (REP21/EXEC1 para. 35 iii) ), thus also excluding the initiation of the development of a Codex procedure for circumstances where physical meetings are not possible at this stage.

We further note that one virtual CAC sessions and two virtual CCEXEC sessions have been held thus far and that CCGP will kick off an unprecedented series of virtual sessions of CAC subsidiary body in 2021. In this regard, we observe some procedural particularities and practical uncertainties and we are of the opinion that a record of these should be kept, in order to inform the Codex membership and be prepared to engage in a discussion on potential changes or additions to Codex procedures in future.

These particularities include for instance:

- the application of Rule XV (Amendments and Suspension of Rules) of the Rules and Procedures of the CAC through an electronic approval process in order to suspend for the 43rd CAC session: Rule III, VI, VII and XII in part or entirely;
- the decision of CAC43 to interpret, on an exceptional basis and only for 2021, Rule XI (Subsidiary Bodies) and in a manner that includes a virtual setting;

- the changes to the usual meeting duration and times impacting the regular working hours for delegates;
- the current uncertainty about the possibility to hold elections at the 44th session of CAC;
- the current uncertainty about the possibility to establish ad hoc working groups during virtual sessions of CAC subsidiary bodies that complete work prior to the end of a plenary session which is an important tool for accelerating standard development processes.

#### Work Plan for the implementation of the Strategic Plan 2020-2025

The EUMS welcome the information on the Work Plan for the implementation of the Strategic Plan 2020-2025 and the decision of CCEXEC80 to reconvene the strategic planning sub-committee with renewed terms of reference. In particular, we fully support that the sub-committee be tasked to take into consideration how Codex can contribute to and achieve recognition for its key food standards work in relation to global and UN initiatives such as the 2030 Agenda for Sustainable Development and the UN Food Systems Summit.

#### Webcasting of CCEXEC sessions

The EUMS note with great interest that CCEXEC80 touched the question of webcasting of sessions of CCEXEC. We think this is a legitimate and timely question about the way the CAC and its executive organ addresses its core values of transparency and inclusiveness. Hence, we are very much in favour of putting this issue on the agenda of CAC44 for discussion by the whole membership.

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