

CODEX ALIMENTARIUS COMMISSION

Forty-fourth Session
8-13, 15, 17 and 18 November 2021
VIRTUAL MEETING

Draft Division of Competence and Voting Right between the European Union and its Member States according to Rule of procedure II paragraph 5 of the Codex Alimentarius

Item	Subject	Document
1	Adoption of the Agenda Member States Competence / Member States Vote. ¹	CX/CAC 21/44/1
2	Report by the Chairperson on the 80 th and 81 st Sessions of the Executive Committee (including matters referred) Member States Competence / Member States Vote. ²	REP21/EXEC1 REP21/EXEC2
3	Amendments to the Procedural Manual – Draft Procedural Guidance for CWBC – Comments on Amendments to the Procedural Manual	CX/CAC 21/44/2 CX/CAC 21/44/2 Add.1
3.2	Amendments to the Procedural Manual – Risk Analysis principles applied by CCRVDF Member States Competence / Member States Vote	CX/CAC 21/44/2 Add.2
4	Work of Codex Committees and Task Forces (adoption, new work, revocation, discontinuation and editorial; amendments to Codex texts proposed by the Committee).	
4.1	Codex Committee on Spices and Culinary Herbs – Comments Competence and Voting Rights are specified in Annex I.	CX/CAC 21/44/3 CX/CAC 21/44/3 Add.1
4.2	Codex Committee on Contaminants in Foods – Comments Competence and Voting Rights are specified in Annex II	CX/CAC 21/44/4 CX/CAC 21/44/4 Add.1
4.3	Codex Committee on Methods of Analysis and Sampling – Comments Competence and Voting Rights are specified in Annex III.	CX/CAC 21/44/5 CX/CAC 21/44/5 Add.1

¹ This is without prejudice to the substantive competence that the European Union has for individual items on the Agenda.

² This is without prejudice to the substantive competence that the European Union has for individual items in the Reports.

4.4	Codex Committee on Food Import and Export Inspection and Certification Systems – Comments Competence and Voting Rights are specified in Annex IV.	CX/CAC 21/44/6 CX/CAC 21/44/6 Add.1
4.5	Codex Committee on Residues of Veterinary Drugs in Foods – Comments Competence and Voting Rights are specified in Annex V.	CX/CAC 21/44/7 CX/CAC 21/44/7 Add.1
4.6	Codex Committee on Pesticide Residues – Comments Competence and Voting Rights are specified in Annex VI.	CX/CAC 21/44/8 CX/CAC 21/44/8 Add.1
4.7	Codex Committee on Food Additives – Comments Competence and Voting Rights are specified in Annex VII.	CX/CAC 21/44/9 CX/CAC 21/44/9 Add.1
4.8	Codex Committee on Food Labelling – Comments Competence and Voting Rights are specified in Annex VIII.	CX/CAC 21/44/10 CX/CAC 21/44/10 Add.1
4.9	Ad hoc Codex Intergovernmental Task Force on Antimicrobial Resistance – Comments Competence and Voting Rights are specified in Annex IX.	CX/CAC 21/44/11 CX/CAC 21/44/11 Add.1
5	Editorial Amendments to Codex Standards and Related Texts Competence and Voting Rights are specified in Annex X.	CX/CAC 21/44/12
6	Matters arising from Codex Subsidiary Bodies Competence and Voting Rights are specified in Annex XI.	CX/CAC 21/44/13
7	Codex Budgetary and Financial Matters: Member States Competence / Member States Vote.	CX/CAC 21/44/14
8	Matters arising from FAO and WHO Member States Competence / Member States Vote.	CX/CAC 21/44/15
8.1	New food sources and production systems: need for Codex attention and guidance? Mixed Competence / Member States Vote.	CX/CAC 21/44/15 Add.1
8.2	New FAO Food Safety Strategy 2022-2031 –update of status Mixed Competence / European Union Vote.	CX/CAC 21/44/15 Add.2

8.3	WHO Global Strategy for Food Safety 2022-2030 -Update of the status Mixed Competence / European Union Vote.	CX/CAC 21/44/15 Add.3
8.4	Codex Trust Fund: lessons learned from the COVID-19 pandemic Mixed Competence / Member States Vote.	CX/CAC 21/44/15 Add.4
9	Election of the Chairperson and Vice-Chairpersons and Members of the Executive Committee elected on a Geographical Basis Member States Competence / Member States Vote.	CX/CAC 21/44/16
10	Designation of countries responsible for appointing the Chairpersons of Codex subsidiary bodies Member States Competence / Member States Vote.	CX/CAC 21/44/17
11	Other Business <i>Competence and right to vote to be determined in the light of the issues to be dealt with (document not yet available).</i>	
12	Adoption of the Report Member States Competence / Member States Vote.³	

³ This is without prejudice to the substantive competence that the European Union has for individual items in the Report.

**Work from the Codex Committee on Spices and Culinary Herbs (CCSCH)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCSCH	Draft standard for dried oregano Mixed Competence / Member States Vote.	REP21/SCH Para. 36, Appendix II	8
CCSCH	Draft standard for dried roots, rhizomes and bulbs — dried or dehydrated ginger Mixed Competence / Member States Vote.	REP21/SCH Para. 65, Appendix III	8
CCSCH	Draft standard for dried floral parts – dried cloves Mixed Competence / Member States Vote.	REP21/SCH Para. 81, Appendix IV	8
CCSCH	Draft standard for dried leaves - dried basil Mixed Competence / Member States Vote.	REP21/SCH Para. 115, Appendix V	8

Part 2 – Standards and related texts submitted for adoption at Step 5

Codex body	Standard and Related Texts	Reference	Step
CCSCH	Draft standard for dried seeds - nutmeg Mixed Competence / Member States Vote.	REP21/SCH Para. 149 Appendix VI	

Part 3 – Proposals to elaborate new standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCSCH	Proposal for new work on the development of a standard for small cardamom Mixed Competence / Member States Vote.	REP21/SCH Appendix VII	
CCSCH	Proposal for new work on the development of a standard for turmeric Mixed Competence / Member States Vote.	REP21/SCH Appendix VIII	

Codex body	Standard and Related Texts	Reference	Step
CCSCH	Proposal for new work on the development of a group standard for spices in the form of dried fruits and berries (All spice, Juniper berry, Star anise and Vanilla) Mixed Competence / Member States Vote.	REP21/SCH Appendix XI	

**Work from the Codex Committee on Contaminants in Food (CCCF)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCCF	Proposed MLs for cadmium in chocolates containing or declaring <30% total cocoa solids on a dry matter basis (CXS 193-1995) European Union Competence / European Union Vote.	REP21/CF Para. 18-27, Appendix II	8
CCCF	Proposed MLs for cadmium in chocolates containing or declaring ≥30% to <50% total cocoa solid on a dry matter basis (CXS 193-1995) European Union Competence / European Union Vote.	REP21/CF Para. 28-40, Appendix II	5/8
CCCF	Amendment to the MLs for lead in fruit juices (CXS 193-1995) European Union Competence / European Union Vote.	REP21/CF Para. 98 and 101, Appendix IV	Adoption
CCCF	Revision of the Code of practice for the prevention and reduction of lead contamination in foods (CXS 56-2004) Mixed Competence / Member States Vote.	REP21/CF Para. 106, Appendix V	5/8

Part 2 – Standards and related texts submitted for adoption at Step 5

Codex body	Standard and Related Texts	Reference	Step
CCCF	Proposed draft Code of practice for the prevention and reduction of cadmium contamination in cocoa beans Mixed Competence / Member States Vote.	REP21/CF Para. 59 Appendix III	

Part 3 – Proposals to elaborate new standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCCF	Proposal for new work on MLs for methylmercury in orange roughy and pink cusk eel (CXS 193-1995) European Union Competence / European Union Vote.	REP21/CF Para 163 and 166 Appendix VI	
CCCF	Proposal for new work on development of a Code of practice for the prevention and reduction of mycotoxins contamination in cassava and cassava-based products European Union Competence / European Union Vote.	REP21/CF Para 169 Appendix VII	

**Work from the Codex Committee on Methods of Analysis and Sampling (CCMAS)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCMAS	Adoption of methods of analysis / performance criteria for provisions in Recommended Methods of Analysis and Sampling (CXS 234-1999) Mixed Competence / Member States Vote.	REP21/MAS Paragraphs 24(i), 42(i), Appendix II, Part 1	Adoption
CCMAS	Adoption of amendments to methods of analysis / performance criteria for provisions in Recommended Methods of Analysis and Sampling (CXS 234-1999) Mixed Competence / Member States Vote.	REP21/MAS Paragraph 42(i), Appendix II, Part 3	Adoption
CCMAS	Editorial amendment to the provision in Section 3.3 of the Standard for Edible Casein Products (CXS 290-195) Mixed Competence / Member States Vote.	REP21/MAS Paragraphs 23 and 24(ii)	Adoption
CCMAS	Draft revised Guidelines on Measurement Uncertainty (CXG 54-2004) Mixed Competence / Member States Vote.	REP21/MAS Paragraph 70(i), Appendix III	8

Part 2 – Standards and related texts submitted for adoption at Step 5

Codex body	Standard and Related Texts	Reference	Step
CCMAS	Proposed Draft revised General Guidelines on Sampling (CXG 50-2004) Mixed Competence / Member States Vote.	REP21/MAS Para. 110 (i) Appendix IV	

Part 3 – Proposals to elaborate new standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCMAS	-	-	

Part 4 – Existing Codex standards and related texts proposed for revocation

Codex body	Standard and Related Texts	Reference	Step
CCMAS	Revocation of methods of analysis in Recommended Methods of Analysis and Sampling (CXS 234-1999) Mixed Competence / Member States Vote.	REP21/MAS Para. 24 (i) and 42(i), Appendix II, Part 2	

Work from the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) for Adoption or Approval by the Commission

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCFICS	Draft principles and guidelines for the assessment and use of voluntary Third-Party Assurance (vTPA) programmes Mixed Competence / European Union Vote.	REP21/FICS Para. 37, Appendix II	8
CCFICS	Proposed draft guidance on paperless use of electronic certificates (Revised Guidelines for Design, Production, Issuance and Use of Generic Official Certificates) Mixed Competence / European Union Vote.	REP21/FICS Para. 64, Appendix III	5/8

Part 2 – Standards and related texts submitted for adoption at Step 5

Codex body	Standard and Related Texts	Reference	Step
CCFICS	-	-	

Part 3 – Proposals to elaborate new standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCFICS	Project document for new work on the development of guidance on the prevention and control of food fraud Mixed Competence / European Union Vote.	REP21/FICS Appendix IV	

**Work from the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCRVDF	Maximum residue limit for flumethrin (honey) European Union Competence / European Union Vote.	REP21/RVDF Paragraph 39, Appendix II	8
CCRVDF	Maximum residue limits for diflubenzuron (salmon - muscle plus skin in natural proportion) European Union Competence / European Union Vote.	REP21/RVDF Paragraph 43, Appendix II	5/8
CCRVDF	Maximum residue limits for halquinol (in swine - muscle, skin plus fat, liver and kidney) European Union Competence / European Union Vote.	REP21/RVDF Paragraph 50, Appendix II	5/8
CCRVDF	Amendment to the Glossary of Terms and Definitions (CXA 5-1993): Definition of edible offal European Union Competence / European Union Vote.	REP21/RVDF Paragraph 116 (i), Appendix IV	

Part 2 – Standards and related texts submitted for adoption at Step 5

Codex body	Standard and Related Texts	Reference	Step
CCRVDF	Maximum residue limits for ivermectin (sheep, pigs and goats – fat, kidney, liver and muscle) European Union Competence / European Union Vote.	REP21/RVDF Paragraph 59, Appendix II	

Part 3 – Proposals to elaborate new standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCRVDF	Priority List of veterinary drugs for evaluation/re-evaluation by JECFA European Union Competence / European Union Vote.	REP21/RVDF, Paragraph 150, Appendix VI (Parts I and V)	

**Work from the Codex Committee on Pesticide Residues (CCPR)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCPR	Proposed draft MRLs for pesticides European Union Competence / European Union Vote.	REP21/PR paragraph 163(i), a), Appendix II	5/8
CCPR	Revised Classification of Food and Feed (CXG 4-1989), Class C – Primary feed commodities, Type 11 –Primary feed commodities of plant origin; and revised Principles and Guidelines for the Selection of Representative Commodities for the extrapolation of MRLs for Pesticides to Commodity Group (CXG 84-2012), Table 7 - Representative commodities for Class C European Union Competence / European Union Vote.	REP21/PR paragraph 170, Appendix VII	5/8
CCPR	Revised Classification of Food and Feed (CXG 4-1989), Class D – Processed foods of plant origin; and revised Principles and Guidelines for the Selection of Representative Commodities for the extrapolation of MRLs for Pesticides to Commodity Group (CXG 84-2012) Table 8 - Representative commodities for Class D European Union Competence / European Union Vote.	REP21/PR paragraph 173 (i), Appendix VIII	5/8

Part 2 – Standards and related texts submitted for adoption at Step 5

Codex body	Standard and Related Texts	Reference	Step
CCPR	Proposed draft Guidelines for compounds of low public health concerns that may be exempted from the establishment of Codex Maximum Residue limits or do not give rise to residues ⁴ European Union Competence / European Union Vote.	REP21/PR paragraph 194(i), Appendix XII	

Part 3 – Other texts for approval

Codex body	Standard and Related Texts	Reference	Step
CCPR	Proposed Priority Lists of Pesticides for Evaluation by JMPR Mixed Competence / European Union Vote.	REP21/PR, paragraph 249, Appendix XV	

⁴ CCPR is requesting an extension of the deadline for completion of the work to CCPR53

Part 4 – Standards and related texts recommended for revocation

Codex body	Standard and Related Texts	Reference	Step
CCPR	Maximum Residue Limits for pesticides European Union Competence / European Union Vote.	REP21/PR, paragraph 163(i), b), Appendix III	

**Work from the Codex Committee on Food Additives (CCFA)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCFA	Proposed draft Specifications for the Identity and Purity of Food Additives European Union Competence / European Union Vote.	REP21/FA Para. 66, Appendix III	5/8
CCFA	Draft and proposed draft food-additive provisions of the General Standard for Food Additives (GSFA) (CXS 192-1995) European Union Competence / European Union Vote.	REP21/FA Para. 182 (i), Appendix VI, part D	8 and 5/8
CCFA	Revisions to adopted provisions of the GSFA (CXS 192-1995) European Union Competence / European Union Vote.	REP21/FA Para. 182 (i), Appendix VI, part D	Adoption
CCFA	Proposed draft revision of the Class Names and the International Numbering System for Food Additives (CXG 36-1989) Mixed Competence / European Union Vote.	REP21/FA Para. 201 (i), Appendix X	5/8
CCFA	Inclusion of xanthan gum (INS 415) and pectins (INS 440) in FC 13.1.3 “Formulae for special medical purposes for infants” of the GSFA (CXS 192-1995) Mixed Competence / European Union Vote.	REP21/FA Para.27, Appendix VI, part A	Adoption
CCFA	Changes related to the group header STEVIOL GLYCOSIDES in the GSFA (CXS192-1995) Mixed Competence / European Union Vote.	REP21/FA Para.203 (ii), Appendix VI, part B	Adoption
CCFA	Revised provisions of the GSFA in relation to the amendments to title and food category number for CXS 283 in Annex C of the GSFA (CXS 192-1995) European Union Competence / European Union Vote.	REP21/FA Para.106 (ii), a) Appendix VI, part C.1	Adoption
CCFA	Revised food-additive provisions of the GSFA in relation to the alignment of nine standards for CCMMP, six standards for CCFO and three standards for CCSCH European Union Competence / European Union Vote.	REP21/FA Para. 106 (ii), b) Appendices C.2 - C.4	Adoption
CCFA	Revised food-additive provisions of the GSFA in relation to the partial alignment of CXS 249-2006, CXS 273-1968, CXS 275-1973 and CXS 288-1978 to include tamarind seed polysaccharide (INS 437) European Union Competence / European Union Vote.	REP21/FA Para.106 (ii), c) Appendix VI, Part C.5	Adoption

Codex body	Standard and Related Texts	Reference	Step
CCFA	Proposed revised food-additive provisions of the GSFA in relation to the linked entry for food category 12.5 in the References to Commodity Standards for GSFA Table 3 Additives in the Annex to Table 3 European Union Competence / European Union Vote.	REP21/FA Para.106 (ii), d), Appendix VI, part C.6	Adoption
CCFA	Revised provisions for sweeteners in different food categories (CXS 192-1995) European Union Competence / European Union Vote.	REP21/FA Para.173(i), Appendix VI, part E	Adoption
CCFA	Revised food-additive sections of the nine standards for milk and milk products, i.e. Group Standards for Cheeses in Brine (CXS 208-1999); Unripened Cheese including Fresh Cheese (CXS 221-2001); Standards for a Blend of Evaporated Skimmed Milk and Vegetable Fat (CXS 250- 2006); a Blend of Skimmed Milk and Vegetable Fat in Powdered Form (CXS 251-2006); a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat (CXS 252-2006); Standards for Cottage Cheese (CXS 273-1968); Cream Cheese (CXS 275-1973); Extra Hard Grating Cheese (CXS 278-1978); and General Standard for Cheese (CXS 283-1978) European Union Competence / European Union Vote.	REP21/FA Para.106(i), a), Appendix V, part A	Adoption
CCFA	Revised food-additive sections of the six standards for fats and oils, i.e. Standards for Edible Fats and Oils not covered by Individual Standards (CXS 19-1981); Olive oils and olive pomace oils (CXS 33-1981); Named vegetable oils (CXS 210-1999); Named animal fats (CXS 211-1999); Fat spreads and blended spreads (CXS 256-2007); and Fish oils (CXS 329-2017) European Union Competence / European Union Vote.	REP21/FA Para.106(i), b), Appendix V, Part B	Adoption
CCFA	Revised food-additive sections of the three standards for spices and culinary herbs, i.e. Standards for Black, White and Green Peppers (CXS 326-2017); Cumin (CXS 327- 2017); and Dried Thyme (CXS 328-2017) European Union Competence / European Union Vote.	REP21/FA Para.106(i), c), Appendix V, Part C	Adoption
CCFA	Amendments to Standards for Bouillons and Consommés (CXS 117-1981) and Wheat Flour (CXS 152-1985) due to alignment of methylate copolymer, basic (INS 1205) European Union Competence / European Union Vote.	REP21/FA Para.106(i), d), Appendix V, Part D	Adoption

Part 2 – Other texts for approval

Codex body	Standard and Related Texts	Reference	Step
CCFA	Priority List of substances proposed for evaluation by JECFA Mixed Competence / Member States Vote.	REP21/FA Para. 227, Appendix XI	

Part 3 – Proposals for revocation and discontinuation of standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCFA	Revocation of food additive provisions of the GSFA European Union Competence / European Union Vote.	REP21/FA, Para.182(ii), Appendix VII	
CCFA	Discontinuation of the work on draft and proposed draft food additive provisions of the GSFA European Union Competence / European Union Vote.	REP21/FA, Para.182(iii), Appendix VIII	

**Work from the Codex Committee on Food Labelling (CCFL)
for Adoption or Approval by the Commission**

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
CCFL	Draft General standard for the labelling of non-retail containers of foods; and consequential amendment to the Procedural Manual Mixed Competence / European Union Vote.	REP21/FL paragraph 60 i., Appendix III	8
CCFL	Proposed draft Guidelines on front-of-pack nutrition labelling and inclusion as an Annex to the Guidelines on Nutrition Labelling (CXG2-1985); and consequential amendment to Section 5 of the Guidelines on Nutrition Labelling (CXG 2-1985) Mixed Competence / European Union Vote.	REP21/FL paragraph 99 i. and ii, Appendix IV	5/8

Part 2 – Proposals to elaborate new standards and related texts

Codex body	Standard and Related Texts	Reference	Step
CCFL	Proposal for new work on labelling information provided through technology Mixed Competence / Member States Vote.	REP21/FL, paragraph 141, i), Appendix V	

Work from the *Ad Hoc* Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR) for Adoption by the Commission

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standard and Related Texts	Reference	Step
TFAMR	Revised <i>Code of practice to minimize and contain foodborne antimicrobial resistance</i> (CXC 61-2005) Mixed Competence / European Union Vote.	REP21/AMR paragraph 89, Appendix II	8
TFAMR	Proposed draft Guidelines on integrated monitoring and surveillance of foodborne antimicrobial resistance Mixed Competence / European Union Vote.	REP21/AMR paragraph 152, Appendix III	5/8

Editorial Amendments to Codex Texts proposed by the Codex Secretariat

Codex Body	Text
CCFA	General Standard for Food Additives (CXS 192-1995) European Union Competence / European Union Vote.
CCFFP	Standard for Canned Sardines and Sardine-Type Products (CXS 94-1981) European Union Competence / European Union Vote.

Matters referred to the Commission by the Committees

Codex Body	Text
CCGP	Discussion paper on monitoring the use of Codex standards Mixed Competence / Member States Vote.
CCGP	discussion paper on monitoring the use of Codex standards and on monitoring Codex results in the context of the Sustainable Development Goals (SDGs) Member States Competence / Member States Vote.
CCFO	Proposed draft amendment/revision to the Standard for Named Vegetable Oils (CXS 210-1999): Sunflowerseed oil Mixed Competence / Member States Vote.
CCFO	Proposed draft amendment/revision to the Standard for Named Vegetable Oils (CXS 210-1999): Inclusion of avocado oil Mixed Competence / Member States Vote.