

19 February 2015

CODEX COMMITTEE ON FOOD ADDITIVES

(47TH Session)

Xi'an, China, 23-27 March 2015

European Union Comments on

Agenda item 2

Matters Referred by the Codex Alimentarius Commission and other Committees

Part B. MATTERS ARISING FROM THE 37TH SESSIONS OF THE CODEX ALIMENTARIUS COMMISSION

Codex Strategic Plan 2014-2019

*Mixed Competence
Member States Vote*

Strategic Goal	Objective	Activity	Expected Outcome	Measurable Indicators/Outputs
1: Establish international food standards that address current and emerging food issues.	1.1: Establish new and review existing Codex standards, based on priorities of the CAC	1.1.1: Consistently apply decision-making and priority-setting criteria across Committees to ensure that the standards and work areas of highest priority are progressed in a timely manner.	New or updated standards are developed in a timely manner	- Priority setting criteria are reviewed, revised as required and applied. - # of standards revised and # of new standards developed based on these criteria.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes. This activity is relevant to all Codex Committees including the CCFA.</p> <p>Does the Committee use any specific criteria for standards development? Yes, the committee has specific criteria to develop standards and are laid down in the Procedural manual and in the Preamble to the GSFA. In addition, ad hoc criteria could be developed for prioritisation of colours for re-evaluation by JECFA.</p> <p>Does the Committee intend to develop such criteria? See previous reply.</p> <p>The EUMS consider that the Committee should ensure that the provisions included in the relevant parts of the Procedural Manual are strictly applied for new provisions for food additives.</p>				
	1.2: Proactively identify emerging issues and Member needs and, where appropriate, develop relevant food standards.	1.2.1: Develop a systematic approach to promote identification of emerging issues related to food safety, nutrition, and fair practices in the food trade.	Timely Codex response to emerging issues and to the needs of Members.	- Committees implement systematic approaches for identification of emerging issues. - Regular reports on systematic approach and emerging issues made to the CCEXEC through the Codex Secretariat.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes, as emerging issues can be related to issues under the remit of the Committee.</p>				

<p>How does the Committee identify emerging issues and members needs? Is there a systematic approach? Is it necessary to develop such an approach?</p> <p>Emerging issues can be reported by the members directly to the CCFA or by other Committees. This process then leads to the revision or the development of Standards. Unless there is evidence of some failure in this process, the EUMS do not see benefits in the development of a systematic approach for the CCFA.</p>				
		1.2.2: Develop and revise international and regional standards as needed, in response to needs identified by Members and in response to factors that affect food safety, nutrition and fair practices in the food trade.	Improved ability of Codex to develop standards relevant to the needs of its Members.	<ul style="list-style-type: none"> - Input from committees identifying and prioritizing needs of Members. - Report to CCEXEC from committees on how standards developed address the needs of the Members as part of critical review process.
Included in question to 1.2.				
2: Ensure the application of risk analysis principles in the development of Codex standards.	2.1: Ensure consistent use of risk analysis principles and scientific advice.	2.1.1: Use the scientific advice of the joint FAO/WHO expert bodies to the fullest extent possible in food safety and nutrition standards development based on the "Working Principles of Risk Analysis for Application in the Framework of the Codex Alimentarius".	Scientific advice consistently taken into account by all relevant committees during the standard setting process.	<ul style="list-style-type: none"> - # of times the need for scientific advice is: <ul style="list-style-type: none"> - identified, - requested and, - utilized in a timely manner.
<p>Question to the Committee:</p> <p>Is this activity relevant to the work of the Committee?</p> <p>Yes.</p> <p>Does the committee request scientific advice in course of its work, how often does it request such advice?</p> <p>Yes, every year.</p> <p>Does the committee always use the scientific advice, if not, why not?</p> <p>The Committee uses systematically the scientific advice that it has requested.</p> <p>The EUMS note that it is important that the principles for inclusion of new food additive provisions in the GSFA comply with the requirements laid down in the PM in particular that JECFA assessment including an intake assessment is performed before the new provisions are included in the Step procedure.</p>				
		2.1.2: Encourage engagement of scientific and technical expertise of Members and their representatives in the development of Codex standards.	Increase in scientific and technical experts at the national level contributing to the development of Codex standards.	<ul style="list-style-type: none"> - # of scientists and technical experts as part of Member delegations. - # of scientists and technical experts providing appropriate input to country positions.
<p>Question to the Committee:</p> <p>Is this activity relevant to the work of the Committee?</p> <p>Yes. Scientific and technical expertise is required to justify the positions supported by the Members.</p> <p>How do members make sure that the necessary scientific input is given into country positions and that the composition of the national delegation allows to adequately present and discuss this position?</p> <p>It is up to each Member to organise and manage the necessary scientific input with a view to present its positions.</p> <p>What guidance could be given by the Committee or FAO and WHO?</p> <p>The EUMS do not believe that a specific guidance is needed on this point.</p>				
		2.1.3: Ensure that all relevant factors are fully considered in exploring risk management options in the context of Codex standard development.	Enhanced identification, and documentation of all relevant factors considered by committees during the	<ul style="list-style-type: none"> - # of committee documents identifying all relevant factors guiding risk management recommendations. - # of committee documents clearly

			development of Codex standards.	reflecting how those relevant factors were considered in the context of standards development.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes. In its capacity of risk manager, the Committee should ensure that all relevant factors in exploring risk management options are considered. Furthermore, this is indeed a prerequisite for Codex standard development.</p> <p>How does the Committee ensure that all relevant factors have been taken into account when developing a standard and how are these documented? The Procedural Manual already establishes Working Principles for Risk Analysis which stipulate that risk management should follow a structured approach including preliminary risk management activities, evaluation of risk management options, monitoring and review of the decision taken. These principles requests a transparent, consistent and fully documented risk management process, and a presentation of the conclusion of the risk assessment before making final proposals or decisions on the available risk management options. The Committee should therefore recall the importance of applying consistently these principles.</p>				
		2.1.4: Communicate the risk management recommendations to all interested parties.	Risk management recommendations are effectively communicated and disseminated to all interested parties.	- # of web publication/communications relating Codex standards. - # of media releases disseminating Codex standards.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes. However, currently this is mainly done through the publication of standards and related texts on the Codex website. The development of a communication strategy would have a positive impact on this activity.</p> <p>When taking a risk management decision, does the committee give guidance to members how to communicate this decision? Would more consideration of this be helpful to members? No. Once the Codex general communication strategy will be developed, more consideration could be given to this issue.</p>				
3: Facilitate the effective participation of all Codex Members.	3.1: Increase the effective participation of developing countries in Codex.	3.1.5: To the extent possible, promote the use of the official languages of the Commission in committees and working groups.	Active participation of Members in committees and working groups.	- Report on number of committees and working groups using the languages of the Commission
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes, the promotion of effective participation of developing countries is of interest for all Committees, including CCFA. Is the use of official languages in working groups of the committee sufficient? The EUMS would recommend using as many languages as possible in WGs in order to enhance participation of members.</p> <p>What are the factors determining the choice of languages? This mainly depends on the Member chairing the WG.</p> <p>How could the situation be improved? The EUMS are open to suggestions on how to improve the situation. A suggestion could be to promote co-hosting arrangements by countries with different languages.</p>				
	3.2: Promote capacity development programs that assist countries in creating sustainable national Codex structures.	3.2.3: Where practical, the use of Codex meetings as a forum to effectively conduct educational and technical capacity building activities.	Enhancement of the opportunities to conduct concurrent activities to maximize use of the resources of Codex and Members.	- # of activities hosted on the margins of Codex meetings.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes, the promotion of such capacity development programs is of interest for all Committees, including CCFA.</p> <p>Does the Committee organize technical capacity activities or other activities in the margins of Committee sessions? If yes – how many and with which topics have been organized in the past. The EUMS believe that any capacity building activity should be coordinated by the parent organisations in order to avoid inconsistencies and duplication of work.</p>				

<p>If no – could this be useful and what topics could be addressed? The EUMS are open to any initiative in this area.</p>				
4: Implement effective and efficient work management systems and practices.	4.1: Strive for an effective, efficient, transparent, and consensus based standard setting process.	4.1.4: Ensure timely distribution of all Codex working documents in the working languages of the Committee/Commission.	Codex documents distributed in a more timely manner consistent with timelines in the Procedural Manual.	<ul style="list-style-type: none"> - Baseline Ratio (%) established for documents distributed at least 2 months prior to versus less than 2 months prior to a scheduled meeting. - Factors that potentially delay the circulation of documents identified and addressed. - An increase in the ratio (%) of documents circulated 2 months or more prior to meetings.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? Yes. The EUMS strongly believe that it is essential to maintain consensus-based decision making in the framework of Codex Alimentarius. This is necessary to ensure the legitimacy, credibility and worldwide acceptance of Codex standards. The obligation to strive for consensus-based decision making is clearly spelled out in Rule XII of the Rules of Procedure of the CAC. Furthermore, every possible effort should be made to ensure the timely distribution of documents.</p> <p>Does the Committee have a mechanism in place to ensure timely distribution of documents? What could be done to further improve the situation? The requirement for timely distribution of documents already exists and is included in the Procedural Manual. However, all members should be more disciplined in ensuring its implementation.</p>				
		4.1.5: Increase the scheduling of Work Group meetings in conjunction with Committee meetings.	Improved efficiency in use of resources by Codex committees and Members	<ul style="list-style-type: none"> - # of physical working group meetings in conjunction with committee meetings, where appropriate.
<p>Question to the Committee: Is this activity relevant to the work of the Committee? CCFA regularly schedules Working Group meetings in conjunction with Committee meeting.</p> <p>Does the Committee hold physical working groups independent of Committee sessions? If yes – why is this necessary? The EUMS believe that in general the system in place today, e-working groups combined with physical working groups organised in conjunction with Committee sessions, is sufficient to ensure the efficiency of the work of the Committee. There does not seem to be any added value of working groups independent of Committee sessions, unless it is fully justified by specific needs. The EUMS is rather concerned about the additional resources that such organisation would require.</p>				
	4.2: Enhance capacity to arrive at consensus in standards setting process.	4.2.1: Improve the understanding of Codex Members and delegates of the importance of and approach to consensus building of Codex work.	Members and delegates awareness of the importance of consensus in the Codex standard setting process improved.	<ul style="list-style-type: none"> - Training material on guidance to achieve consensus developed and made available in the languages of the Commission to delegates. - Regular dissemination of existing material to Members through Codex Contact Points. - Delegate training programs held in association with Codex meetings. - Impediments to consensus being achieved in Codex identified and analyzed and additional guidance developed to address such impediments, if

				necessary.
--	--	--	--	------------

Question to the Committee:

Is this activity relevant to the work of the Committee?

Yes. Concerning the consensus-based approach in Codex, please see the reply to point 4.1 above.

It is the role of the chair to explore all possible means to reach consensus before taking any final decision on progressing a standard on the basis of a vote.

Are there problems with finding consensus in the Committee? If yes – what are the impediments to consensus? What has been attempted and what more could be done?

Problems may arise in this Committee, as well as in any other Committee. All efforts should be made to ensure that all decisions of the Committee are taken on the basis of consensus, or the standard should not be forwarded to the CAC.

MATTERS ARISING FROM OTHER COMMITTEES

*European Union Competence
European Union Vote*

36th Session of the CCNFSDU

Request of the CCNFSDU as regards the inclusion of the criterion for an assessment of the suitability of additives for infants below twelve weeks of age in the Preamble to the GSFA

The EU strongly supports the request made by the CCNFSDU. The EU is of the view that such criterion should be included in the Preamble to the GSFA (inclusion in Section 3.1 could be considered) with an appropriate wording which would cover foods destined for infants below twelve weeks of age (i.e. food categories 13.1.1 and 13.1.3 corresponding to CODEX STAN 72-1981). The Committee might consider including the same criterion in the Procedural Manual as well. The EU would support such request.

Request of the CCNFSDU for alignment between CODEX STAN 72-1981 and GSFA food categories 13.1.1 and 13.1.3

The EU supports prioritisation of the work on alignment between the mentioned standard and the corresponding GSFA food categories.

OTHERS

Food additives included in the GSFA and without corresponding specifications

The EU can support the proposed way forward as outlined in paragraph 21. The EU would like to inform the Committee that potassium hydrogen sulphate (INS 515 (ii) and calcium hydrogen sulphite (INS 227) are authorised for use in the EU. As regards the commercial use a feedback from the relevant Codex Observers should be sought.

Corrections to the GSFA Provisions related to the five Commodity Standards

The EU agrees to forward the proposed changes to Table 3 to CAC38 for adoption.