

# CODEX ALIMENTARIUS COMMISSION

Forty-fifth Session

8—25 November and 12-13 December 2022

Rome, Italy

## 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 <a href="#">Member States Competence / Member States Vote.</a> <sup>1</sup>	CX/CAC 22/45/1
2	Report by the Chairperson on the 82 <sup>nd</sup> and 83 <sup>rd</sup> Sessions of the Executive Committee (including matters referred) <a href="#">Member States Competence / Member States Vote.</a> <sup>2</sup>	REP22/EXEC1 REP22/EXEC2
3	Amendments to the Procedural Manual <a href="#">Member States Competence / Member States Vote.</a>	CX/CAC 22/45/2
4	Work of Codex Committees (adoption, new work, revocation, discontinuation and editorial; amendments to Codex texts proposed by the Committee).	
4.1	Codex Committee on Fats and Oils – Comments <a href="#">Competence and Voting Rights are specified in Annex I.</a>	CX/CAC 22/45/3 CX/CAC 22/45/3 Add.1
4.2	Codex Committee on Nutrition and Foods for Special Dietary Uses – Comments <a href="#">Competence and Voting Rights are specified in Annex II.</a>	CX/CAC 22/45/4 CX/CAC 22/45/4 Add.1
4.3	Codex Committee on Food Hygiene – Comments <a href="#">Competence and Voting Rights are specified in Annex III</a>	CX/CAC 22/45/5 CX/CAC 22/45/5 Add.1

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

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

4.4	<p><b>Codex Committee on Fresh Fruits and Vegetables</b></p> <p>– Comments</p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex IV.</a></b></p>	<p><b>CX/CAC 22/45/6</b></p> <p><b>CX/CAC 22/45/6 Add.1</b></p>
4.5	<p><b>Codex Committee on Contaminants in Foods</b></p> <p>– Comments</p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex V.</a></b></p>	<p><b>CX/CAC 22/45/7</b></p> <p><b>CX/CAC 22/45/7 Add.1</b></p>
4.6	<p><b>Codex Committee on Pesticide Residues</b></p> <p>– Comments</p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex VI.</a></b></p>	<p><b>CX/CAC 22/45/8</b></p> <p><b>CX/CAC 22/45/8 Add.1</b></p>
4.7	<p><b>Codex Committee on Spices and Herbs</b></p> <p>– Comments</p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex VII.</a></b></p>	<p><b>CX/CAC 22/45/9</b></p> <p><b>CX/CAC 22/45/9 Add.1</b></p>
4.8	<p><b>Codex Committee on Residues of Veterinary Drugs in Foods</b></p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex VIII</a></b></p>	<p><b>CX/CAC 22/45/10</b></p>
4.9	<p><b>FAO/WHO Regional Coordinating Committees</b></p> <p>– Comments</p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex IX.</a></b></p>	<p><b>CX/CAC 22/45/11</b></p> <p><b>CX/CAC 22/45/11 Add.1</b></p>
5	<p><b>Editorial amendments to Codex texts proposed by the Codex Secretariat</b></p> <p><b>Mixed Competence / European Union Vote</b></p>	<p><b>CX/CAC 22/45/12</b></p>
6	<p><b>Other Matters related to Codex Subsidiary Bodies</b></p> <p><b>Competence and Voting Rights are specified in <a href="#">Annex X.</a></b></p>	<p><b>CX/CAC 22/45/13</b></p>
7	<p><b>Codex Strategic Plan 2020-2025 – Implementation report 2020-2021</b></p> <p><b>Member States Competence / Member States Vote.</b></p>	<p><b>CX/CAC 22/45/14</b></p>
	<p><b>Results of the 2022 pilot survey on the use and impact of Codex Texts</b></p> <p><b>Mixed Competence / European Union Vote.</b></p>	<p><b>CX/CAC 22/45/14 Add.1</b></p>
8	<p><b>Codex Budgetary and Financial Matters:</b></p> <p><b>Member States Competence / Member States Vote.</b></p>	<p><b>CX/CAC 22/45/15</b></p>
9	<p><b>Matters arising from FAO and WHO</b></p> <p><b>Member States Competence / Member States Vote.</b></p>	<p><b>CX/CAC 22/45/16</b></p>

10	<b>Appointment of Coordinators</b> <b>Member States Competence / Member States Vote.</b>	CX/CAC 22/45/17
11	<b>Election of the Chairperson and Vice-Chairpersons</b> <b>Member States Competence / Member States Vote.</b>	CX/CAC 22/45/18
12	<b>Designation of countries responsible for appointing the Chairpersons of Codex subsidiary bodies</b> <b>Member States Competence / Member States Vote.</b>	CX/CAC 22/45/19
13	<b>60<sup>th</sup> Anniversary of the Codex Alimentarius Commission: 1963-2023</b> <b>Member States Competence / Member States Vote.</b>	CX/CAC 22/45/20
14	<b>Any Other Business</b> <b>Participation of the European Union as adviser to the Member for Europe in the Executive Committee of the Codex Alimentarius Commission</b> <b>Member States Competence / Member States Vote.<sup>3</sup></b>	CX/CAC 22/45/21
15	<b>Adoption of the Report</b> <b>Member States Competence / Member States Vote.<sup>4</sup></b>	

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<sup>3</sup> This is without prejudice to matters related to the competence of the European Union.

<sup>4</sup> 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 Fats and Oils (CCFO)  
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
CCFO	Proposed draft revision to the <i>Standard for Named Vegetable Oils</i> (CXS 210-1999): Essential composition of Sunflowerseed oils <b>Mixed Competence / Member States Vote.</b>	REP22/FO Para. 45, Appendix III	5/8
CCFO	Editorial amendments/changes to the <i>Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk</i> (CXC 36-1987): Appendix 2 <b>European Union Competence / European Union Vote.</b>	REP22/FO Para. 144 (iii), Appendix IX	

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

Codex body	Standard and Related Texts	Reference	Step
CCFO	Proposed draft revision to the <i>Standard for Named Vegetable Oils</i> (CXS 210-1999): inclusion of avocado oil <b>Mixed Competence / Member States Vote.</b>	REP22/FO Para. 82 (i, iv), Appendix IV	5

**Part 3 – Proposals to elaborate new standards and related texts**

Codex body	Texts	Reference	Step
CCFO	Amendment/revision to the <i>Standard for Named Vegetable Oils</i> (CXS 210-1999) to include Camellia seed oil; Sacha inchi oil; High oleic acid soya bean oil <b>Mixed Competence / Member States Vote.</b>	REP22/FO Appendices V, VI, VIII	
CCFO	Amendment/revision to the <i>Standard for Fish Oils</i> (CXS 329-2017) - Inclusion of Calanus oil <b>Mixed Competence / Member States Vote</b>	REP22/FO Appendix VII	

**Work from the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) 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
CCNFSDU	Guidelines for Ready-to-Use Therapeutic Foods (RUTF) <b>European Union Competence / European Union Vote.</b>	REP22/NFSDU Paragraph 126 Appendix II	8

**Work from the Codex Committee on Food Hygiene (CCFH)**  
**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
<b>CCFH</b>	Draft Guidelines for the Management of Biological Foodborne Outbreaks <b>Mixed Competence / European Union Vote.</b>	REP22/FH Para. 31, Appendix II	8
CCFH	Proposed draft revision to the <i>General Principles of Food Hygiene</i> “Tools to determine the critical control points (CCPs)” <b>Mixed Competence / European Union Vote.</b>	REP22/FH Para. 52, Appendix III	5/8

**Work from the Codex Committee on Fresh Fruits and Vegetables (CCFFV)  
for Adoption or Approval by the Commission**

**Part 1 – Standards and related texts submitted for final adoption**

<b>Codex body</b>	<b>Standard and Related Texts</b>	<b>Reference</b>	<b>Step</b>
<b>CCFFV</b>	Proposed draft standard for onions and shallots <b>Mixed Competence / Member States Vote.</b>	REP22/FFV Para. 35, Appendix II	5/8
CCFFV	Proposed draft standard for berry fruits <b>Mixed Competence / Member States Vote.</b>	REP22/FFV Para. 56 Appendix III	5/8
CCFFV	Proposed draft standard for fresh dates <b>Mixed Competence / Member States Vote.</b>	REP22/FFV Para. 78 Appendix IV	5/8
CCFFV	Proposed amendment to the Standard for Bananas (CXS 205-1997) <b>Mixed Competence / Member States Vote.</b>	REP22/FFV Appendix 88 Appendix V	Adoption

**Part 2 – Proposals to elaborate new standards and related texts**

<b>Codex body</b>	<b>Texts</b>	<b>Reference</b>
CCFFV	Proposal for new work on development of standard for Castilla lulo <b>Mixed Competence / Member States Vote.</b>	REP22/FFV, paragraph 84(i)
CCFFV	Proposal for new work on development of Standard for fresh curry leaves <b>Mixed Competence / Member States Vote.</b>	REP22/FFV, paragraph 97(i), Appendix VI

**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**

<b>Codex body</b>	<b>Standard and Related Texts</b>	<b>Reference</b>	<b>Step</b>
<b>CCCF</b>	Code of practice for the prevention and reduction of cadmium contamination in cocoa beans <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 68 Appendix III	8
CCCF	MLs for cadmium in cocoa powder (100% cocoa solids on a dry matter basis) <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 59 Appendix II, Part II	5/8
CCCF	Editorial amendment to the MLs for cadmium in chocolates containing or declaring <30% total cocoa solids on a dry matter basis and chocolates containing or declaring ≥30% to <50% total cocoa solids on a dry matter basis <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 58, Appendix II, Part I	
CCCF	MLs for lead in cereal-based foods for infants and young children, white and refined sugar, corn and maple syrups, honey and sugar-based candies <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 79, 96, 101, 102(i). Appendix IV	5/8
CCCF	MLs for methylmercury in orange roughy and pink cusk eel <b>Mixed Competence / Member States Vote.</b>	REP22/CF para. 112(i) Appendix V	5/8
CCCF	MLs for total aflatoxins in maize grain, destined for further processing; flour meal, semolina and flakes derived from maize; husked rice; polished rice; sorghum grain, destined for further processing; cereal-based food for infants and young children (excluding foods for food aid programs), and cereal-based food for infants and young children for food aid programs <b>European Union Competence / European Union Vote.</b>	REP22/CF Para. 154(i) Appendix VI, Part I	5/8
CCCF	Consequential amendment to the maximum level for DON (deoxynivalenol) in cereal-based foods for infants and young children <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 154 (iii), Appendix VI, Part II	



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

Codex body	Standard and Related Texts	Reference	Step
CCCF	ML for lead in ready-to-eat meals for infants and young children <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 102(ii) Appendix IV	5
CCCF	Code of practice for prevention and reduction of mycotoxin contamination in cassava and cassava-based products <b>Mixed Competence / Member States Vote.</b>	REP22/CF para. 200 (i), Appendix VII	5

## Part 3 – Work proposed for discontinuation

Codex body	Text	Reference	Step
CCCF	Maximum levels for lead in fresh eggs, dried garlic and molasses <b>European Union Competence / European Union Vote.</b>	REP22/CF para. 102 (iii), Appendix VI	

**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	Guidelines for the recognition of active substances or authorized uses of active substances of low public health concern that are considered exempted from the establishment of maximum residue limits or do not give rise to residues <b>European Union Competence / European Union Vote.</b>	REP22/PR para. 196 and App. IX	8
CCPR	MRLs for different combinations of pesticide/commodity(ies) <b>European Union Competence / European Union Vote.</b>	REP22/PR para.151 (i) a), App II	5/8
CCPR	Revision of <i>Classification of Food and Feed</i> (CXG 4-1989): Definitions for edible offal, fat, meat and muscle, including the definitions for the portion of the commodity to which MRLs apply and which is analyzed for fat and muscle) <b>European Union Competence / European Union Vote.</b>	REP22/PR para.188, App VIII	
CCPR	Revision of <i>Classification of Food and Feed</i> (CXG 4-1989), Consequential amendment to Class D – Processed Foods of Plant Origin. Inclusion of additional commodities for citrus fruits pulps (dried) and oils (edible) and soya flour <b>European Union Competence / European Union Vote.</b>	REP22/PR para.176, App VII	

**Part 2 – Work proposed for discontinuation**

Codex body	Texts	Reference
CCPR	MRLs for different combinations of pesticides/commodity(ies) in the Step Procedure recommended for withdrawal (discontinuation) <b>European Union Competence / European Union Vote.</b>	REP22/PR para.151(ii) b), App VI

### Part 3 – Codex standards and related texts proposed for revocation

Codex body	Texts	Reference
CCPR	CXLs for different combinations of pesticide/commodity(ies) proposed for revocation <b>European Union Competence / European Union Vote.</b>	REP22/PR, para.151(i), b), App III
CCPR	Guidelines on the use of mass spectrometry for the identification, confirmation and quantitative determination of residues (CXG 56-2005) <b>European Union Competence / European Union Vote.</b>	REP22/PR, para.234(i)

### Part 4 – Matters for information

Codex body	Texts	Reference
CCPR	Engagement of JMPR in parallel reviews of new compounds (for reference to CCPR): <ul style="list-style-type: none"> <li>Principles and procedures</li> <li>Criteria for selecting the global project manager for the parallel review process</li> </ul> <b>Mixed Competence / European Union Vote.</b>	REP22/PR, para.200, App X
CCPR	Mitigation of trade impacts associated with the use of environmental inhibitors in agriculture <b>Mixed Competence / European Union Vote.</b>	REP22/PR53, para.251

**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
<b>CCSCH</b>	Draft standard for dried floral parts - saffron <b>Mixed Competence / Member States Vote.</b>	REP22/SCH Para. 39, Appendix III	8
CCSCH	Draft standard for dried seeds - nutmeg <b>Mixed Competence / Member States Vote.</b>	REP22/SCH Para. 59, Appendix IV	8
CCSCH	Proposed draft Standard for dried or dehydrated chilli peppers and paprika <b>Mixed Competence / Member States Vote.</b>	REP22/SCH Para. 80, Appendix V	5/8
CCSCH	Amendments to the labelling provisions of non-retail containers in the eight existing spices and culinary herbs (SCH) standards <b>Mixed Competence / European Union Vote.</b>	REP22/SCH Para. 11, Appendix II part A	

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

Codex body	Standard and Related Texts	Reference	Step
CCSCH	Proposed draft standard for dried small cardamom <b>Mixed Competence / Member States Vote.</b>	REP22/SCH Para. 107, Appendix VI	5
CCSCH	Proposed draft standard for spices derived from dried fruits and berries (Part A - Allspice, Juniper berry, Star anise) <b>Mixed Competence / Member States Vote</b>	REP22/SCH Para. 121(i), Appendix VII part A	5

**Work from the Codex Committee on Residues of Veterinary Drugs in Foods**  
**(CCRVDF)**

<b>Codex body</b>	<b>Text</b>	<b>Reference</b>
<b>CCRVDF</b>	Report on Further Informal Consultations on Zilpaterol Hydrochloride by the Chairperson and Vice-Chairpersons of the Codex Alimentarius Commission <b>European Union Competence / European Union Vote.</b>	CX/CAC 22/45/10

**Work from the FAO/WHO Regional Coordinating Committees  
for Adoption or Approval by the Commission**

**Part 1 – Standards and related texts submitted for final adoption**

<b>Codex body</b>	<b>Standard and Related Texts</b>	<b>Reference</b>	<b>Step</b>
<b>CCEURO</b>	Proposed amended text for section 8.2, labelling of non-retail containers, in the Regional Standard for Chanterelles (CXS 40R-1981) <b>Mixed Competence / European Union Vote.</b>	REP22/EURO Para. 21iv, Appendix II	
<b>CCAFRICA</b>	Draft Regional Standard for dried meat <b>Mixed Competence / European Union Vote.</b>	REP22/AFRICA Para. 40(i), Appendix III	8
CCAFRICA	Proposed draft Guidelines for developing harmonized food safety legislation for the CCAFRICA region <b>European Union Competence / European Union Vote</b>	REP22/AFRICA Para. 67, Appendix IV	5/8
CCAFRICA	Proposed revised labelling provisions for non-retail containers in the <i>Regional standard for unrefined shea butter</i> (CXS 325R-2017), the <i>Regional standard for fermented cooked cassava based products</i> (CXS 334R-2020) and the <i>Regional standard for fresh leaves of Gnetum spp.</i> (CXS 335R-2020) <b>Mixed Competence / European Union Vote.</b>	REP22/AFRICA Para. 24(iv), Appendix II	

**Other matters related to Codex Subsidiary Bodies**

Codex body	Standard and Related Texts
CCEXEC	Proposal for revision of the <i>Standard for Kimchi</i> (CXS 223-2001) <b>Mixed Competence / Member States Vote.</b>
CCEXEC	Proposed amendment of the <i>General Standard for Fruit Juices and Nectars</i> (CXS 247-2005) <b>Mixed Competence / Member States Vote.</b>
CCFO	Proposal for revision of the <i>Standard for Milkfat Products</i> (CXS 280-1973) <b>Mixed Competence / European Union Vote.</b>
CCFICS	New work proposal for the development of principles and guidelines on the use of remote audit and verification in regulatory frameworks <b>Mixed Competence / European Union Vote.</b>
CCEURO	Matters from CCEURO for the attention of the Commission <b>Member States Competence / Member States Vote.<sup>5</sup></b>

<sup>5</sup> This is without prejudice to matters related to the competence of the European Union.