

21 January 2015

CODEX COMMITTEE ON FATS AND OILS

(24TH Session)

Melaka, Malaysia, 9-13 February 2015

European Union Comments on

Agenda item 2

Matters Referred by the Codex Alimentarius Commission and other Committees

Part A. MATTERS ARISING FROM THE 36TH AND 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.

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 CCFO.

Does the Committee use any specific criteria for standards development?

No, the Committee applies the priority setting criteria laid down in Procedural Manual, section Criteria for the establishment of work priorities, and the decision-making criteria for the development of standards and guidelines laid down in this manual, particularly in the section 'procedures for the elaboration of Codex standards and related texts'.

Does the Committee intend to develop such criteria?

The EUMS fail to identify any specific need that would justify specific decision-making and priority-setting criteria for the CCFO works and would be of the opinion to continue to refer to

the general ones laid down in the Procedural Manual.
 The EUMS consider that the Committee should ensure that the provisions included in the relevant parts of the Procedural Manual are **strictly applied** and that no proposal for new work is submitted to the CAC if this has not been the case. The EUMS would like to emphasise that more guidance and objective criteria are necessary to assist the CCFO when considering if data on international trade of a given commodity are sufficient or adequate to justify proposals for new work to the CAC.

	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.	<ul style="list-style-type: none"> - 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.
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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.
 How does the Committee identify emerging issues and members needs? Is there a systematic approach? Is it necessary to develop such an approach?
 Emerging issues can be reported by the members directly to the CCFO or by other Committees. This process then leads to the revision or the development of Standards and Guidelines. 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 CCFO.

		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.
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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.	-. # of times the need for scientific advice is: - identified, - requested and, - utilized in a timely manner.
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Question to the Committee:

Is this activity relevant to the work of the Committee?

Yes.

Does the committee request scientific advice in course of its work, how often does it request such advice?

For certain topics CCFO requests scientific advice (e.g. list of acceptable previous cargoes). The periodicity of such request is difficult to establish.

The EUMS also note that, according to the Procedural Manual, the decision to undertake new work or to revise standards shall be taken by the Commission taking into account a critical review conducted by the Executive Committee, which should include a preliminary assessment of the need for expert scientific advice and the availability of such advice from FAO, WHO or other relevant expert bodies, and the prioritisation of that advice.

Does the committee always use the scientific advice, if not, why not?

The Committee uses the scientific advice it has requested, but not all the subjects handled by the Committee need scientific advice. When scientific aspects are related to horizontal issues such as contaminants, food additives, the Committee refer to the relevant Committee/s as laid down in the Procedural Manual. In addition, the Committee uses other sources of scientific advice that are internationally recognised.

		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.	- # of scientists and technical experts as part of Member delegations. - # of scientists and technical experts providing appropriate input to country positions.
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Question to the Committee:

Is this activity relevant to the work of the Committee?

Yes. Scientific and technical expertise is often required to justify the positions advanced by the Members.

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?

It is up to each Member to organise and manage the necessary scientific input with a view to present its positions.

What guidance could be given by the Committee or FAO and WHO?

The EUMS do not believe that a specific guidance is needed on this point.

		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 development of Codex standards.	- # of committee documents identifying all relevant factors guiding risk management recommendations. - # of committee documents clearly reflecting how those relevant factors were considered in the context of standards development.
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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.

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.

		2.1.4: Communicate the risk management recommendations to all interested parties.	Risk management recommendations are effectively communicated and disseminated	- # of web publication/communications relaying Codex standards. - # of media releases disseminating
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			to all interested parties.	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 CCFO. 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 CCFO.</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.</p>				

The EUMS believe that any capacity building activity should be coordinated by the parent organisations in order to avoid inconsistencies and duplication of work.

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.</p>	<p>4.1: Strive for an effective, efficient, transparent, and consensus based standard setting process.</p>	<p>4.1.4: Ensure timely distribution of all Codex working documents in the working languages of the Committee/Commission.</p>	<p>Codex documents distributed in a more timely manner consistent with timelines in the Procedural Manual.</p>	<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.
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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.

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.</p>	<p>Improved efficiency in use of resources by Codex committees and Members</p>	<p>- # of physical working group meetings in conjunction with committee meetings, where appropriate.</p>
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Question to the Committee:

Is this activity relevant to the work of the Committee?

CCFO already schedules Work Group meetings in conjunction with Committee meetings when necessary.

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.

	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.
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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 Committees. 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.

Part B. MATTERS ARISING FROM OTHER CODEX COMMITTEES

European Union Competence

European Union Vote

Endorsement of methods of analysis provisions submitted by CCFO: Standard on Olive Oil and Olive Pomace Oil (CODEX STAN 33-1981)

12. CCMAS34 agreed to replace the current IUPAC method for erythrodiol + uvaol content with COI/T.20/doc. No 30-2013 as proposed by the CCFO. As regards the use of this method for the determination of sterol composition and total sterols, CCMAS34 questioned whether the IOC method was equivalent to ISO 12228:1999 (current method) and agreed to ask CCFO for clarification in this respect.

13. The Committee **is invited** to consider the above request

Taking into account that ISO 12228:1999 does not exist anymore and it was replaced in 2014 by both:

- **ISO 12228-1:2014 - Determination of individual and total sterols contents -- Gas chromatographic method -- Part 1: Animal and vegetable fats and oils** which scope says *“This part of ISO 12228 specifies a procedure for the gas chromatographic determination of the content and composition of sterols in animal and vegetable fats and oils. However, for the determination of the contents and composition of sterols in olive and olive pomace oils, Part 2 of this standard shall be used.”*

- **ISO 12228-2 - Determination of individual and total sterols contents — Gas chromatographic method — Part 2: Olive oils and olive pomace oils.**

The EU considers that instead of ISO 12228:1999 the new ISO 12228-2:2014 has to be used as a reference to an ISO standard for the analysis of sterols in olive oil.

Finally, considering that in the scope of ISO 12228-2:2014 is mentioned that *“This part of ISO 12228 is technically identical to IOC Standard COI/T.20/Doc. No. 30”*, the EU is of the view that ISO 12228-2:2014 and COI/T.20/Doc. No. 30 are equivalent.