

CODEX ALIMENTARIUS COMMISSION

41st Session

Rome, 2-6 July 2018

Comments of the Member States of the European Union on

CL 2018/48-CAC:

**Request for comments on the recommendations on the Committees working by
correspondence and pilot for a Committee on Standards Advancement
(CX/CAC 18/41/12)**

***Member States Competence
Member States Vote***

The Member States of the European Union (MSEU) welcome the revised document prepared by the Codex Secretariat on Committees working by correspondence. The MSEU would like to provide general comments on the Codex Secretariat's analysis of the different options available where Committees are working by correspondence as well as comments on the implementation of a pilot for a Codex Committee on Standard Advancement.

General Comments

The MSEU identify a clear need for procedural guidance where new work is initiated or continues by correspondence after Committees have been adjourned *sine die*. Amendments to the Codex Procedural Manual would be necessary in order to codify the step-wise approach that needs to be followed in the different case scenarios.

The MSEU strongly believe that the Codex core values of inclusiveness, transparency and consensus need to be respected whatever standard setting procedure CAC might decide to follow. This requires in certain cases or in certain phases of the process interactive exchanges and discussions among the membership, which usually take place in physical meetings. We would therefore welcome a clear procedure which would be followed to revert to physical meetings in cases where the issue dealt with by correspondence becomes too complex and/or controversial.

Experience has shown that Committees working by correspondence face several challenges, including the need to ensure adequate representation of different Codex regions and the consensus-based elaboration of standards. In particular, adequate participation of Codex members at an early stage of the work needs to be encouraged, so as to ensure that the necessary quorum is met. For this reason, the MSEU would propose to explore the possibility of agreeing on the basic principle that work by correspondence on a new standard should only be undertaken when a sufficient number of Codex members have registered to participate in this new work.

Comments on the Codex Secretariat's analysis of the different options available where Committees are working by correspondence

The MSEU take note of the different options set out in document **CX/CAC** 18/41/12 and agree with the recommendation to start new work on procedural gaps and on procedural guidance for each option. We consider that this new work should be assigned to CCGP with a view enabling inclusive and transparent discussions among all Codex members and observers. These discussions should take place as early as possible.

We would also like to underline the need to maintain flexibility in the choice of working methods and to explore all the options analysed in document **CX/CAC** 18/41/12. Decisions on how to deal with new work or to continue working on a given draft standard should be taken on a case-by-case basis. In fact, while some of the new work might warrant the creation of a new Task Force or Committee (e.g. antimicrobial resistance), others could be dealt with by existing active Committees (e.g. guidance on histamine control) or by reactivating adjourned Committees.

The MSEU believe furthermore that only new work on standards of regional interest should be assigned to Regional Committees. This option should indeed not introduce the possibility of mandating Regional Committees to elaborate standards that are meant to be applied globally.

The MSEU agree with the Codex Secretariat's analysis that certain options could have an important impact on costs, as well as on the already heavy workload for Codex members and the Codex Secretariat.

Comments on the implementation of a pilot for a Codex Committee on Standard Advancement (CCSA)

Following up on the conclusions in the CAC40 report (paragraphs 144, 145 as well as 150 – 152), the MSEU support the implementation of a pilot for a Codex Committee on Standards Advancement (CCSA) according to rule XI (Subsidiary Bodies) of the Procedural Manual as a tool to be developed for isolated work.

During this pilot, the CCSA should deal with the advancement of standards under development for a long time and for which there is currently no Committee that holds physical meetings (e.g. adjourned Committees which were reactivated).

This would provide Codex with the possibility to determine operability and efficiency for the advancement of standards that were worked on for a long time by correspondence only. This tool could then be used whenever deemed necessary.

The MSEU would appreciate more information about the proposed best practice for standard development by correspondence, as it seems to be a good starting point for this work.

If the Codex members agree on the need to schedule a pilot meeting of the CCSA before the next CAC, we would suggest considering the possibility of also scheduling such a session back-to-back with the next CCGP session.