

C O D E X A L I M E N T A R I U S C O M M I S S I O N



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

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REP12/CAC

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

C O D E X A L I M E N T A R I U S C O M M I S S I O N

Thirty-fifth Session

FAO Headquarters, Rome, Italy

2-7 July 2012

REPORT

EXECUTIVE SUMMARY

The Commission:

- a) Adopted several amendments to the Procedural Manual;
- b) Adopted 20 new or revised Codex standards or related texts or amendments to these texts and many new or revised provisions for additives and MRLs for pesticides and veterinary drugs;
- c) Adopted 8 Codex draft standards or related texts and several MRLs for pesticides at Step 5;
- d) Approved several proposals for new work or discontinuation of work, and revoked several standards and related texts;
- e) Agreed to consider further at its next session the issues related to possible work on a standard for processed cheese;
- f) Noted the Codex budget and expenditure for 2010-2011 and the budget for 2012-2013; expressed its thanks to FAO and WHO for their support to the Codex programme and the provision of scientific advice; noted the critical funding situation of FAO/WHO scientific advice; agreed with the establishment of a sub-committee of the Executive Committee to consider this issue and prepare proposals for consideration at its 36th Session; and invited member countries to provide support to FAO and WHO expert bodies;
- g) Noted the status of the implementation of the Strategic Plan 2008-2013; considered the draft Strategic Plan 2014-2019 as revised by the Executive Committee and agreed on the process for its further development;
- h) Considered the Annual Report (2011) and 16th Progress Report of the FAO/WHO Project and Trust Fund for Enhanced Participation in Codex, including the implementation of the mid-term review, and expressed its thanks to FAO, WHO and donor countries for their support to the Trust Fund;
- i) Supported continued cooperation and coordination with international governmental and non-governmental organizations; and
- j) Re-elected as Chairperson Mr Sanjay Dave (India), and as Vice-Chairpersons: Dr Samuel Godefroy (Canada), Mrs Awilo Ochieng Pernet (Switzerland), and Professor Samuel Sefa-Dedeh (Ghana).

TABLE OF CONTENTS

Paragraphs

INTRODUCTION	1-8
ADOPTION OF THE AGENDA	9-10
REPORT BY THE CHAIRPERSON ON THE 66TH AND 67TH SESSIONS OF THE EXECUTIVE COMMITTEE	11-16
PROPOSED AMENDMENTS TO THE PROCEDURAL MANUAL	17-27
DRAFT STANDARDS AND RELATED TEXTS AT STEP 8 OF THE PROCEDURE	28-29
Nutrition and Foods for Special Dietary Uses	30-32
Food Hygiene	33-36
Methods of Analysis and Sampling	37-38
Food Additives	39-47
Contaminants in Foods	48-49
Pesticide Residues	50-54
Residues of Veterinary Drugs in Foods	55-58
Food Labelling	59-66
Standards and Related Texts held at the Commission at Step 8	
Draft MRLs for Bovine Somatotropin	67-86
Draft MRLs for Ractopamine (pig and cattle tissues: muscle, liver, kidney and fat)	87-120
PROPOSED DRAFT STANDARDS AND RELATED TEXTS AT STEPS 5 OF THE PROCEDURE	121-129
REVOCATION OF EXISTING CODEX STANDARDS AND RELATED TEXTS	130-133
AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS	134-136
PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK	
Elaboration of New Standards and Related Texts	137-151
Discontinuation of Work	152
MATTERS REFERRED TO THE COMMISSION BY CODEX COMMITTEES AND TASK FORCES	153-178
STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION	
(a) General Implementation Status	179-182
(b) Draft Codex Strategic Plan 2014-2019	183-202
MATTERS ARISING FROM FAO AND WHO	
(a) FAO/WHO Project and Trust Fund for Enhanced Participation in Codex	203-212
(b) Other Matters Arising from FAO and WHO	213-219

FINANCIAL AND BUDGETARY MATTERS	220-235
RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS	236-271
ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS	272
DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES AND TASK FORCES	273-274
OTHER BUSINESS	275-285

APPENDICES

	Page
I LIST OF PARTICIPANTS	41
II AMENDMENTS TO THE PROCEDURAL MANUAL	101
III LIST OF STANDARDS AND RELATED TEXTS ADOPTED BY THE 35 TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION	102
IV LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5 BY THE 35 TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION	105
V LIST OF STANDARDS AND RELATED TEXTS REVOKED BY THE 35 TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION	106
VI LIST OF DRAFT STANDARDS AND RELATED TEXTS APPROVED AS NEW WORK BY THE 35 TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION	107
VII LIST OF WORK DISCONTINUED BY THE 35 TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION	109
VIII CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES	110

INTRODUCTION

1. The Codex Alimentarius Commission held its Thirty-fifth Session in Rome, Italy from 2 to 7 July 2012. Mr Sanjay Dave (India), Chairperson of the Commission presided over the Session, assisted by the Vice-Chairpersons, Dr Samuel Godefroy (Canada), Mrs Awilo Ochieng Pernet (Switzerland), and Professor Samuel Sefa-Dedeh (Ghana). The Session was attended by 623 delegates from 147 Member countries and 1 Member Organization, 37 international governmental and non-governmental organizations, including UN agencies. A list of participants, including the Secretariat, is given in Appendix I to this report.

2. The session was opened by Mr José Graziano da Silva, Director-General FAO, who welcomed the Commission to Rome. He said that the objectives of the Commission to protect the health of consumers and ensure fair practices in the food trade were more relevant today than ever. He explained the FAO strategic thinking process that he had started to define the future strategic direction of FAO based on five strategic objectives dealing with eradicating hunger, increasing food production sustainably, improving livelihoods of rural populations, enabling inclusive and efficient agricultural and food systems locally to internationally, and increasing the resilience of rural livelihoods to crises. He said that Codex contributed importantly to these objectives because eradicating hunger was impossible without having safe and nutritious food. Food safety crises could cause unnecessary hardships and changes in production had important implications for food safety and quality. The role of Codex had become even more significant since it had been referenced in the WTO SPS agreement.

3. The Director-General praised the inclusiveness, universality and transparency of the Commission seen at the level of participation of civil society that had inspired other FAO fora. He also welcomed the increasing level of participation of developing countries, in many cases assisted by the Codex Trust Fund which had been so successful that now in some cases previous beneficiaries had become contributors. He stressed the importance of ensuring that this participation was sustainable and further improved, noting that the life span of the Trust Fund ended in 2015. He also stressed the need to ensure funding for independent scientific advice to Codex and to the Codex Secretariat. He noted that in a large membership finding a consensus could be difficult and urged the Commission to address the underlying issues of disagreements while keeping in mind the objectives of the Commission. In light of the proliferation of private standards he proposed to use the occasion of the 50th anniversary of the Commission in 2013 to promote Codex as the only acceptable forum of international food safety standards. He assured delegates of the continuing commitment of FAO to provide Codex with the required resources.

4. Dr Angelika Tritscher, Acting Director, Department of Food Safety and Zoonoses, WHO, welcomed the Commission on behalf of WHO Director-General Dr Margaret Chan. She said that in light of challenges such as globalization, urbanization, climate change and changing food production systems, the work of the CAC was becoming ever more important to contribute to a decreased global health burden and to increased global health security. She mentioned that the UN conference on sustainable development, Rio +20 had expressed deep concern, about the level of extreme poverty and undernourishment in the world and the omnipresent health threats such as epidemics or pandemics. She said that recent food related outbreaks had contributed to such threats. She informed the Commission that the WHO reform process driven by WHO Member States had resulted in concentrating on 5 technical categories: communicable diseases; non-communicable diseases; health through the life course; health systems; and the preparedness-surveillance-response area, which included the important aspect of prevention under which the work of this Commission fell.

5. Dr Tritscher said further that the Rio+20 declaration had stressed the need for a sound evidence base for decision-making. In line with this thinking, WHO had implemented a rigorous process for systematic reviews to assure a consistent and sound scientific basis for its work, which was also relevant for the scientific advice provided by FAO and WHO as the basis for Codex food standards. She praised Codex as a model of effective collaboration in the UN system and said that WHO and FAO were working together to ensure the widest and most effective participation possible in Codex through the Codex Trust Fund and thanked those countries who had contributed to the trust fund. She concluded by saying that Rio+20 participants had reaffirmed their commitment to enhancing food security and access to adequate, safe and nutritious food for present and future generations, which showed the important link between food safety and food security, and to nutrition. She assured the Commission of the full commitment of WHO to the work of Codex and Codex-related matters which are an important contribution to achieve these goals and thereby improving global public health.

6. The Chairperson of the Commission also welcomed the delegations to Rome. He said that, as the Commission was approaching its 50th anniversary, one should praise the foresight of FAO and WHO to establish Codex to ensure food safety and quality to complement food security. Global trade in food products had grown immensely since then and the Commission had contributed to this growth. Recent years however, had seen a proliferation of private standards, which had led to difficulties in market access for the small and marginal farmers in developing countries. The Chairperson stressed the need to ensure that Codex remained the pre-eminent food standards setting organization through greater acceptability and visibility, e.g. using a Codex logo.

7. The Chairperson said that the pre-eminence of Codex standards came through greater contribution of developing countries to the Codex process. Effective participation of developing countries in Codex had grown thanks to the consistent efforts of FAO and WHO for capacity building and financial support from the Codex Trust Fund. He noted that the Codex Strategic Plan for 2014-2019 was scheduled for discussion at the current session and was scheduled for adoption in 2013, so there was a need to make substantial progress on the document. The Chairperson urged the Commission to address difficult issues in the spirit of giving and moving from national positions. Concluding, he thanked the staff of FAO, WHO and the Codex Secretariat for their work and appealed to FAO, WHO and members to provide them with the necessary support.

Division of Competence

8. The Commission noted the division of competence between the European Union and its Member States, according to paragraph 5, Rule II, of the Rules of Procedure of the Codex Alimentarius Commission, as presented in document CRD 1.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

9. The Commission adopted the Provisional Agenda as its Agenda for the session. The Commission agreed to discuss the following under item 16: (a) Proposal for use of a Codex logo; (b) Celebration of the 50th anniversary of the Commission; (c) the proposal for the establishment of a Codex Committee for Herbs and Spices and their formulations (CX/CAC 12/35/19 (India)); and (d) Information on the upcoming session of the Codex Committee on Fish and Fishery Products in Indonesia.

10. The Commission agreed to the proposal of the Chairperson to hold an in-session facilitated discussion on the MRLs for ractopamine on the second day of the Commission, facilitated by the Chairperson.

REPORT BY THE CHAIRPERSON ON THE 66th and 67th SESSIONS OF THE EXECUTIVE COMMITTEE (Agenda Item 2)²

11. In accordance with Rule V.7 of the Rules of Procedure, the Chairperson reported to the Commission on the outcome of the 66th and 67th sessions of the Executive Committee, and noted that the recommendations from these sessions on specific questions would be considered under the relevant Agenda items.

12. As regards the critical review, the Committee had considered at its 66th Session the status of elaboration of Codex standards and at its 67th Session the standards submitted for adoption and new work proposals.

13. The Committee had discussed in detail the draft Codex Strategic Plan 2014-2019 in the light of the comments received from Members and the revised text was attached to the report of the 67th Executive Committee, for consideration at this Session under Agenda 10(b). A sub-committee of the Executive Committee was set up, to work through the coming year to ensure that, after consideration of the revised draft by the Coordinating Committees, a final draft would be available by March 2013 for consideration and adoption by the 36th Session of the Commission (2013).

14. Both sessions of the Executive Committee had discussed issues relating to the Codex budget as well as progress under the Codex Trust Fund. Both sessions of the Executive Committee had deliberated on scientific advice, noting the critical funding situation for this important activity. The discussion paper on the funding for scientific advice prepared by the Member for Europe in cooperation with the Member for North America and other members had been discussed in detail and a sub-committee of the Executive Committee was set-up to explore additional funding options for the sustainability of scientific advice.

¹ CX/CAC 12/35/1.

² REP12/EXEC1, REP12/EXEC2.

15. The 66th Session had discussed the possibility of using a web-based platform for electronic working groups to facilitate submission of comments and had agreed that the Codex Secretariat would further identify the tools available, development costs and training needs of countries.

16. The 67th Session had recommended the development of a Codex logo with a view to promoting it internationally for greater visibility of Codex, together with a communication strategy to be prepared for the next session. It had also considered proposals to celebrate the 50th anniversary of the Commission's sessions in 2013 and agreed to establish an organising committee for this purpose. Both items will be discussed under Agenda 16 - Other Business.

PROPOSED AMENDMENTS TO THE PROCEDURAL MANUAL (Agenda Item 3)³

Provisions on the Use of Proprietary Methods in Codex Standards

17. The Delegation of India proposed to refer the draft provisions back to the CCMAS for further consideration, as the use of proprietary methods raised several concerns and had important implications for governments, and the draft had been finalized in only one session, while some countries could not attend the last session.

18. The Chair of the CCMAS clarified that the question of proprietary methods had been discussed for three years and that at the last session the proposed text had been agreed unanimously.

19. After some discussion, the Commission adopted the text as proposed.

Risk Analysis Principles and Procedures Applied by the Codex Committee on Food Hygiene

Risk Analysis Principles Applied by the Codex Committee on Food Additives

Risk Analysis Principles Applied by the Codex Committee on Contaminants in Foods

20. The Commission adopted the texts as proposed.

Definition of “Contaminant”

21. The Commission recalled that the revision of the definition of contaminant followed the revision of the Risk Analysis Principles applied by the Codex Committee on Contaminants in Foods and the revision of the Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals to make it more explicit as regards its applicability to feed as recommended by the 33rd Session of the Commission.

22. A Delegation requested clarification as to whether the revised definition excluded substances intentionally added to feed and whether residues of veterinary drugs in food of animal origin as carry over from feed (i.e. medicated feed) would be included in the revised definition. The Delegation also suggested that a review of the Section on contaminants in the Format of Commodity Standards may be needed, with the revision of the definition (Procedural Manual, 20th edition, page 52).

23. The Commission noted that the Committee on Residues of Veterinary Drugs in Foods had the responsibility for feed additives when establishing maximum residue limits for veterinary drugs in food of animal origin arising from the addition of veterinary drugs to feed (i.e. medicated feed).

24. The Commission adopted the revised definition of “contaminant” as proposed by the Committee and endorsed by the Committee on General Principles. In addition, as part of the ongoing editorial revision of the GSCTFF, the Commission requested the Committee to look into the relevant sections of the General Standard e.g. Section 1.1 (Scope) and 1.2.2 (List of substances that meet the definition of contaminants) to fix any possible discrepancy in relation to the revised definition and the issue of feed additives / feed additive residues.

Proposed revision of the Risk Analysis Principles Applied by the CCRVDF and of the Risk Assessment Policy for Residues of Veterinary Drugs in Foods

25. Some delegations were of the opinion that the text should be retained as it had not been reviewed by the Committee on General Principles (CCGP) due to the schedule of meetings.

26. The Commission adopted the text as proposed and noted that the CCGP could review the document for consistency at its next session.

³ CX/CAC 12/35/2 and-Add.1, CX/CAC 12/35/2-Add.2 (Comments of Brazil, Colombia and Kenya), CRD 7 (Nigeria), CRD 10 (Philippines), CRD 12, (Indonesia), CRD 13 (India), CRD 14 (Dominican Republic), CRD 16 (Peru), and CRD 17 (Honduras).

27. The amendments to the Procedural Manual are presented in Appendix II.

DRAFT STANDARDS AND RELATED TEXTS AT STEP 8 OF THE PROCEDURE (INCLUDING THOSE SUBMITTED AT STEP 5 WITH A RECOMMENDATION TO OMIT STEPS 6 AND 7 AND AT STEP 5 OF THE ACCELERATED PROCEDURE) (Agenda Item 4)⁴

28. Taking into consideration the recommendation of the 67th Session of the Executive Committee in performing the critical review, the Commission adopted the Draft Standards and Related Texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5 with a recommendation to omit Steps 6 and 7), as well as other standards and related texts submitted for adoption, as presented in Appendix III to this report. The standards and related texts were adopted as endorsed by the relevant committees as regards provisions for food additives, food hygiene, food labelling and methods of analysis and sampling, including editorial changes.

29. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Proposed Draft Nutrient Reference Values (NRVs)⁵

30. The Delegation of Malaysia did not support the adoption at Step 5/8 because several major issues that would be considered in the Proposed Draft General Principles for Establishing Nutrient Reference Values for Nutrients Associated with the Risk of Diet-Related Non-communicable Diseases for General Population, currently at Step 3, were not solved. The Delegation was of the view that the adoption of NRVs for saturated fatty acids and sodium, before the draft principles and criteria had been fully resolved was inconsistent with the decision of the 30th CCNFSDU (2008) to develop principles and criteria for the development of NRVs-NCD, and then select and prioritize nutrients for NRVs. This view was supported by an Observer.

31. The WHO Representative informed the Commission of the work undertaken by the WHO Nutrition Guidance Expert Advisory Group (NUGAG) Subgroup on Diet and Health. Systematic reviews had been undertaken to update the guidelines on sodium, potassium, total fat and sugars intake. Regarding **sodium**, the guidelines are for reducing blood pressure and risk of cardiovascular disease (CVD), stroke and coronary heart disease (CHD) in adults and for reducing blood pressure in children. In developing the recommendations, the NUGAG reviewed the issues related to thresholds as well. Regarding **saturated fatty acids (SFA)**, WHO is undertaking the systematic reviews to address health outcomes such as CHD, blood lipids, stroke, diabetes, CVD and all-cause mortality. This work also includes the assessment of thresholds for the prevention of the non-communicable diseases mentioned.

32. The Commission agreed to adopt the Proposed Draft NRVs at Step 5 for further consideration by the CCNFSDU in the light of the outcome of the WHO work on sodium and saturated fatty acids.

Food Hygiene (CCFH)

Proposed Draft Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food⁶

33. The Delegation of Norway, while not opposed to the adoption of the Guidelines, expressed the view that there was a need for more communication and cooperation among committees, so as to avoid duplication of work and to ensure that readers of Codex texts would find all relevant information on one subject in one document. The Delegation informed the Commission that Norway had raised this general issue in the Committee on General Principles (CCGP) and that CCGP had agreed to consider this question at its next session.

⁴ CX/CAC 12/35/3; CX/CAC 12/35/3-Add.1; CX/CAC 12/35/3-Add.2; CX/CAC 12/35/4 (Comments of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, European Union, Japan, Malaysia, Netherlands, Paraguay, Republic of Korea, United States of America, IFU); CRD 2 (Comments of Brazil, Argentina, Chile, Costa Rica, Cuba, Dominican Republic, Federation of St Kitts and Nevis, Paraguay, Suriname); CRD 5 (Comments of Kenya); CRD 6 (comments of European Union); CRD 7 (Comments of Nigeria); CRD 8 (Comments of Papua New Guinea); CRD 10 (Comments of Philippines); CRD 11 (Comments of IFAH); CRD 12 (Comments of Indonesia); CRD 13 (Comments of India); CRD 14 (Comments of Dominican Republic); CRD 16 (Comments of Peru); CRD 17 (Comments of Honduras); CRD 18 (Comments of Haiti); CRD 19 (Comments of Dominica); CRD 20 (Comments of Malaysia); CRD 21 (Comments of European Union); CRD 22 (Comments of CI).

⁵ REP12/NFSDU para. 76, Appendix III.

⁶ REP12/FH, para.50, Appendix III.

34. The Delegation of the United States, speaking as Chair of the CCFH, pointed out that while there was a need for increased communication between Codex Committees, texts developed by general subject committees are used very broadly and should be easily accessible to all and it might not be convenient for users to search through various specific texts for general guidance.

35. Noting the above, the Committee adopted the proposed Draft Guidelines with some editorial amendments as proposed in CX/CAC 12/35/4. The Commission further agreed to forward the Guidelines to the Committee on Fish and Fishery Products (CCFFP) for their information and/or comment.

Proposed Amendment to the Principles and Guidelines for the Conduct of Microbiological Risk Assessment⁷

36. The Committee adopted the proposed Amendment with an amendment to better indicate the conditional applicability of the risk assessment principles to feed and feed ingredients as follows: “These principles for risk assessment also apply to feed and feed ingredients for food-producing animals in cases where it could impact food safety.”

Methods of Analysis and Sampling (CCMAS)⁸

Methods of Analysis in Codex Standards at different steps, including methods of analysis for food grade salt

37. The Commission adopted the methods of analysis as proposed with the amendments proposed by Argentina⁹.

38. With regard to the method of analysis for total nitrogen in fish sauce, the Committee agreed with the method proposed by CCMAS because another proposed method, AOAC 981.10, is not applicable to the commodity.

Food Additives (CCFA)

Draft and Proposed Draft Food Additive Provisions of the General Standard for Food Additives (GSFA)¹⁰

39. A number of delegations proposed to discontinue the provisions for phosphates associated with the four food categories related to vegetable juices and nectars and their concentrates. These delegations noted that these provisions were associated with Note 40 “INS 451i (pentasodium triphosphate) only, to enhance the effectiveness of benzoates and sorbates” and that there were no provisions for benzoates and sorbates in the four food categories (the 44th CCFA had decided to discontinue work on the provisions of sorbates in these food categories). One Observer recalled that at the 40th CCFA they had proposed to associate to the provisions for phosphates Note 40 and Note 122 “Subject to national legislation of the importing country” for consistency with the provisions for the four food categories for fruit juices and nectars and their concentrates (i.e. 14.1.2.1, 14.1.2.3, 14.1.3.1 and 14.1.3.3) and that the use of preservatives in these food categories was essential to take account of the extreme temperatures in certain countries. It was also noted that the GSFA included a provision for benzoates in food category 14.1.3.4 “Concentrates for vegetable nectar”.

40. A number of delegations did not support the adoption of the proposed maximum level of 200 mg/kg for sorbates in food category 08.4 “Edible casings (e.g. sausage casings)” as the level was not sufficient to achieve its technological function in collagen casing. It was also noted that this problem could be indicative of a broader problem related to the use of food additives in edible casing and that it would be appropriate for the CCFA to review all provisions for food category 08.4 to avoid any inconsistencies.

41. The Commission adopted the draft and proposed draft food additive provisions as proposed by the CCFA, with the exception of: (i) the provisions for phosphates in food categories 14.1.2.2 “Vegetable juice”; 14.2.2.4 “Concentrates for vegetable juices”; 14.1.3.2 “Vegetable nectars” and 14.1.3.4 “Concentrates for vegetable nectar” that were returned to the CCFA for a review of the use of phosphates, benzoates and sorbates for the purpose of ensuring consistency; and (ii) the provisions for sorbates in food category 08.4 “Edible casings (e.g. sausage casings)” for further consideration.

⁷ REP12/FH, para.118 and Appendix IV.

⁸ REP 12/MAS, paras 23 - 60, Appendix III).

⁹ CX/CAC 12/35/4.

¹⁰ REP12/FA para.131, Appendix VI.

42. The Commission noted the reservations of the European Union, supported by Croatia, Egypt and Norway, for the provisions for:

- Caramel III (INS 150c) and caramel IV (INS 150d), due to safety concerns.
- The use of colours in food categories related to cocoa-based confectionary products; namely, the provisions for carotenes-beta, vegetable (INS 160a(ii)) and grape skin extracts (INS 163(ii)) in food categories 05.1.3 “Cocoa-based spreads, including filling” and 05.1.4 “Cocoa and chocolate products”, as this use could mislead consumers.
- Para-hydroxybenzoates (INS 214; 218) and sorbates (INS 200-203) in food category 04.1.2.5 “Jams, jellies and marmelades”, which were not technologically justified other than in low sugar versions of this food category.

43. The Commission further noted the reservations of Chile for the provision for erythrosine (INS 127) in food category 08.3 “Processed comminuted meat, poultry and game products”, which could mask poor hygienic practice, and of the United States of America for the provisions for carotenoids (INS 160a(i), 160a(iii), 160e, 160f) and erythrosine (INS 127).

Draft Revision of the Standard for Food Grade Salt (CODEX STAN 150-1985)¹¹

44. Some delegations made comments on sections, namely Section 3 Essential Composition and Quality Factors” and Section 8 “Packaging, Transportation and Storage”, which were outside of the scope of the CCFA revision. The Commission noted that delegations could present proposals for new work on the revision of these sections to the CCFA.

45. The Commission adopted the revision of the Standard, as proposed by the CCFA, and noted the reservation of Colombia.

Proposed draft Amendments to the International Numbering System (INS) for Food Additives¹²

46. The Commission recalled that the 67th CCEXEC had noted that the INS number for sodium potassium hexametaphosphate should be corrected to read 452(vi) and had recommended not to adopt the new INS 561, erroneously associated with potassium aluminium silicate¹³.

47. The Commission adopted the proposed draft amendments to the INS as proposed by the CCEXEC and recommended to the CCFA to reconsider a new INS number for “potassium aluminium silicate, based pearlescent pigments” on the basis of the description of the specifications monograph prepared by the 74th JECFA.

Contaminants in Foods (CCCF)

Revision of the Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals¹⁴

48. The Commission agreed to include a footnote to the term “feed” in paragraph 4 of the Code to make it clear that the ALARA Principle (“as low as reasonably achievable”) applied to maximum levels of contaminants from feed as carry-over into food of animal origin which were relevant to public health in accordance with the use of this Principle in the General Standard for Contaminants and Toxins in Food and Feed. It was noted that the addition of this note was for clarification purposes and did not change the content of the provisions in the Code.

49. The note would read as follows: The General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995) limits application of the ‘as low as reasonably achievable’ concept to feed to those contaminants than can be transferred from feed to food of animal origin and thereby can be relevant for public health.

¹¹ REP12/FA para.141, Appendix XI.

¹² REP12/FA para.152, Appendix XII.

¹³ REP 12/EXEC 2, paras 9-12.

¹⁴ REP12/CF para. 38, Appendix III.

Pesticide Residues (CCPR)

*Draft and proposed draft maximum residue limits for pesticides in food and feed*¹⁵

50. The Delegation of the European Union expressed its reservation on a number of MRLs proposed for the following pesticide / commodity combinations: tebuconazole (lettuce, head); acephate / methamidophos (rice); hexythiazox (hops, dry and tea, green, black (black, fermented and dried)); tebuconazole (table grapes, dried grapes, peaches (includes nectarines at EU level), apples, pears, peppers, cherries and apricots); pyraclostrobin (papaya, citrus, oilseeds (except peanuts)); spirotetramat (edible offal (mammalian)); acetamiprid (spring onions and plums) and isopyrazam. The rationale for the reservations is explained in CX/CAC 12/35/4. The Delegation of Norway also expressed its reservation in this regard.

51. The Delegation of Egypt expressed its reservation on the following pesticide / commodity combinations: methamidophos in rice, husked and rice straw and fodder, dry; profenofos in peppers chilli and peppers chilli, dried and tebuconazole in wheat and wheat straw and fodder, dry as the MRLs proposed would adversely affect consumers' health due to high national consumption patterns for these products.

52. The Delegation of Colombia noted that the MRLs proposed for acephate and methamidophos in rice, husked should be adopted at Step 5 only and be further considered by the Committee on Pesticide Residues as the national consumption data for this product exceeded the Acceptable Daily Intake (ADI) established by the Joint FAO/WHO Expert Meeting on Residues of Pesticides (JMPR) therefore the MRLs proposed would not protect consumers' health.

53. The Representative of WHO clarified that, when estimating exposure from long term consumption, the consumption figure was based on the figure for cluster K in which Colombia was represented. This figure was an average for countries within the cluster so values for individual countries could be above or below. Since the total exposure for long term consumption was below 10% of the ADI, even higher consumption of rice should not present a health concern.

54. The Commission adopted all the draft and proposed draft MRLs for the various pesticide / commodity combinations as proposed by the CCPR while noting the reservations of the European Union, Norway, Egypt on a number of MRLs as indicated above and the reservation of Colombia on acephate and methamidophos in rice, husked.

Residues of Veterinary Drugs in Foods (CCRVDF)

*Draft MRLs for Narasin (cattle tissues)*¹⁶

55. The Commission adopted the draft MRLs for narasin in cattle tissues, as proposed by the CCRVDF.

56. The Commission noted the reservation of the Delegations of the European Union, Norway and Switzerland because narasin in cattle is used for growth promotion.

*Proposed draft MRLs for Amoxicillin (cattle, sheep and pig tissue and cattle and sheep milk) and Monensin (cattle liver)*¹⁷

57. The Commission adopted the proposed draft MRLs for amoxicillin and monensin, as proposed by the CCRVDF, and noted that the proposed draft MRL for monensin in cattle liver, would replace the MRLs adopted at its 32nd Session.

58. The Commission noted the reservation of Egypt to the adoption of the proposed draft MRL for monensin, as they suggested retaining the previous one.

Food Labelling (CCFL)

*Draft Revision of the Guidelines on Nutrition Labelling (CAC/GL 2-1985) concerning a new definition of "nutrient reference values"*¹⁸

59. The Delegation of Malaysia, while not opposing the adoption of the new definition on "nutrient reference values", entered a reservation on the inclusion of the sentence "or with the reduction in the risk of diet-related non-communicable diseases".

¹⁵ REP12/PR paras 28-85, Appendix II and Appendix III

¹⁶ REP12/RVDF para. 65, Appendix III.

¹⁷ REP12/RVDF para. 65, Appendix IV.

¹⁸ REP12/FL, para. 46, Appendix IV.

60. The Commission adopted the definition as proposed by the CCFL, noting the reservation from Malaysia.

Proposed Draft Revision of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997) concerning a new definition for “non-addition claim”, conditions for free of salt claims, amendments to the section on comparative claims and conditions for non-addition of sugars claims¹⁹

61. The Delegation of Malaysia reiterated their position that they did not support the addition of Section 6.4 on comparative claims for trans-fatty acids associated with saturated fatty-acids content. They maintained that any claims for trans-fatty acids should not be associated with saturated fatty acids or vice versa as these fatty acid components were not comparable in their definitions and their effects on health.

62. The Delegation of Malaysia also sought clarification on the status of Section 6.3 on comparative claims. They recalled that the CCFL had agreed to request advice from the CCNFSDU whether the condition for 10% of the NRV for comparative claims for micronutrient was still in line with current evidence-based guidance on micronutrients, particularly in light of the work being undertaken on NRVs. The Delegation sought the Commission’s advice on whether the procedure allowed to adopt this Section at Step 5/8 before receiving the advice from CCNFSDU.

63. The Delegation of Canada, speaking as Chair of the CCFL, noted there had been no support for the position of Malaysia on 6.4 in the Committee. Concerning the question on 6.3 he clarified that the revision proposed by the CCFL related to the fact that sodium had been explicitly included under the comparisons with a relative difference of 25%, however, no change to the existing text had been proposed to the part on micronutrients. If the advice of the CCNFSDU would eventually result in a change, this was not related to the present work but a separate amendment.

64. The Commission adopted the revision as proposed by the CCFL at steps 5/8 noting the reservations from Malaysia on 6.3 and 6.4.

Proposed/Draft amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods* (CAC/GL 32-1999): use of ethylene for ripening of fruit (Step 8) and inclusion of new substances (Step 5A)²⁰

65. Some delegations commented that the use of ethylene in organic production should be re-examined in light of new findings on the risks to operators and other concerns. The Delegation of Egypt also mentioned that the use of ethylene for inhibiting sprouting in onions and potatoes should require special attention.

66. The Commission adopted the proposed draft/draft amendments at Steps 8 and 5A respectively and noted that further concerns on risks of ethylene could be addressed in the CCFL. The Commission noting also that the use of ethylene as sprouting inhibitor was still under discussion in the CCFL.

Standards and Related Texts Held at Step 8 by the Commission

Draft MRLs for bovine somatotropin²¹

67. The Commission recalled that its 34th Session had requested the Codex Secretariat to prepare a paper on the history of the discussion of the MRLs for bovine somatotropin (bST) in cattle tissues in Codex, including a summary of the JECFA evaluation.²² This had been in response to concerns raised by some delegations regarding the delay in taking a decision on these MRLs, which had been held at Step 8 since its 23rd Session (1999).

68. The Commission recalled the sequence of the discussions and decisions on this issue in the CCRVDF and in the Commission as well as the consideration of “other legitimate factors” in relation to bST in the CCGP. The Commission further recalled the main outcome of the evaluation of bST by the 40th and 50th Meetings of JECFA.

Discussion

69. In the discussion delegations were split between those supporting the adoption of the draft MRLs and those supporting discontinuation of work or continuing to hold the draft MRLs at Step 8.

¹⁹ REP12/FL, para 39, Appendix II.

²⁰ REP12/FL, para 71,76 and 80, Appendix VI and VII.

²¹ ALINORM 95/31, Appendix II.

²² REP11/CAC, paras 88-89.

70. Delegations in favour of adoption of the draft MRLs recalled that the MRLs had been held at Step 8 for more than thirteen years and that all scientific information, available at the time of the evaluations, had been considered by JECFA. They noted that the JECFA evaluation had shown that, if used according to Good Veterinary Practices, bST did not represent a risk to human health. They recalled that the 40th JECFA had established an ADI 'not specified' and that the margin of safety was extremely high with no impact on food safety; and that the 50th JECFA had concluded that "rbSTs could be used without appreciable health risk to consumers". The delegations noted that no new data, which could challenge the JECFA evaluation, had been submitted to the CCRVDF for evaluation by JECFA. They further noted that bST was already registered and authorised for use in many countries and that the adoption of the draft MRLs would contribute to ensure the safety of milk, especially in countries which depended largely on milk imports. They noted that access to tools, such as bST, could contribute to an increase in the production of milk and, thus, contribute to food security.

71. Some delegations, while stating that they had no particular interest in bST, because it was either not used or not authorised for use in their countries, supported the adoption of the draft MRLs for bST, which had been developed according to the Risk Analysis Principles applied by the CCRVDF.

72. Delegations noted that failure to adopt the draft MRLs would undermine Codex work and make it difficult to achieve harmonisation of national legislation. They recommended that consideration of 'other legitimate factors' should not overshadow the scientific basis of Codex work and recalled that Codex had developed criteria for the consideration of other legitimate factors. Delegations recommended that countries not using bST should not prevent other countries from using it; they noted that striving to reach consensus should not prevent the adoption of Codex texts.

73. Other delegations recalled that bST had not been evaluated for some years and encouraged submission of data to allow a JECFA re-evaluation, while not preventing countries to adopt the draft MRLs. One delegation, proposed to retain the draft MRLs at Step 8 and wait for the outcome of a JECFA re-evaluation of the new information.

74. Delegations, which were not in support of the adoption of the draft MRLs, noted that countries had banned bST because they considered it harmful. They recalled that many countries banned the use of veterinary products for non-therapeutic use and that the use of bST increased the potential risk of mastitis, with consequential increased use of antibiotics and, thereby, increased risks of antimicrobial resistance. Delegations expressed concerns for animal health and welfare issues related to the use of bST and were of the view that risk managers should take these concerns into account when taking risk management decisions. They recalled that Codex should work only on matters where consensus is achievable, thus allowing better use of Codex resources. They also noted that since bST had not been evaluated for more than thirteen years, it needed to be re-evaluated and that animal health issues related to the use of bST should also be taken into account. They noted that there was no trade problem related to the use of bST, but concrete indications of animal health and animal welfare associated with bST use, which could not be ignored. They were of the opinion that the adoption of the MRLs would undermine the credibility of Codex. One Observer spoke out against the adoption of these MRLs, noting that the use of bST cannot lead to better food security where it makes animals less healthy and the world food supply more fragile. Another Observer noted that new scientific information had become available since September 1997 that calls into question the conclusions of the 50th JECFA.

75. The Chairperson, while noting the above discussion, observed that the scientific assessment of bST, on which the Commission was asked to make a decision, was dated back to the 1990s and that Codex risk management decisions should be based on sound, relevant and up-to-date information.

76. In view of the general discussion and the above consideration, the Chairperson proposed, as a way forward, to request JECFA to update the risk assessment upon which the MRLs for bST had been recommended, including consideration of the impact on human health and the potential for antimicrobial resistance. He further highlighted the need for the risk assessment to remain within the scope of the Codex mandate and to focus on impacts on human health. The Chairperson proposed to continue holding the draft MRLs at Step 8 and to reconsider them in light of the JECFA re-evaluation.

77. Delegations generally supported the proposal and pointed out the importance for Codex to base its decisions on updated scientific information; delegations also highlighted the need to focus the re-evaluation on aspects relevant to Codex work, while recognizing that animal health and welfare were outside the Codex mandate. It was also noted that JECFA had already established the safety of bST and that the JECFA re-

evaluation should focus on information that is supplemental to rbSTs, evaluated at the 40th and 50th JECFA Meetings and on data available in the public domain.

78. Some delegations were of the opinion that the potential for increased use of antibiotics might contribute to the development of antimicrobial resistance and that this should also be considered. Other delegations were of the view that the focus of the assessment should be on bST and that risk assessment for antimicrobial resistance should not be within the scope of the JECFA re-evaluation.

Terms of Reference of JECFA re-evaluation of bST

79. In light of the above discussion, the Commission agreed to request JECFA to re-evaluate bST and that re-evaluation should be limited to the four analogues of natural bovine somatotropin (bST), produced by recombinant DNA techniques (rbSTs): somagrebove, sometribove, somavubove and somidobove which had been previously evaluated by the 40th and 50th JECFA Meetings and to their use according to good veterinary practice.

80. In particular, the Commission agreed to request JECFA to:

- Update the toxicological evaluation.
- Update the exposure assessment based on any new occurrence data in food.
- Evaluate potential adverse health effects.
- Consider the need to revise or maintain the ADI and MRLs for rbSTs, on the basis of the above.

81. The Commission further requested JECFA to consider new data and information related to other factors pertaining to human health, including: the possible increased use of antibiotics to treat mastitis in cows; possibilities of increased levels of IGF1 in the milk of cows treated with rbSTs; potential effects of rbSTs to the expression of certain viruses in cattle; possibilities that exposure to human neonates and young children to milk from rbSTs treated cows increases health risks, for example developing insulin-dependent diabetes mellitus.

82. The Commission concurred with the suggestion of the JECFA Secretariat that aspects of human antimicrobial resistance could be considered in the evaluation, as appropriate.

83. With regard to the process of the JECFA re-evaluation of bST, the Commission noted that the JECFA Secretariats would prepare and publish a call for data, including scientific assessments prepared by government authorities, in accordance with its standard procedures for requesting data for veterinary drugs used in food producing animals.

84. It further noted that:

- JECFA would consider all data submitted as well as relevant scientific studies available in the public domain published since the call for data of its 50th Meeting was closed.
- The outcomes of the JECFA re-evaluation would be prepared and made available in a manner consistent with its commonly used procedures.
- Full reports of the JECFA evaluation would be provided to the CCRVDF for consideration as soon as possible so that it could conduct its risk management business and make recommendation to the Commission.

85. With regard to the timing, the Commission noted that the JECFA evaluation would be scheduled in a timely manner, consistent with the availability of appropriate budget and scientific resources and also taking into account the schedule of CCRVDF.

Conclusion

86. In view of the above discussion, the Commission agreed to continue holding the draft MRLs for bST at Step 8, pending JECFA re-evaluation and CCRVDF recommendations.

Draft MRLs for ractopamine²³ (pig and cattle tissues: muscle, liver, kidney and fat)

87. The Chairperson provided a brief summary of the recent development of the discussion on the draft MRLs for ractopamine in Codex since the 33rd Commission. He recalled that the issue related to the adoption

²³ ALINORM 08/31/31, Appendix II.

of the draft MRLs had been considered by the 66th Executive Committee during the Critical Review, and that some Members had felt that more efforts should be made to reach consensus through a transparent and inclusive process and had suggested that a special meeting be organized, possibly in conjunction with the session of the Committee on General Principles, in April 2012. They had also noted that informal discussions between Codex members could always take place during or between Codex sessions.

88. The Chairperson explained that subsequent to his discussions with some members of the CCEXEC, it had been agreed to hold an informal meeting on ractopamine, on 5 April 2012, in the margins of the CCGP, and that the Delegation of France had kindly confirmed availability of a meeting room to facilitate the consultations. He added that the Codex Secretariat had sent an invitation on his behalf, on 4 March 2012, to all members and observers to participate in the informal discussions and that he had prepared, with support from the Vice-Chairs, a background note to facilitate the discussion. The note, in addition to some historical context, proposed the following options, which had been put forth by different delegations during previous discussions on this matter and further recognized that other possibilities might be explored to find consensus.

89. The summarized options were:

- i. Continue to hold the draft MRLs at Step 8.
- ii. Discontinue the work on the draft MRLs.
- iii. Hold the draft MRLs in abeyance for a specified period of time.
- iv. Adopt the draft MRLs without a footnote.
- v. Adopt the draft MRLs with a footnote.

90. The Chairperson provided a brief account of the informal meeting on ractopamine as follows:

"The informal consultations took place as scheduled from 13:30-16:15. Several members and observers participated in the discussions. In my opening remarks, I recalled a brief account of the process between the CAC Sessions of 2010 and 2011. The Commission had voted against conducting a vote on adoption of the draft MRLs for Ractopamine as a result of which these remained at Step 8.

During this informal meeting, I noted that the objective of the informal consultation was to come to a better appreciation of the relevant issues and come closer to finding consensus so as to utilize the Commission's time more efficiently. It was recalled that the mandate of CAC is to take decisions on draft Codex standards proposed by the relevant Committees. In light of the previous discussions, the participants were asked to express their views. A summary of the general comments is as follows:

- *This matter has been under discussion at the Commission level for the last four Commission sessions;*
- *All Codex requirements as per the Procedural Manual have been fulfilled;*
- *JECFA has carried out the risk assessment three times as per the procedures and that the MRLs should be adopted as proposed by the CCRVDF;*
- *The scientific concerns have not been fully addressed;*
- *Consumer preferences in certain countries are against use of veterinary drugs for growth purposes;*
- *Work on these standards should either be discontinued or be put in abeyance for some time due to lack of consensus;*
- *Whatever option is selected must foster consensus.*

This was an informal meeting and not a forum for making decisions or recommendations to the Commission. I must say and I had also concluded at the end of the meeting, that the participation of several members and observers and the level of their engagement was a demonstration of the willingness of the members to continue their dialogue and discussion on this matter. There was divergence in the opinion on scientific assessment, the manner of considering consumer preferences as part of factors influencing Codex standards, and on the fulfilment of all Codex requirements to support adoption of the draft MRLs."

91. The Chairperson further recalled the efforts made to develop the various options for consensus among members of the Commission. He recalled specifically the various informal meetings that he had organised

with interested parties and representatives of all FAO/WHO regions, which took place on Sunday, 1 July 2012, with an effort to develop further options for consensus.

92. He also recalled the facilitated session, agreed during the adoption of the agenda that he had organized, open to all members and observers of the Commission, on Tuesday, 3 July 2012, where a revised set of options was presented and where it was agreed not to further discuss the options presented.

93. Before opening the floor for comments, he concluded that none of the efforts described above had led to consensus to emerge around the proposed options and, moreover, that no other options had been put forward by Members.

Discussion

94. The Chairperson invited the Commission to discuss on how to proceed on the adoption of the draft MRLs for ractopamine.

95. The delegations expressed appreciation for the efforts of the Chairperson to find consensus on this issue.

96. Delegations which were against taking a decision at the present session considered that there was lack of consensus and recommended to postpone a decision until consensus could be found. They were of the view that consensus was necessary to make a decision on the draft MRLs and that more time was necessary to find a solution that would allow the establishment of standards that were universally acceptable and applicable. The high level of participation in the informal consultations was, in their opinion, a clear sign of the level of countries' engagement to find a solution on this issue. They noted that ractopamine was banned in several countries because of consumer health concerns and because many countries banned the use of veterinary drugs other than for animal therapeutic use. They pointed out that two thirds of the world population was living in countries where ractopamine was not authorized.

97. These delegations were of the opinion that more time and information were needed before an informed decision could be made as there were still unanswered safety questions, particularly with respect to the residues in lung tissue and scientific concerns linked to the use of ractopamine, which required further studies. They considered that it was premature to adopt the proposed MRLs before the studies on residues in pig lung tissues had been completed and evaluated by JECFA. They also noted that studies on residues of veterinary drug were done on individual substances and were of the opinion that caution should be used before authorizing the use of new substances that would contribute to increasing the amount of residues in food, with cross effects that were not known.

98. These delegations noted that the development of an international standard for a substance that was prohibited in many countries could have repercussion on the credibility of Codex as the pre-eminent organization for setting international standards for food safety. They further noted that it was essential for Codex to base its decisions on a broad consensus not to undermine its credibility.

99. Delegations which were in favour of taking a decision at the present Session, considered that all efforts had been made to find consensus and that it was urgent to adopt the MRLs to protect the health of consumers. They noted that international standards for ractopamine were needed in many countries to control the use of this substance and to avoid its abuse or misuse, as well as to monitor the import of meat products and to determine the acceptance or rejection of consignments and thus protect the health of their consumers. This was particularly important for those countries that relied heavily on imports for their meat supply. They were of the opinion that countries opposed to the adoption of the MRLs on the basis of their national legislation did not offer any alternative other than their own legislation to be adopted by other countries to the discussion to find consensus.

100. These delegations supported the adoption of the draft MRLs and emphasized that JECFA had reviewed the MRLs three times and fulfilled its task by considering all available data. They highlighted that the draft MRLs were based on the JECFA risk assessment, as prescribed in the *Risk Analysis Principles Applied by the CCRVDF*. They noted that no additional study, contradicting the conclusion of JECFA evaluations, had been put forward for JECFA evaluation and reiterated their confidence in the science-based work of JECFA. They expressed concern about the precedent that could be set, undermining the work of JECFA and risk assessment by not adopting or delaying the adoption of the MRLs. They also recalled that it was important for Codex to make the maximum use of JECFA limited resources and that it was important for Codex to base its standard on sound science and JECFA recommendations. They further noted that the lack of international standards could give rise to the development of regional or private standards to fill the gaps and result in

disruption to trade. They highlighted their concerns on the long delay to adopt the MRLs based on non-scientific factors and stressed the need for Codex to base its decisions on science, in view of the status of Codex standards under the WTO SPS Agreement. They recalled that failure to adopt the MRLs for ractopamine could negatively impact on food security as the establishment of MRLs for ractopamine would allow the safe use of new technologies to meet the increasing demand for food production foreseen by FAO. One delegation pointed out that 26 countries were using ractopamine without problems and that no technical barriers to trade or food safety alerts through INFOSAN had been reported due to its use.

101. The JECFA Secretariat clarified that ractopamine had been evaluated on several occasions and an ADI had been established and MRLs proposed that are compatible with consumer safety. Additional residue studies in pig lungs had been evaluated based on request of the Commission and the report was published and considered at the 34th CAC. If safety concerns were brought forth regarding ractopamine, these needed to be supported by data.

102. After an extensive debate, which had essentially reproduced the discussion that took place at the 34th CAC about the three main options on the way to proceed (i.e. continue to hold the draft MRLs at Step 8; discontinue work on the draft MRLs; and vote on the adoption of the draft MRLs) and their rationale, a large number of delegations and two observers continued to request the floor. Therefore, the Chairperson proposed, in view of time constraints, to interrupt the general discussion and to focus on how to move forward.

103. The Chairperson noted that the Commission had not found consensus and noted that as per Rule XII.2 of the *Rules of the Procedure of the Codex Alimentarius Commission*, the Commission should make every effort to reach consensus on the adoption or amendment of standards by consensus. The Chairperson noted that the Procedural Manual provided sufficient guidance through the *Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius Commission*, the *Risk Analysis Principles Applied by the CCRVDF* and the *Statements of Principles Concerning the Role of Science in the Codex Decision-Making Process and the Extent to which other Factors are Taken into Account*.

104. The Delegation of Ghana was of the view that, according to Rule XII.2 “consensus” was not a must but rather a preference for Codex. Therefore, the Delegation called for a roll-call-vote on the adoption of the draft MRLs for ractopamine as, in their view, all seven “Measures to Facilitate Consensus” had been explored.

105. The Chairperson raised the question whether every effort had been made to reach consensus before proceeding with such a vote, as required by the Rule XII.2

106. Delegations were split among:

(i) those who considered that not all measures had been exhausted and, in particular, the following required further efforts:

- *Refraining from submitting proposals in the step process where the scientific basis is not well established on current data and, where necessary, carry out further studies in order to clarify controversial issues.*
- *Providing that matters are not progressed from step to step until all relevant concerns are taken into account and adequate compromises worked out.*
- *Emphasizing to Committees and their Chairpersons that matters should not be passed on to the Commission until such time as consensus has been achieved at the technical level.*

In their view, not all scientific evidence had been fully explored; the CCRVDF had prematurely forwarded the draft MRLs to the Commission without having achieved consensus at the technical level.

(ii) those who considered that all efforts to reach consensus had been made. They were of the view that: JECFA had clarified that all relevant data had been considered in their recommendations; that the CCRVDF had in fact considered all relevant concerns and those concerns that were not addressed were not scientific concerns; and that the Chairperson of the CCRVDF had followed the *Guidelines to the Chairperson of Codex Committees* to achieve consensus at the technical level but no consensus could be found.

107. Following some further debate and in the absence of consensus on whether the requirements of Rule XII.2 had been met, the Chairperson proposed to vote on the following question: “*Do you wish to proceed with a vote on adoption of the proposed MRLs for ractopamine at this Session of the Commission?*” (Vote 1). The FAO Legal Counsel clarified that voting would be conducted either by a show of hands, a roll- call vote, if requested by a Member, or a secret ballot, if so determined by the Commission.

108. A number of delegations wished that the vote be conducted by secret ballot. However, in the absence of consensus on the manner of voting, the Commission carried out a vote by show of hands to decide on how to conduct Vote 1.

109. It was noted that, as the European Union was competent to vote on this matter on behalf of its Member States (see CRD1), the European Union cast 27 votes, one for each of the European Union Member States present at the Session (at the start of the voting the presence of the 27 European Union Member States was confirmed by the Secretariat). Prior to the vote, the Secretariat established that a quorum was present of more than half of the members in attendance at the Session but not less than twenty percent of the membership of Codex, or less than 25 members, as prescribed by Rule VI-7 of the Rules of Procedure.

Vote cast:	133
Majority required:	67
Votes in favour:	92
Votes against:	41
Abstaining:	3
Results:	Vote 1 should be conducted by secret ballot.

110. In view of the above result, the Commission proceeded with Vote 1 by secret ballot. The presence of the 27 European Union Member States was again verified by the Secretariat. Prior to the vote, the Secretariat established that a quorum was present of more than half of the members in attendance at the Session but not less than twenty percent of the membership of Codex, or less than 25 members, as prescribed by Rule VI-7 of the Rules of Procedure. The result of the secret ballot on Vote 1 was:

Ballots papers deposited:	136
Defective ballots:	0
Abstentions:	4
Votes cast:	132
Majority required:	67
Votes in favour:	68
Votes against:	64
Result:	Proposal adopted; the Commission would proceed with a vote on the adoption of the proposed MRLs for ractopamine at the present Session.

111. Following the results of Vote 1, the Commission proceeded with the vote on the following question: “*Do you wish to adopt the proposed MRLs for ractopamine?*” (Vote 2).

112. The Commission agreed with the proposal of the Chairperson to proceed with Vote 2 by secret ballot. The presence of the 27 European Union Member States was again verified by the Secretariat. Prior to the vote, the Secretariat established that a quorum was present of more than half of the members in attendance at the Session but not less than twenty percent of the membership of Codex, or less than 25 members, as prescribed by Rule VI-7 of the Rules of Procedure.

113. The result of the secret ballot on Vote 2 was:

Ballots papers deposited:	143
Defective ballots:	0
Abstentions:	7
Votes cast:	136
Majority required:	69
Votes in favour:	69
Votes against:	67
Result:	Proposal adopted; the Commission adopted the MRLs for ractopamine in cattle and pig tissues, i.e., muscle, liver, kidney and fat.

114. The Delegation of China expressed their disappointment that the Commission did not resolve the issue by consensus. They reiterated their position against the adoption of the MRLs for ractopamine and expressed their reservation.

115. The Delegation of Norway strongly opposed the adoption of the draft MRLs, as they still had human health concerns and because of the non-therapeutic use of ractopamine. The Delegation was concerned because the draft MRLs had been pushed forward when many members had asked for a consensus-based decision and the MRLs had been adopted despite a clear lack of consensus. They noted that without a global agreement the MRLs would not be applicable worldwide.

116. The Delegation of the European Union stated that it was strongly opposed to the adoption of the MRLs for ractopamine in pigs and cattle as there were outstanding concerns regarding its safety assessment. The European Union's risk assessment body, the European Food Safety Authority, concluded that there is insufficient data upon which to make a proposal for MRLs for ractopamine and that possible risks to human health had not been sufficiently ruled out. As ractopamine is solely used for the purpose of growth promotion, the European Union could not support an international standard that endorsed, or worse still, encouraged its use.

117. The European Union, therefore, recorded its strong opposition to the adoption of the MRLs for ractopamine by the Commission. The Delegation also underlined that, given its outstanding safety concerns, the European Union's current legislation would remain in place. The Delegation was also of the view that the Commission should take time to reflect upon what to do about standards held at Step 8. There had been a number of attempts to seriously consider what to do in these cases, and yet, for a variety of reasons, these attempts had been thwarted and no real progress had been possible. The Delegation emphasised that it was in the best interest of the Commission to seriously reflect on this matter.

118. The European Union stressed that Codex, as a consensus-based organisation had not been well served by what had happened at this session of the Commission. The membership of Codex, had spoken out, loud and clear on various occasions, expressing their clear preference for matters to be decided in Codex on the basis of consensus. By conducting a vote at this session, this preference had been blatantly ignored. The European Union deplored not only the fact that an international standard had been set for ractopamine but also deplored, in the strongest of terms, the manner in which this conclusion was reached. For the above reason, the European Union recorded their strong opposition to the adoption of the MRLs for ractopamine.

119. The Delegation of the United States of America stated that they were pleased with the adoption of the MRLs for ractopamine, but they took no pleasure in the fact that this had been a difficult decision. The Delegation thanked the Chairpersons of the Commission and the CCRVDF for all efforts made over the years to try to achieve consensus and to use all the tools in the Procedural Manual to find a way forward. The Delegation expressed the wish that adopting standards in Codex through a vote should remain a rare exception to the general rule of consensus. They looked forward to working with members to ensure that Codex remains willing and able to make science-based and timely decisions on food safety.

120. The following delegations expressed their reservation to the adoption of the MRLs for ractopamine and made the following comments:

- Kenya: was of the view that not all safety concerns had been addressed and that with such sustained opposition no international standard should be set.

- Egypt: considered that safety concerns continued to exist and this was particularly important for Egypt which relies on meat imports.
- Turkey: strongly opposed the adoption of the MRLs and considered that more time was needed before deciding on the MRLs.
- Croatia: strongly opposed the adoption of the MRLs and the way they had been adopted.
- Iran: considered that the MRLs were based on insufficient data.
- Switzerland: regretted the process that had taken place and that the decision was not based on consensus and that it was made with such a narrow majority.
- Russia Federation: strongly opposed and found it unfortunate that the decision did not consider the concerns expressed throughout the process.
- Zimbabwe: opposed the adoption.

PROPOSED DRAFT STANDARDS AND RELATED TEXTS AT STEP 5 (Agenda Item 5)²⁴

121. The Commission adopted at Step 5 the Proposed Draft Standards and Related Texts submitted by its subsidiary bodies, as presented in Appendix IV to this report, and advanced them to Step 6.

122. The following paragraphs provide additional information on the comments made and the decisions taken on certain items.

Food Import and Export Inspection and Certification Systems (CCFICS)

Proposed Draft Principles and Guidelines for National Food Control Systems (Introduction, Sections 1-3)²⁵

123. A number of delegations, while not opposed to the adoption at Step 5 of the proposed draft Principles and Guidelines (Introduction and Section 1-3), noted that some parts needed further discussion, including definitions and some principles, as indicated in the written comments provided at this session.

124. The Commission adopted the proposed draft Principles and Guidelines, as proposed by the CCFICS, and invited delegations to resubmit the comments at Step 6 in order to be considered by the next Session of CCFICS.

Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Proposed Draft Revision of the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (CAC/GL 8-1991)²⁶

125. One Observer did not support the adoption because inappropriate marketing was not considered in the labelling section and other sections required further review. One delegation proposed to delete the square brackets in the text in section 6.5.1 concerning use of sweeteners. Other delegations pointed out that this was a technical comment and should be discussed further in the Committee. Several members stressed the need for a revised text as the current provisions of the Guidelines were outdated and therefore supported the current text, with the understanding that it would be further considered in the Committee in the light of the comments made. The Commission agreed to adopt the proposed draft revision at Step 5.

Animal Feeding (TFAF)

Proposed Draft Guidelines on Application of Risk Assessment for Feed²⁷

126. Some delegations congratulated the TFAF for the proposed draft, which was a good basis for the further development of the document. They were of the opinion that some aspects could be included, e.g. consideration of viruses in feed, and that specific comments could be addressed in the further development of the document.

²⁴ CX/CAC 12/35/5; CX/CAC 12/35/5-Add.1; CX/CAC 12/35/6-Rev (Comments of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Egypt, European Union, Japan, Malaysia); CRD 9 (Comments of IBFAN); CRD 10 (Comments of Philippines); CRD 12 (Comments of Indonesia); CRD 13 (Comments of India); CRD 16 (Comments of Peru).

²⁵ REP12/FICS, para.46, Appendix II.

²⁶ REP12/NFSDU, para.126, Appendix IV.

²⁷ REP12/AF, para.47, Appendix II.

127. The Commission adopted the Proposed Draft Principles and Guidelines, as proposed by the TFAF, and invited delegations to resubmit the comments at Step 6 in order to be considered by the next Session of the Task Force.

Pesticide Residues (CCPR)

Proposed draft maximum residue limits for pesticides²⁸

128. The Commission adopted all proposed draft MRLs for pesticides at Step 5 and advanced them to Step 6 for comments and further consideration by the next session of the Committee on Pesticide Residues.

129. The Delegation of the European Union expressed its reservation on the following proposals for MRLs for pesticide / commodity combinations: general reservation on diflubenzuron as the evaluation of this compound was ongoing in the EU and specific reservations for the proposals for peaches, plums and peppers; hexythiazox for strawberries; etofenprox for grapes; dicamba for soybeans; acetamiprid for scarole (leafy vegetables except spinach) and flutriafol for dried grapes (= currants, raisins and sultanas) and grapes. More detailed explanations on the rationale for these reservations are provided in working document CX/CAC 12/35/6 (Rev). The Delegation also expressed a general reservation on the application of the proportionality approach to the derivation of MRLs until further guidance and principles had been agreed by the CCPR. The Delegations of Croatia and Norway also expressed their reservations on these MRLs and the use of the proportionality approach.

REVOCATION OF EXISTING CODEX STANDARDS AND RELATED TEXTS (Agenda Item 6)²⁹

130. The Commission agreed to revoke all texts proposed, as presented in CX/CAC 12/35/7. The list of texts approved for revocation is summarized in Appendix V to this report. Additional information on the comments made and decisions taken is presented below.

Revocation of CODEX STAN 229-1993: Recommended Methods of Analysis for Pesticide Residues

131. The Delegation of India indicated that it did not oppose the revocation of CODEX STAN 229-1993: Recommended Methods of Analysis for Pesticide Residues; however clarification should be provided on the status of the Joint FAO/IAEA Division repository list of methods of analysis for pesticide residues vis-à-vis the status of Codex standards under the WTO/SPS Agreement. The Delegation indicated that methods of analysis for the determination of pesticide residues was an important and integral part of the enforcement of MRLs for pesticides and the identification of suitable methods of analysis should not be left to national laboratories as this might result in barriers to trade. The Delegation expressed the view that, in accordance with the Terms of Reference and the Risk Analysis Principles applied by the CCPR, work should continue on exploring feasible ways to develop and maintain an updated list of methods of analysis for enforcement of Codex MRLs for pesticides.

132. The Commission noted that the Joint FAO/IAEA Division web-based repository list of methods of analysis was not intended to be a list of Codex reference or preferred methods for the determination of Codex MRLs for pesticides but a resource list that countries might consult for the identification of suitable methods for the determination of pesticide residues. The Commission further noted that the Committee on Pesticide Residues was currently working on the development of performance criteria for methods of analysis as opposed to a list of methods of analysis, as recommended by the 34th Session of the Commission, to assist countries to choose their own validated methods based on these criteria.

133. Based on the above considerations, the Commission revoked CODEX STAN 229-1993: Recommended Methods of Analysis for Pesticide Residues while requesting CCPR to continue to explore feasible ways to identify methods of analysis for pesticide residues.

AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS (Agenda Item 7)³⁰

134. The Commission noted that this item was related to the ongoing work of the Codex Secretariat to ensure consistency throughout Codex texts.

135. The Commission adopted the amendments as presented in the working document.

²⁸ REP12/PR, para. 117, Appendix IX.

²⁹ CX/CAC 12/35/7, CRD 4 (comments of Chile), CRD 12 (comments of Indonesia), CRD 13 (comments of India), CRD 16 (comments of Peru)

³⁰ CX/CAC 12/35/8.

136. One of the amendments was to delete the section on methods for the determination of lead in the standards for cocoa products as there were no MLs for lead for these products. In this context, the Commission noted the request from a Delegation to develop MLs for lead in cocoa products as especially children consumed these in large amounts. The Commission noted that this proposal could be put forward in the Committee on Contaminants in Foods, which had undertaken a review of all current maximum levels for lead.

PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 8)³¹

ELABORATION OF NEW STANDARDS AND RELATED TEXTS

137. The Commission approved the elaboration of new standards and related texts summarized in Appendix VI. The following paragraphs provide additional information on comments made and decisions taken on the following items:

Food Hygiene (CCFH)

Revision of the Code of Hygienic Practice for Spices and Dried Aromatic Plants³²

138. The Delegation of Brazil reiterated its position presented at the 43rd CCFH that the Committee should follow a more horizontal approach to the development of Codex texts and that it would be more appropriate to deal with hygienic practices for spices in the context of a more general Code of Hygienic Practice for Low-moisture Foods. The Commission noted that it was the intention of the CCFH to follow a more horizontal approach and that it would be considering a discussion paper on the development of a code of hygienic practice for low-moisture foods at its next session, but that it would start work on the revision of the Code of Hygienic Practice for Spices and Dried Aromatic Plants, which was outdated and required updating, in the interim for possible inclusion in a future code of hygienic practice for low-moisture foods. The Commission approved the new work and noted the reservation of Brazil to this decision.

Contaminants in Foods (CCCF)

Annex for Prevention and Reduction of Aflatoxins and Ochratoxin A in Sorghum to the Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals³³

139. In response to the question from a Delegation, the Commission noted that proposals for the expansion of the scope of the Code should be put forward in the Committee.

Proposed Draft Maximum Levels for Hydrocyanic Acid in Cassava and Cassava Products³⁴

140. The Commission noted that the establishment of maximum levels for hydrocyanic acid in cassava and cassava products would be limited to the section on contaminants, to establish safe levels of this natural toxin in the aforesaid products. It was also noted that different varieties of cassava contained different levels of cyanogenic glycosides, from which hydrocyanic acid is formed, therefore this should be taken into account when establishing maximum levels. It was further noted that cyanogenic glycosides also occurred in other products for which it would be useful to establish maximum levels.

141. The Representative of the WHO noted that this issue had been considered by the Committee on Contaminants in Foods at the request of the Committee on Fresh Fruits and Vegetables, when considering the Standard for Bitter Cassava in view of the different levels of cyanogenic glycosides in cassava varieties, especially bitter and sweet varieties. This work should also be seen in the context of the development of a Code of Practice to reduce the presence of cyanogenic glycosides in cassava.

142. The Commission approved new work on proposed draft maximum levels for hydrocyanic acid in cassava and cassava products.

³¹ CX/CAC 12/35/9; CX/CAC 12/35/9-Add.1; CRD 3 (Comments of Brazil); CRD 7 (Comments of Nigeria); CRD 10 (Comments of Philippines); CRD 11 (Comments of IFAH); CRD 12 (Comments of Indonesia); CRD 13 (Comments of India).

³² REP12/FH, paras 137 - 138, Appendix VII.

³³ REP12/CF, para. 141, Appendix X.

³⁴ REP12/CF, para. 165.

Proposed Draft Levels for Radionuclides in Food³⁵

143. The Delegation of Japan emphasised the importance of working in the Codex framework of risk analysis on this issue and expressed gratitude to the Joint FAO/IAEA Division for their kind intention of providing scientific support. They expressed their interest in working closely with the Netherlands in the development of this document.

144. The WHO Representative informed the Commission of the work undertaken by WHO to perform a preliminary global health risk assessment on the implication of the Fukushima nuclear accident. The first part of the work, the preliminary dose assessment has been published recently. This feeds into the preliminary health risk assessment currently being undertaken and the final report will be published in the fall. This preliminary assessment, based on information available up to September 2011, feeds into a more detailed assessment undertaken by UNSCEAR.

145. The Commission approved new work on the proposed draft levels for radionuclides in food.

Coordinating Committee for the Near East***Regional Standard for Date Paste***³⁶

146. The Commission noted the advice given by the Executive Committee on this matter, which was to adopt new work and to refer the proposal on a standard for date paste to the Committee on Processed Fruits and Vegetables (CCPFV) as the project document indicated that there was worldwide trade in this commodity. The Executive Committee had also recommended that if the CCPFV considered that the development of a worldwide standard for date paste was not possible, work could be carried out as a regional standard in the CCNEA.

147. The Delegation of the United States, speaking as Chair of the CCPFV, said that the Committee could examine the proposal and then either continue the work or recommend its elaboration as a regional standard. The goal of developing an international standard for this commodity could be reached faster if it started in the CCPFV rather than developing a regional standard first and then converting it.

148. The delegations of the Near East region who expressed their views and one IGO observer stated that it was their preference that work on a standard for date paste would start in the CCNEA as the main production and trade of the product and the main expertise were concentrated in the region, and it would be difficult for delegations from the region to attend the CCPFV. They proposed further that the conversion into a worldwide standard could be undertaken at a later step of the procedure.

149. The Secretariat clarified that the procedure for conversion of a regional standard could be started at any time after adoption of the regional standard at step 8, thus if work was started in the CCNEA it would have to continue there until Step 8, after which a project document for development of a worldwide standard could be submitted for approval to the Commission.

150. One delegation stated that as there was international trade in the commodity, Codex procedures required that a worldwide standard be considered, as regional standards for products that were traded internationally could be trade disruptive.

151. Noting the strong support from the region for the development of a regional standard for date paste and the fact that the main expertise about the product was in the Near East region, the Commission agreed as a pragmatic way forward to approve new work on a regional standard for date paste which would be undertaken by the CCNEA. After completion of the work, a project document would be submitted to allow the CCEXEC and the Commission to consider the conversion into an international standard.

DISCONTINUATION OF WORK

152. The Commission approved discontinuation of work as summarized in Appendix VII.

³⁵ REP12/CF, para. 169.

³⁶ REP11/NEA para. 92, CX/CAC 12/35/9-Add.1 Rev.1.

**MATTERS REFERRED TO THE COMMISSION BY CODEX COMMITTEES AND TASK FORCES
(Agenda Item 9)³⁷****A. Matters Related to Requests from the Commission**

153. The Commission noted several matters arising from the reports of Codex Committees in relation to requests from previous sessions of the Commission, as presented in CX/CAC 12/35/10 Add.1.

154. The following paragraphs provide additional information on the comments made and decisions taken on certain items.

Proposed Draft Standard for Processed Cheese

155. The Chairperson briefly recalled the history of the consideration of the standard for processed cheese in the Committee for Milk and Milk Products (CCMMP) and in the Commission. The standard had been considered for more than fourteen years in Codex and the Chairperson noted the difficulties to achieve progress in developing this standard, including the difficulty to define its scope. The Chairperson also recalled that the 33rd CAC deferred making the decision on discontinuation of work on this standard, pending advice and comments from the FAO/WHO coordinating committees. He also recalled that, in its last effort to make a decision on this item, the 34th CAC tasked the Codex Secretariat, supported by the Chairperson of the CCMMP, to gather additional information from members, which would help document, amongst other things, whether processed cheese is amenable to standardization and whether there are documented impediments to trade in this commodity internationally, which the development of this standard would help mitigate. The outcome of this survey was reflected in document CX/CAC 12/35/10.

156. The Chairperson summarized the main findings of the survey, based on input from members as follows:

- The survey did not identify any major documented impediments or problems in international trade in processed cheese, despite the increase in the trade of this commodity over the past period.
- The survey identified a high number of variations for compositional and functional characteristics for this commodity, making it not amenable to standardisation, within the current attempts to scope the work on this standard.
- The survey also confirmed that general safety and labelling requirements for processed cheese are well covered by current Codex standards, including the code for hygienic practice for milk and milk products.

157. The Commission noted that the 67th CCEXEC had agreed with the recommendation presented in CX/CAC 12/35/10 and had recommended to discontinue work on the Standard given the findings described above.

158. The Chairperson sought the Commission's concurrence with the recommendation of the 67th CCEXEC to discontinue work, while acknowledging that the absence of a Codex standard for this commodity did not prevent competent authorities from developing their own requirements to manage this commodity at the national level and noting that, should there be gaps identified in the future, related to safety or quality of processed cheese, these gaps could be addressed by a proposal for new work by the relevant Codex committee.

159. Some delegations noted that a relatively small numbers of replies had been submitted in response to the CL 2011/20-CAC/MMP and that countries needed more time to collect and compile information on problems associated with the trade of processed cheese, scope of the standard and how to address the specific issues related to the composition and other characteristics of these products. Some delegations were of the view that the analysis presented in document CX/CAC 12/35/10 did not address the concerns of countries which supported the development of the standard, in particular the need to ensure the safety of processed cheese, largely consumed by children, through specific provisions for food additives, contaminants and hygiene as a tool for importing countries to support their food control system. In view of the constraints to develop an international standard, some delegations supported the development of regional standards to address these needs.

³⁷ CX/CAC 12/35/10; CX/CAC 12/35/10 Add.1; CX/CAC 12/35/10 Add.2; CRD 11 (Comments of IFAH); CRD 21 (Comments of European Union); CRD 24 (Comments of Dominican Republic)

160. Other delegations supported discontinuation of work and recalled that Codex had devoted more than twenty years to this work and that the inability to develop the standard was due to unsolved issues regarding compositional aspects and not to safety aspects of these products. They further recalled that no major impediments in the international trade of these products had been identified. They were of the view that the development of regional standards for processed cheese could result in barriers to trade, as processed cheese were manufactured in many countries and traded worldwide, and that countries could address intraregional trade problems in their national legislation. They further noted that regional standards could not be developed for commodities with significant trade outside a region to avoid the development of more than one standard for the same commodities. They further noted that Codex had already developed general guidance on essential health and safety aspects of these products and labelling for consumers information. One observer noted that processed cheese was not facing international trade impediments and was not amenable to standardization, given the variety of compositional and functional characteristics of products currently available internationally.

161. In view of the lack of consensus, the Chairperson proposed, as a compromise, to continue the collection of information documenting gaps that could be addressed through a Codex standard for both safety and quality requirements of processed cheese, while discontinuing the work on the current standard.

162. Several delegations supported the proposal of the Chairperson, which would enable the Commission to have a more informed discussion on the need for a standard for processed cheese and the exact scope and possible gaps that any new work should address. Other delegations, while supporting continuing the discussion on the need for work on processed cheese, were not in favour of discontinuation of work at the current Session. One Delegation was of the opinion that more time was necessary for countries to identify the gaps in the current Codex standards and define the scope of new work for processed cheese.

Conclusion

163. The Commission agreed to discontinue work on the development of a standard for processed cheese. The Commission further requested the Codex Secretariat to prepare a Circular Letter asking members to identify the gaps in the safety and quality provisions of Codex texts that would justify new work on processed cheese and describe the scope of any new work to be considered to address such gaps. The Commission further agreed to request the upcoming sessions of the FAO/WHO Coordinating Committees to further discuss the need for a standard for processed cheese and document the scope of the work that might be needed in this area.

164. The Codex Secretariat would analyse the information received in response to the Circular Letter; the analysis along with the inputs of the FAO/WHO Coordinating Committees would be presented at the next Session of the Commission, which would decide whether new work addressing safety or quality requirements is necessary and, if so, the scope and the mechanisms for carrying out the work.

165. The delegations of Algeria, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Iran, Iraq, Jordan, Kenya, Kuwait, Lebanon, Libya, Morocco, Oman, Panama, Paraguay, Qatar, Saudi Arabia, United Arab Emirates, Uruguay and Yemen expressed their reservation on the discontinuation of work on the standard for processed cheese.

B. Matters referred by Codex Committees and Task Forces

Committee on Sugars

Proposed draft Standard for Panela

166. The Commission recalled that the development of a Standard for Panela had been approved as new work by the 34th Session of the Commission and that the timeframe for completion of this work was the 36th Session of the Commission in 2013.

167. The Delegation of Colombia, as Chair of the Committee on Sugars, informed the Commission about the status of development of this Standard. The Delegation indicated that, based on the comments submitted, the main issues surrounding the development of the Standard related to the clear placement of the product in the General Standard for Food Additives (GSFA), which might require revision of the description of the relevant food category of the GSFA, and the definition of the physical and chemical characteristics of the product. The Delegation noted that the Standard should be ready for adoption at Step 5/8 by the next Session of the Commission, in compliance with the timeframe allocated for completion of this work.

Conclusion

168. The Commission noted the status of work on the Standard for Panela and looked forward to the final adoption of this Standard at its next Session.

Committee on Residues of Veterinary Drugs in Foods

Zilpaterol hydrochloride

169. The Chairperson introduced the matter arising from the 20th CCRVDF and explained that the Committee could not reach consensus on the inclusion of zilpaterol in the Priority List of Veterinary Drugs for Evaluation or Re-evaluation by JECFA (“Priority List”) and had sought the Commission’s guidance regarding the factors that should be considered in making a decision on whether or not to include a veterinary drug in the Priority List. The CCRVDF had further requested guidance as to whether the concerns of countries not in favour of the inclusion should be considered before or after the risk assessment evaluation by JECFA. The CCRVDF had finally requested the Commission to either adopt the new work by including the veterinary drug zilpaterol hydrochloride in the Priority List for JECFA evaluation or to exclude the veterinary drug, zilpaterol hydrochloride, from the Priority List for JECFA evaluation.

170. The Chairperson further recalled that the 20th CCRVDF had forwarded a Priority List to the Commission for approval as new work, as contained in Appendix IX, Part A of its report, and that zilpaterol had been included in Part B of the same Appendix, pending the outcome of the Commission’s discussion.

171. Delegations who objected to the inclusion of zilpaterol in the Priority List mentioned that the compound was similar to another beta-agonist, ractopamine, for which draft MRLs had been kept at Step 8 for several years in the absence of consensus and that this issue needed to be considered taking into account other pending issues as provided for in the Procedural Manual³⁸ before proceeding with another similar compound in the Priority List. They were of the view that the inclusion of zilpaterol in the Priority List did not meet one of the Codex criteria for the establishment of work priorities, as outlined in the Procedural Manual³⁹, to complete work in a reasonable period of time. They further expressed the view that the inclusion of zilpaterol in the Priority List could waste JECFA resources because of the difficulties to find a consensus. In view of its limited resources, requests to JECFA needed to be prioritised to allow JECFA to focus on compounds, for which Codex could complete work within a reasonable time. It was further noted that Member countries could address their requests directly to JECFA⁴⁰. They further noted the importance for Codex to strive for consensus-based decisions to ensure its credibility as the pre-eminent authority in the field of food safety and food quality. One Delegation suggested to also include consideration of offal in the evaluation of JECFA, in case zilpaterol is added to the Priority List.

172. Delegations that supported the inclusion of zilpaterol in the Priority List highlighted that the compound was approved for use in several countries and met the CCRVDF criteria for inclusion and “other legitimate factors” should not be taken into account in taking the decision. They pointed out that the evaluation of zilpaterol could help to re-assure consumers on the safety of its use in animal food production. They were of the opinion that there was no need to change the CCRVDF procedure for the inclusion of veterinary drugs in the Priority List and that it was not appropriate to pre-empt the outcome Codex discussions on the JECFA assessment of zilpaterol, by preventing its evaluation. They stressed that risk management decisions should be taken only after the risk assessment had been carried out.

173. On the issue of the status of the criteria of paragraph 13 of the *Risk Analysis Principles Applied by the Codex Committee on Residues of Veterinary Drugs*, the Representative of the Legal Counsel of FAO, speaking on behalf of the legal offices of both FAO and WHO, noted that compliance with the criteria could not, normally, trigger an automatic decision for inclusion in the Priority List and that members of Codex would normally retain a degree of discretion on inclusion of a veterinary drug in the Priority List.

174. The Representative indicated that there was a clear need for predictable procedures in Codex and noted that a consistent practice in the CCRVDF had been established over the years. It was, therefore, reasonable for Codex members to expect that when a compound met the criteria for inclusion in the list, inclusion would follow. On that basis, the legal offices considered that a veterinary drug should be included in the Priority List for JECFA (CHECK SPANISH)evaluation if it meets the criteria of paragraph 13 of the

³⁸Procedural Manual: Risk Analysis Principles applied by the CCRVDF (page 125, para. 17)

³⁹ Procedural Manual: page 40

⁴⁰ Procedural Manual: Risk Analysis Principles applied by the CCRVDF (page 123, para. 6)

Risk Analysis Principles Applied by the Codex Committee on Residues of Veterinary Drugs. He further recalled that acceptance of new work required approval by the Commission irrespective of inclusion of drugs in the priority list by CCRVDF. If changes to the criteria or procedures were needed, the appropriate channels of Codex could be followed, for example through the Committee on General Principles.

175. One Delegation also questioned how precedence could be established when to their knowledge the CCRVDF had never experienced similar situation i.e. “no consensus on the substances in the Priority List”.

176. The Chairperson noted the views expressed by the Representative of the Legal Counsel and the discussion above. He concluded that the Procedural Manual provided sufficient guidance for the inclusion of zilpaterol in the Priority List and that several countries depended on JECFA evaluations to assess veterinary drugs. The Chairperson further noted that the Representative of the Legal Counsel had stated that once the criteria listed in para. 13 of the *Risk Analysis Principles applied by the CCRVDF* were met, inclusion of the veterinary drug the Priority List would follow.

Conclusion

177. The Chairperson concluded that, based on the above legal opinion, zilpaterol should be included in the Priority List for JECFA evaluation, that no further guidance was required for the CCRVDF, that risk management decisions should follow the risk assessment and that the Commission approved the Priority List with the addition of zilpaterol hydrochloride. On this basis, the CCRVDF would initiate work based on the recommendations of the JECFA evaluation.

178. The Delegations of China, Croatia, Egypt, European Union, Norway and Switzerland expressed their reservation to this decision.

STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 10)

GENERAL IMPLEMENTATION STATUS (Agenda Item 10a)⁴¹

179. The Commission noted the discussion that had been held on the monitoring of the Codex Strategic Plan 2008-2013 at the 67th CCEXEC, which had noted that there were no specific concerns and that the overall implementation of the Strategic Plan was progressing satisfactorily.⁴²

180. With regard to Activity 5.2 “*Promote effective use of written comments in the Codex process*”, one Delegation noted that replies to the questionnaire on the use of written comments indicated that late comments were not dealt with consistently across Codex and suggested to consider the development of a procedure to ensure a consistent approach among Codex committees on how to handle late comments as an activity of the new Strategic Plan.

181. In response to a request for clarification of the status of Activity 5.3 “*Evaluate effectiveness of Codex Committee sessions held in developing countries*”, the Codex Secretariat clarified that the activity was completed. A comprehensive study on the effectiveness of Codex committees session held in developing countries⁴³ had been considered by the 32nd CAC and the practical recommendations of the Commission, including the amendment of the *Guidelines for Host Governments of Codex Committees and ad-hoc Intergovernmental Task Forces* and creation of a specific page on co-hosting on the Codex website⁴⁴, had been implemented.

Conclusion

182. The Commission concurred with the conclusion of the 67th CCEXEC and noted that the implementation of the Codex Strategic Plan was underway and progressing in a satisfactory manner.

DRAFT CODEX STRATEGIC PLAN 2014 – 2019 (Agenda Item 10b)⁴⁵

183. The Chairperson introduced the item and provided an update on the progress made on the development of the draft Codex Strategic Plan 2014-2019. Based on the latest draft proposed by the drafting team led by the Member for North America, the 67th CCEXEC had discussed changes to the text in an in-session working

⁴¹ CX/CAC 12/35/11

⁴² REP12/EXEC2, para.48

⁴³ ALINORM 09/32/9B Part III

⁴⁴ <http://www.codexalimentarius.org/meetings-reports/co-hosting-meetings/en/>

⁴⁵ REP12/EXEC2, paras 49-60 and Appendix II, CRD 4 (comments of Chile), CRD 6 (comments of EU), CRD 16 (comments of Peru), CRD 24 (Comments of Dominican Republic)

group, taking into account all written comments submitted and those made during the CCEXEC. The CCEXEC had further agreed to establish a sub-committee, to be chaired by Dr Samuel Godefroy, Vice-chairperson and open to all CCEXEC members, to further develop the draft Strategic Plan, in accordance with a procedure agreed at the CCEXEC. The sub-committee was tasked to

- By the end of July 2012: Complete the draft Strategic Plan 2014-2019, taking into account the discussion at the 35th Commission and including proposed performance indicators and the workplan;
- Through the Codex Secretariat send this draft to all FAO/WHO Coordinating Committees for discussion and input;
- By mid March 2013: Finalise the Strategic Plan 2014-2019 based on the inputs of the FAO/WHO Coordinating Committees.

184. The Commission agreed to consider the draft Strategic Plan, as presented in Appendix II of REP12/EXEC2, to provide guidance to the Sub-Committee of the CCEXEC, and to focus the discussion on the strategic goals and their objectives. It was noted that the activities would be further elaborated once the strategic goals and its objectives were finalised and that a logical framework with a work plan, timelines and performance indicators would be further developed by the sub-committee of the CCEXEC before the text would be sent to the Coordinating Committees.

Discussion

185. There was general agreement with the preparatory work done in developing the draft Strategic Plan and the process that would be followed in its further development proposed by the CCEXEC.

186. In the following, comments and proposals made at the Session, excluding activities, are reflected to be transmitted to the CCEXEC sub-committee for further discussion and possible inclusion in the draft Strategic Plan.

General Comments

187. Some general issues were highlighted:

- Emerging issues and climate change should be taken into account as drivers that will influence and shape the future of the food safety agenda;
- The importance of nutrition should be more prominently included in the Strategic Plan, considering that Codex had done well on food safety and could make progress on nutrition quality of food products to respond to the objective of WHO of preventing non-communicable diseases;
- The plan should not only focus on food safety issues but also address issues related to fair practices in the food trade; and
- Factors such as emerging risks, food security, effects of shifting population patterns and climate change should be discussed in a general statement that could be inserted after the Strategic Vision.

Specific comments

Strategic vision

188. It was suggested that:

- The statement should be written as a vision of how Codex is seen in future and not like an objective.
- The statement should include the words “Codex Alimentarius Commission” so that it was clear to whom the statement referred;
- Rather than being the “pre-eminent body” Codex should be the “trusted body” for development of standards;
- Codex should be “the only body” for standard-setting so as to avoid the development of private standards, however it was recognised that there were other standard-setting bodies such as ISO;
- The preservation of the environment should be included; and
- The words “to protect ..” should be changed to “to contribute to the protection ..” since Codex standards are voluntary and do not directly protect consumers if they are not complied with.

Core values

189. It was proposed that consideration should be given to the reordering of the key core values and the possible inclusion of other core values, such as the scientific basis of Codex work. However, it was noted that the core values expressed were the key core values and the listing was not meant to exclude other values, which were inherent in the work of Codex.

Strategic Goals

Strategic Goal 1: Establish international food standards that address current and emerging food issues

190. There was general agreement with Strategic Goal 1; and additionally it was proposed to:

- Make the goal more explicit to address consumers' concerns; emerging food safety issues; and feed, as it impacts on food safety; others who commented did not share this view;
- Add the notion of acceptability of Codex standards to be in line with the Strategic Vision.
- Include the need for the development of tools to assist with the implementation of the risk-based approach in Codex codes of practice.

Objective 1.3

191. Several delegations expressed concern that the current wording of this objective included cooperation with international non-governmental standard-setting bodies and proposed that cooperation should be limited to intergovernmental standards-setting bodies. It was also proposed to delete the final part of the sentence relating to avoiding duplication of efforts, as it was considered that the terms of reference of each organization was clear and that there was no duplication of work. Other delegations, however, pointed out the need for cooperation also with other non-governmental bodies, which were already observers in Codex. They noted that private standard-setting organizations were being encouraged to base their standards on Codex and, therefore, cooperation and coordination with them were important. It was pointed out that coordination of all food standards work by international governmental and non-governmental organizations was part of the mandate of Codex.

Strategic Goal 2

Objective 2.2

192. It was proposed to include in this objective "achieving optimum and sustainable access to scientific advice" and to highlight the importance of securing financial resources for the provision of scientific advice.

Objective 2.3

193. It was proposed that this objective should not be limited to developing countries, but reflect the need for increased scientific input from all countries. It was pointed out that some activities could focus on increased input from developing countries.

Strategic Goal 3

Objective 3.2

194. It was suggested to delete this objective as FAO and WHO, and not Codex, were responsible for capacity building programmes. It was pointed out that should this objective be retained, the purpose needed to be clarified and the activities amended accordingly.

Objective 3.3

195. There was general agreement with the proposal of the CCEXEC to delete this objective.

Strategic Goal 4

Objective 4.1

196. There was general agreement with objective 4.1. It was proposed to add that the standard-setting process should be "applicable".

197. It was suggested that a mechanism to measure the degree of uptake of Codex standards into national legislation could be added.

Objective 4.2

198. Some delegations were of the opinion that this objective should be deleted as there was already sufficient guidance in the Procedural Manual on how to achieve consensus.

199. Other delegations were of the view that it should be retained as it was important to improve the skills of committee members and chairpersons on how to achieve consensus.

200. It was also mentioned that it was important to improve the capacity of Codex to address roadblocks and consensus building in working groups, and it was also proposed to strengthen the capacity of the Codex Secretariat.

Conclusion

201. The Commission concluded that all comments made would be noted and summarized for consideration by the Sub-Committee of the CCEXEC, which would complete the draft Strategic Plan 2014-2019. The Commission noted that the Sub-Committee of the CCEXEC would provide a summary of the rationale of the way the comments of the Commission had been taken into account in the completed draft Strategic Plan.

202. The Codex Secretariat would distribute the draft Strategic Plan in a circular letter to all members and observers to FAO/WHO Coordinating Committees for their comments and inputs. The Sub-Committee would consider all comments and the outcome of the discussions at the Coordinating Committees and prepare a revised draft Strategic Plan for circulation for comments and consideration at the next Session of the CCEXEC and adoption by the next Session of the Commission.

MATTERS ARISING FROM FAO AND WHO (Agenda Item 11)

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 11a)⁴⁶

203. The Representative of WHO introduced the Annual Report 2011 and highlighted the following actions that had been taken to respond to the recommendations of the Mid-term Review of the Codex Trust Fund (CTF) as discussed at the 34th CAC and the FAO/WHO Coordinating Committees:

- A new Group 4 had been created to allow least developed countries and small island developing states to build up their capacity to sustain participation in Codex. After the end of regular support from the Codex Trust Fund, countries in this new group would receive two years additional support to participate in their two highest priority Codex meetings. This support would need to be matched with the same level of support funded from national resources.
- A shift in resources to Objective 2 to support FAO/WHO Codex capacity-building had taken place in line with a joint strategic planning process for Codex capacity development which had been undertaken by the two parent bodies.

204. The Representative gave an update on developments that had taken place in the first half of 2012. These included:

- The initiation of a pilot project to partner more experienced countries with less experienced countries to develop examples in the use of microbiological criteria in the context of CCFH (see CAC/35 INF/10). This pilot, which had taken place in the first months of 2012, was evaluated in May and was deemed by all participating countries to have been very successful. FAO and WHO and the Codex Secretariat were considering other areas where such an approach might be used to advance Codex work.
- The finalization of the CTF Monitoring and Evaluation (M&E) framework which had been developed in response to a recommendation of the Mid-term Review. The M&E framework had been piloted using data already being gathered by the CTF and the results were presented in the CTF Transitional Monitoring Report (CX/CAC 12/35/13-Add.1). Additional data and information would be gathered throughout 2012 in order to provide a full monitoring report to Codex members in 2013. This would allow the assessment of where further efforts could be required from the CTF, FAO and WHO and/or other partners in Codex to ensure effective participation in Codex.

⁴⁶ CX/CAC 12/35/13; CX/CAC 12/35/13-Add.1; CAC/35 INF/10 ;

205. The Representative thanked all donors for their contributions to the CTF and called attention to the fact that India had become the newest donor to the CTF and the recent contribution from Finland was also acknowledged.

206. The Delegation of Cameroon, speaking as CCAFRICA Coordinator, thanked donors for the keen attention given to the region by the CTF managers and recognized that the management of the Fund was deemed balanced in the region, for which it also thanked WHO. The Delegation nevertheless stressed that criteria for eligibility should be revised, especially with regard to “graduation” and called for reconsideration of the countries less prepared to “graduate”.

207. Several delegations called for a review of the criteria that were used to establish the CTF country groupings based on several considerations including the size of the economy, the health and trade problems faced by the country or the changing economic or political circumstances and asked for reconsideration of the status. The Delegation of Costa Rica, speaking as CCLAC Coordinator, also proposed to revise the criteria in the light of what had been agreed by the region, as stated in the report of the last Session of CCLAC (REP11/LAC).

208. Delegations acknowledged the success of the pilot initiative that had taken place in the area of the use of microbiological criteria and requested that this be extended to other areas of Codex work. It was also suggested that CTF “graduates” could “mentor” other countries with less experience to help them participate effectively in Codex. It was further suggested to have an information bank of pilot projects so that countries might access this and draw on these experiences, including through Coordinating Committees.

209. The following comments were also made: participation of developing countries in Codex work had substantially increased; the bulk of the support should continue to be used to support the least developed countries; activities to achieve Objectives 2 and 3 were supported; and countries should prioritize their participation in Codex. The contribution of CTF donors was acknowledged and with reference to the statistics on contributions in CX/CAC 12/35/13, section C, a call was made for other members to contribute.

210. In response to the above, the Representative of WHO recalled that the criteria for the CTF had been extensively reviewed in 2011, taking into consideration discussions at the 33rd Commission and all FAO/WHO Coordinating Committees and that this had resulted in the creation of the new Group 4. With regard to the sustainability of participation in Codex by CTF graduates, the data on this were provided in the CTF Transitional Monitoring Report under Outcome 1-1. These data were constantly under review by the CTF with FAO and WHO to allow for intervention as and when necessary directly with concerned countries.

211. The Representative noted the point made on the difficulties faced by small economies and highlighted that this would be looked at in conjunction with other criteria, such as the data on sustained participation in Codex, as had been done for least developed countries and small island developing states prior to establishing Group 4. The suggestion with regard to looking into how Codex graduates might undertake “mentoring” roles had also been noted. The Representative stated that all information on pilot initiatives and projects would be made available for easy consultation by all. A final comment was made with regard to Codex capacity development whereby the resources available for this component in the CTF were strategically targeted to complement the efforts of FAO and WHO in this area.

212. The Representative of FAO thanked the donors who made the activities of the CTF possible. The Representative pointed out that the CTF was meant to act as a catalyst for participation in Codex. The aim was to reach a stage where special measures were no longer necessary to ensure participation in Codex. It was also highlighted that capacity development takes time and it was important to make sure that time frames were reasonable. The FAO/WHO Coordinating Committees would be used to begin discussions on what support developing and transition economy countries might need in the future, as well as the areas of Codex work that might benefit from partnership initiatives such as the one that had been used to draft examples of the use of microbiological criteria.

OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 11b)⁴⁷

Provision of Scientific Advice

213. The Representative of WHO, on behalf of FAO and WHO, introduced the document CX/CAC 12/35/14 which was divided into 2 parts, namely recent FAO/WHO expert meetings and consideration by Codex; and status of requests for FAO/WHO scientific advice.

⁴⁷ CX/CAC 12/35/14; CX/CAC 12/35/14-Add.1.

214. The Representative summarized the outcome of recent FAO/WHO Expert Meetings related to chemical and microbiological hazards in food, as well as on nutrition labelling, as presented in part I of CX/CAC 12/35/14. All publications resulting from these meetings are available on the respective websites of FAO and WHO. The Representative also informed the Commission of the planned meetings for 2012, addressing requests from CCFA, CCPR, CCFH and CCFFP.

215. Referring to Part II of the document on the status of requests for scientific advice, the Representative pointed out that there is a long list of pending requests. She emphasized that both organizations continue to jointly prioritize these requests taking relevant criteria and available resources into account.

216. The Representative further emphasized the severe financial problems encountered by both Organizations for the scientific advice work, and that the current situation did not allow response to all requests in a timely manner.

Capacity building

217. The Representative of FAO, on behalf of FAO and WHO, presented document CX/CAC 12/35/14-Add.1 outlining the work undertaken by both Organizations which complement the work of Codex or support it at national, regional and international level. She explained that the document was organized differently than in previous years to better convey to delegates the main issues being dealt with in capacity development programmes. Part 1 of the document briefly underlines the emphasis on collaborative approaches taken by FAO and WHO in their capacity development programmes. Part 2 highlights selected areas of work currently under implementation including: the joint FAO/WHO work on antimicrobial resistance undertaken in several regions; activities focussed on the prevention of food safety emergencies through the recently established FAO EMPRES-Food Safety Programme; WHO's programmes of work on surveillance and burden of foodborne disease; development of capacities for implementing risk-based food inspection, and the ongoing work with governmental and non-governmental agencies to improve good hygienic practices along the food chain.

218. The Representative explained that the remaining Sections of the document presented new areas of work being initiated and publications that had been completed since the previous session of the CAC. The document provided the links to the FAO and WHO websites where full lists of activities at national and regional level could be found. She encouraged delegates to review the information provided and welcomed feedback on the new format of the document.

219. The Commission expressed its thanks to FAO and WHO for their work in capacity building and scientific advice. It was noted that scientific advice formed the basis for the work of Codex and that it was necessary for all members to increase their support to this critical activity.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 12)⁴⁸

Codex Budget

220. The Secretariat presented the budget and detailed expenditures for 2010-2011, noting that travel expenditures included funding for the participation of several JECFA experts to the 75th JECFA in November 2011. The substantial contribution made by the host countries to support the Codex programme was also highlighted with appreciation.

221. The Commission was informed that the 2012-2013 budget was approximately similar to 2010-2011, including 10% efficiency savings applied to all programmes in FAO, and that specific FAO funds had been allocated for the use of the Russian language.

222. One delegation stressed the need to increase resources for translation of documents into Arabic, which was very important to facilitate the participation of countries in the Near East in Codex work.

223. The Commission expressed its appreciation to FAO, WHO and host countries for their continuous support to the Codex programme.

FAO/WHO Scientific Support to Codex

224. The Representative of FAO, referring to paragraphs 21 to 23 of CX/CAC 12/35/15 which include detailed figures, clarified that the support to scientific advice includes the staff costs, and approximately

⁴⁸ CX/CAC 12/35/15, CX/CAC 12/35/15-Add.1

80 % of the non staff costs which relates to the implementation of the various expert meetings, preparation and publication of reports, updating of databases etc.

225. Efforts to support the provision of scientific advice continue and an additional allocation has been provided to support scientific advice in the area of nutrition in the current biennium. Nevertheless, reductions in the availability of Regular Programme funds coupled with the increasing demand for scientific advice, for example on pesticide residues, and the increasing complexity of issues across the board, mean there is an ongoing and growing need for extra- budgetary resources to supplement the regular programme budget of FAO for the provision of scientific advice.

226. FAO wish to ensure that the processes for generating standards maintain the highest standards while increasing in efficiency and remaining sustainable. GIFSA and other mechanisms are in place in FAO to receive extra-budgetary resources to support this work. FAO very much appreciates the support that has been received from countries to date but does note that such support has been limited to a few countries. The Representative also indicated that the position of FAO JECFA Secretariat is currently under recruitment and applications are welcome until 17th July.

227. The WHO Representative, in referring to document CX/CAC 12/35/15, explained the estimated budget needs for scientific advice in food safety and nutrition and highlighted the current estimated budget gaps.

228. The Representative of FAO introduced the current FAO situation of the cost and output of the JMPR. He highlighted that the FAO Regular Programme funds in the work of JMPR has been significantly reduced in recent years, while there was an increasing demand for scientific advice on pesticide residues. He further emphasized that the JMPR now works over its capacity. To increase the output of JMPR would require additional sustainable financial resources for staff and non-staff costs, and additional expertise.

229. Many delegations stressed the importance of FAO/WHO scientific advice and supported the proposal made by the Executive Committee to set up a sub-committee to propose finding realistic solutions to the critical resource problem in scientific advice.

230. Several delegations expressed their concern about the possibility of funding from the private sector as this would impair the integrity of the process, transparency and independence of the scientific advice. Other delegations recalled that it was necessary to seek funding from other sources than governments, with the understanding that any such funding should be acceptable according to FAO and WHO rules

231. One delegation encouraged the Secretariat to prepare a report on the financial situation in order that FAO and WHO members' representatives could draw the attention of the governing bodies to the issues of funding for scientific advice.

232. In response to some comments, the WHO Representative clarified that the scientific advice programme is not part of the Codex work and has a separate budget, and clarified that estimated costs for individual scientific advice activities are as listed in the table to the document, and refer to activity cost only, excluding staff cost. Regarding rules for funding for scientific advice and Codex work, she clarified that this is considered as core business of the Organizations and, as normative work according to the rules and procedures, is excluded from receiving funds from private sector entities that have a direct interest in the outcome of the work, in order to safeguard the independence and integrity of this work.

233. As regards the information provided to the governing bodies of FAO, the Secretariat indicated that an information document on *FAO's Role in International Standard Setting*, including Codex and referring to the importance of scientific advice, had been presented to the Committee on Agriculture (COAG) in 2012.

234. The Commission expressed its thanks to FAO and WHO for their support to scientific advice, took note of the current challenges in meeting the funding gap for scientific advice and supported the conclusions of the Executive Committee and agreed with the establishment of a sub-Committee of CCEXEC, chaired by Professor Samuel Sefa-Dedeh, to consider funding options, for consideration at the next session of the CCEXEC and the Commission

235. The Commission endorsed the proposal of the CCEXEC to request member countries to reconsider their funding priorities and provide financial support to FAO and WHO expert bodies. It was also agreed that the attention of the governing bodies of FAO and WHO should be drawn to the financial situation of scientific advice through the appropriate reporting channels in both organizations.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 13)⁴⁹

Relations between the Codex Alimentarius Commission and other International Intergovernmental Organizations

World Organization for Animal Health (OIE)

236. Dr Vallat, Director-General of the OIE, noted that during the past 12 months representatives of the OIE and Codex have continued to participate in relevant meetings of each organization. He emphasized that the maintenance and further strengthening of these arrangements is essential to ensure that standards pertaining to the food production continuum are consistent and to avoid gaps, contradictions and duplication in coverage.

237. Dr Vallat recalled that the potential development of joint standards was considered at the 27th Session of the CCGP and that following comments of Member Countries of the Commission, the OIE withdrew its original proposal and made a new one on possible means to harmonize approaches to standard setting, consistent with recommendations of the WTO SPS Committee. The OIE was pleased with the decision by the CCGP to establish an electronic working group to propose guidance for the OIE and the CAC on making consistent cross references to standards and guidance of each organization. Dr Vallat assured the Commission that the OIE will participate actively in this work.

238. On the issue of private standards in international trade, Dr Vallat indicated that the OIE has continued working on this issue with the objective of encouraging global private standard setting organizations to respect the official standards of the OIE and CAC. The OIE has taken steps to establish closer relationships with relevant global private standard setting organizations which included the signing of official agreements with ISO and the GFSI during 2011.

239. Dr Vallat noted that the OIE Expert *ad hoc* Group on Zoonotic Parasites, which includes participation from the WHO, FAO and CAC, is developing a revised *Terrestrial Code* chapter on trichinellosis which may be proposed for adoption at the 81st OIE General Session in May 2013. He sees that the current work of the Commission on trichinellosis has provided an opportunity to strengthen collaboration and coordination. The active involvement in each others' work on this topic will facilitate coordination between the two organisations in this area of work.

240. He also provided an update on OIE standards regarding antimicrobial resistance.

241. Dr Vallat noted that standards for high quality veterinary services and aquatic animal health services are set out in the OIE *Terrestrial* and *Aquatic Animal Health Codes*, respectively, and that these standards address animal production food safety and related activities, including the legislative framework for regulatory activities. In addition, he added that the OIE Tool for the Evaluation of Performance of Veterinary Services (OIE PVS Tool) covers food safety, including veterinary inspection at abattoirs, standards for the use of veterinary drugs and management of residues, and health certification for trade. Dr Vallat considered that these OIE standards and the PVS Tool were relevant to the development of Codex Guidelines on National Food Control Systems, by the CCFICS.

242. Dr Vallat assured the Commission of his strong commitment, on behalf of 178 OIE Member Countries, to maintaining and strengthening the close relationship between the OIE and the Codex Alimentarius Commission.

World Trade Organization (WTO)

243. The Observer from WTO presented a summary of the main aspects of relevance to Codex work since the 34th session of the Commission namely: trade concerns related to food safety; transparency, technical assistance; monitoring the use of international standards; cooperation between the WTO/SPS Committee and Codex, IPPC and the OIE and update on dispute settlement cases in the WTO addressing the SPS Agreement as indicated below. It was noted that further detail on WTO activities relevant to Codex could be found in the information document CAC/35 INF/3.

244. *Food safety*: in 2011 and the first trimester of 2012, 20 trade concerns related to food safety were discussed of which 12 were raised for the first time.

⁴⁹ CAC 12/35/16. Information provided by OECD (CAC/35 INF/1); OIE (CAC/35 INF/2); WTO (CAC/35 INF/3); STDF (CAC/35 INF/4); OIV (CAC/35 INF/5); ISO (CAC/35 INF/6); and IAEA (CAC/35 INF/7).

245. *Transparency*: the SPS information management system (SPS-IMS) allowed easy access and management of all WTO-SPS related documentation including notifications of regulations affecting different products and countries or trade concerns presented to the WTO/SPS Committee.

211. *Technical assistance*: four regional workshops on the application of the WTO/SPS Agreement had been planned in 2012 for Latin America; English-speaking Africa; Asia and the Pacific; and Central and Eastern Europe, Central Asia and the Caucasus. A workshop on transparency focused on the use of the SPS IMS and the new online SPS notification submission system (SPS NSS) would be organized and the 3 sisters would be invited to present their online available tools in this regard.

246. *Monitoring the use of international standards*: several WTO members presented a joint submission on SPS measures and international standards, guidelines and recommendations, raising concerns with the increase in the number of SPS measures that were not based on international standards, guidelines and recommendations or that had inadequate scientific justification.

247. *Cooperation between the WTO/SPS Committee and the three sister organizations*: the WTO Secretariat organized a workshop on coordination of SPS matters at the national and regional levels, to bring together officials responsible for participation in and implementation of the SPS Agreement, Codex, IPPC and/or OIE to discuss best practices in coordination at national and regional levels. Two specific recommendations resulting from the workshop were (i) the possibility to develop guidelines for good national coordination and/or (ii) a manual of good practices. Also, the SPS Committee formally agreed to encourage the Three Sisters to undertake joint work on cross-cutting issues, such as, *inter alia*, certification, inspection, approval procedures and/or risk analysis.

International Atomic Energy Agency (IAEA)

248. The Representative of the IAEA reported on relevant matters of interest to Codex arising from the Joint FAO/IAEA Division of Nuclear Techniques in Food and Agriculture since the 34th Session of the Commission, including the control of food contaminants, the use of ionizing radiation and the management of nuclear and radiological emergencies particularly following the Japanese nuclear emergency.

249. The Representative noted that in follow-up to discussions at the 6th Session of the Committee on Contaminants in Foods (CCCF) to involve the IAEA and other relevant international organizations in the proposed revision of the Codex Guideline Levels for Radionuclides in Foods, the Joint FAO/IAEA Division noted its intention to participate actively in this new work. The participation of the IAEA and the Joint FAO/IAEA Division in the review of the guideline levels was also strongly supported by the latest meeting of the IAEA Radiation Safety Standards Committee.

250. The Representative also noted that the Joint FAO/IAEA Division had collaborated with the Committee on Residues of Veterinary Drugs in Foods in publishing analytical methods through the Joint FAO/IAEA Division Food Contaminant and Residue Information System (FCRIS) web application system. The methods database contained methods from various sources and would accommodate both multi-residue analytical methods and single analyte methods. Access to the methods is intended to enhance the capabilities of developing countries and strengthen residue monitoring plans.

251. The associated FCRIS Pesticide Attributes Database (PAD) and the Pesticide Residue Methods (PRM) database are being developed through collaboration with the Codex Committee on Pesticide Residues as resources for physicochemical / toxicological data and for methods of analysis for pesticides, respectively.

252. The Representative further noted that two new Food Irradiation Treatment Facilities and Irradiated Food Authorization databases have been developed and published on the Joint FAO/IAEA Division website.

253. The Joint FAO/IAEA Division representative noted that the IAEA Scientific Forum on “Food for the Future: Meeting the Challenges with Nuclear Applications”, would be held from 18-19 September 2012 during the 56th Session of the IAEA General Conference and would include three separate sessions on Increasing Food Production, Ensuring Food Protection and Enhancing Food Safety.

254. The Delegation of Japan presented updated information on measures taken following radioactive contamination of food caused by the Fukushima Dai-ichi Nuclear Power Plant, as contained in CRD 15. The Delegation expressed its thanks for the continued support and assistance provided by IAEA and other international organizations in this regard. The Delegation explained that various countermeasures had been taken concerning radionuclides in foods such as monitoring, restricting the distribution of foods exceeding regulatory limits, and disclosing monitoring results. Japan announced that new standard limits for

radionuclides designed to deal with the contamination in the long term, have been implemented based on the intervention exemption level used as the basis for the Codex standards.

255. The Delegation emphasized that the percentage figure shown in CAC/35 INF/7, paragraph 6 did not represent the average rate of marketed food sample exceeding regulatory limits, and that the actual excess rate was much lower, as focus for inspection had been placed on the regions and foods that needed intense management and that monitored food included food before shipment and protective measures, such as restriction of distribution are taken on foods and food producing areas for which higher than standard limits value had been observed. The Delegation noted that the estimated annual effective dose of radioactive cesium from food purchased in Fukushima prefecture was less than 0.02 mSv/man/year.

256. The Delegation also reported that monitoring of radioactive Cesium in agricultural soil and mapping of distribution and level of radioactive Cesium had been conducted and remedial actions were being planned. Tolerances for radioactive Cesium in feeds had also been established and grass and fodders as well as organic fertilizers are monitored.

257. The Delegation of Egypt requested information on collaborative work on nanometric compounds, noting the difficulties for developing countries to control such compounds which were currently on the market.

258. The Representative of the IAEA indicated that food control programmes in the Joint FAO/IAEA Division were restricted to the field of contaminants, pesticide and veterinary drug residues including the application of nuclear technology for traceability systems, and that work on nanotechnology in relation to food additives and other food processing technologies might be carried out in future.

259. The Representative of FAO highlighted the work of FAO and WHO on the application of nanotechnologies to the food and agriculture sectors. In particular, reference was made to the development of tiered approaches for risk assessment of nanomaterials and the very recently published review of the state of the art of initiatives and activities relevant to risk assessment and risk management of nanotechnologies in food and agriculture. FAO together with WHO continued to monitor the needs of their members in this area in order to determine the direction of future work.

260. The Chair of the Committee on Veterinary Drugs thanked the Joint FAO/IAEA Division for its assistance with the web-based repository for methods of analysis for residues of veterinary drugs and its relevance for the veterinary residue monitoring programmes.

261. The Delegation of Chile highlighted the importance of the development of isotopic nuclear techniques in agriculture in particular in the area of pesticide residues.

International Organization of Vine and Wine (OIV)

262. The Observer from the International Organization of Vine and Wine (OIV) recalled that OIV was an intergovernmental organization of a scientific and technical nature with recognized expertise in the field of vines, wine and wine-based beverages, table grapes and raisins and other vine-based products and that the cooperation between OIV and Codex had produced positive results in several areas of Codex work such as food additives and contaminants, methods of analysis, labelling, etc. of interest to producers and consumers.

263. The Observer noted that the OIV contributed actively to the work of the Committee on Contaminants in Foods for instance the development of the *Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Wine* and intended to participate in the revision of certain maximum levels, in particular lead, being undertaken by this Committee. The OIV was also actively involved in the review of provisions for food additives in the General Standard for Food Additives. As regards methods of analysis, the OIV had developed methods of analysis, definition of standards for sampling and quality control in laboratories for wine and wine products and some of these methods had already been referenced by the Committee on Methods of Analysis and Sampling in the relevant Codex standards. In the Committee on Fresh Fruits and Vegetables, the OIV had also participated in the development of quality provisions in the *Codex Standard for Table Grapes* and could provide technical support for the revision of the *Codex Standard for Raisins* in the Committee on Processed Fruits and Vegetables.

264. The Observer further noted that the OIV also cooperated with FAO in the development of global statistics of the wine sector.

265. The Observer stressed the need to continue to coordinate and cooperate on activities of common interest to both OIV and Codex as also indicated in the current and new Strategic Plan.

266. The Delegation of Denmark, speaking on behalf of the member states of the EU present at the session, thanked all organizations for their collaborative activities with Codex, and called for close cooperation and coordination with these organizations in particular the three sisters in the area of food safety and the WTO/SPS Agreement to avoid gaps or overlapping and prevent barriers to trade. He also acknowledged the collaborative work with the IAEA in particular following the nuclear accident in Japan.

B. Relations between the Codex Alimentarius Commission and International Non-governmental Organizations

International Organization for Standardization (ISO)

267. The Observer of ISO recalled that ISO International Standards are developed according to principles stipulated by the WTO Committee on Technical Barriers to Trade, especially transparency, openness, impartiality and consensus and highlighted several areas of common interest and cooperation with Codex, as well as ISO technical assistance to developing countries. In this perspective, ISO organized, in cooperation with Codex, FAO, OIE and the Global Food Safety Initiative (GFSI), a regional workshop on safe and sustainable fisheries in September 2011 in Indonesia. Thirteen countries (with representatives of national standards institutes, government and industry) from East and South East Asia participated in this regional workshop, which was an opportunity to demonstrate each organization's complementarity, and together provide a valuable service to all stakeholders.

268. ISO organized, in cooperation with the Codex, OIE and UNIDO a regional workshop on Standards contribution to the food sector in Africa, in Nairobi, Kenya, in April 2012. Thirty-five African countries were invited as well as countries from other parts of the world. The 120 participants (from National Standardization Bodies, governments and industry) were provided useful information about food safety in different food sectors and could share their experiences and knowledge, thus to benchmark the different national practices. This workshop enhanced awareness of participants in terms of food safety and the role of the different international organizations.

269. The Observer indicated that ISO was cooperating with AOAC concerning work on methods of analysis for infant formula and foods for infant and children.

270. The Observer highlighted the work of the ISO Conformity Assessment Committee (ISO CASCO) noting that ISO did not assess conformity but provided guidance to its members on how to carry out conformity assessment, and recalled that Codex had liaison status with ISO CASCO.

Conclusion

271. The Commission expressed its appreciation to all international organizations that had provided information on their activities relevant to Codex work and looked forward to further cooperation and partnership that would result in mutual benefits for them and Codex. In this regard, the Commission recalled that three new organizations had been granted observer status with Codex as indicated in the report of the 67th Executive Committee, which should further enhance the objective of the Commission to coordinate food standards work.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS (Agenda Item 14)⁵⁰

272. The Commission elected the following persons to hold office from the end of its present Session to the end of the next regular (36th) Session of the Commission.

Chairperson: Mr Sanjay DAVE (India)

Vice-Chairpersons: Dr Samuel GODEFROY (Canada)

Mrs Awilo OCHIENG PERNET (Switzerland)

Professor Samuel SEFA-DEDEH (Ghana)

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 15)⁵¹

273. The Commission confirmed the designation of the Host Governments as listed in the Appendix VIII to this report.

⁵⁰ CX/CAC 12/35/17.

⁵¹ CX/CAC 12/35/18.

274. It was clarified that the Codex Committee on Sugars was hosted by Colombia and it was noted that the Procedural Manual on the web should be amended accordingly.

OTHER BUSINESS (Agenda Item 16)

Proposal for establishment of a subsidiary body of the Codex Alimentarius Commission⁵²

275. The Delegation of India referring to the proposal in CX/CAC 12/35/19 requested the Commission to consider the establishment of a Codex Committee on spices, aromatic herbs and their formulations. The Delegation pointed out that trade in these products, in particular spices, was increasing internationally; that the main producers of spices were in developing countries and that due to the lack of harmonized standards, these countries were increasingly finding it difficult to comply with the various existing standards, which could create trade barriers. The Delegation noted that harmonization would unify classification of spices and aromatic herbs and that such harmonization could take advantage of all other international standards available in this regard. Furthermore this would also contribute to ensuring transparency, fair trade practices and health of consumers worldwide, and lead to better consultation and cooperation among producing countries. The Delegation pointed out that although spices were of plant origin that they were not classified as fruit or vegetables and could not due to their nature be considered in either of the Codex committees for fruit and vegetables. The Delegation further noted that spices and aromatic herbs were quite specific products that might deserve tailor-made requirements that should be laid down in separate standards for different spices and aromatic herbs.

276. Several countries, both producers and importers of spices, supported the proposal to establish a Committee on Spices taking into account international trade in these commodities and their importance for developing countries. However, several other delegations, while not opposed to work on spices, noted that due to the short time for consideration of the proposal, more time was needed for consideration and analysis of the proposal. These delegations also stressed that it was important for the scope to be more clearly defined; that an analysis was needed on what could be addressed through the existing Committees and the relations between the work of a new committee and other committees in Codex; and that consideration should be given to the necessary human and economic resources if a new Committee was established, both as regards participation of member countries and providing the secretariat.

277. Some of the delegations also pointed out that new work did not necessarily imply the need for a new committee, but that consideration should be given to the establishment of a time-limited task force, which was recommended by the first Codex Evaluation under Recommendation 16. Consideration could also be given to the use of other mechanisms, in particular work by electronic means, such as was currently the case for the work on panela. Also, consideration should be given to the development of horizontal standards in line with the current approach of the Commission.

278. Noting the merits and general support for work on spices, but also that further analysis was needed, the Commission agreed to request the Delegation of India to prepare a discussion paper for consideration at the next session of the Commission, taking into account comments made at this Session, in particular the need to better clarify the scope of work; an analysis of the gaps in terms of work in the Commission; and the mechanism to undertake this work. Interested delegations were invited to provide their contribution to India in the preparation of the paper. The Commission also agreed to ask the Coordinating Committees for their views on the proposal for the establishment of a Committee on spices, aromatic herbs and their formulations. The next session of the Commission would further consider the proposal based on the abovementioned discussion paper as well as the views of the Coordinating Committees.

Celebrating the 50th Anniversary of the Codex Alimentarius Commission⁵³

279. The Chairperson introduced the Discussion Paper (CRD 25) and also recalled the discussions held on this item at the 67th session of the Executive Committee. He noted that the CCEXEC had supported the celebrations to mark the 50th Anniversary of the Commission and that the CCEXEC had established an organising committee, on an informal basis, led by Vice-Chair Mrs Awilo Ochieng Pernet, and including Representatives of the FAO and WHO and the Codex Secretariat, to identify priorities and time-lines and to steer activities to be carried out in consultation with regional coordinators. The Chairperson then invited Vice-Chair Mrs Awilo Ochieng Pernet to provide additional information on this item.

⁵² CX/CAC 12/35/19 Rev.

⁵³ CAC35/CRD25.

280. Mrs Ochieng Pernet recalled that fifty years after its first session, the CAC had remained fully committed to protecting the health of consumers and ensuring fair practices in the food trade. She noted that the CAC had established itself as the internationally recognised food standards-setting body and that its membership had increased steadily from 30 members in 1963 to 185 members in 2011. She also highlighted the increase in participation at Commission sessions from 120 Delegates in 1963 to 625 Delegates in 2011.

281. The Commission generally agreed with the conclusions of the Executive Committee and noted the proposed objectives for marking the 50th Anniversary i.e. (1) to celebrate the CAC's key achievements since its foundation; (2) to consider emerging issues and future challenges that Codex will be facing and to envisage how the CAC could address them and (3) to increase awareness about Codex. In addition to the proposed activities in section 3.3 of CRD 25, the Commission also noted the following proposals that had been made at the side event that took place during the session:

- follow an integrated marketing approach e.g. develop a travelling display with 12 themes including six successes and six challenges;
- hold celebrations during 12 months;
- create a CAC 50th Anniversary banner to be used at Codex Committee sessions and on other relevant Codex occasions;
- create national CAC 50th Anniversary commemorative stamps;
- hold CAC 50th Anniversary side-events during Codex Committee sessions;
- the Codex Chairperson Mr Sanjay Dave could address a special message to the broader Codex community to mark the 50th Anniversary;
- develop and promote a Codex logo as part of a communication strategy;
- raise awareness amongst policy makers and other stakeholders about the importance of Codex food safety and quality work;
- encourage National Codex Contact Points to share their success stories, lessons learned and challenges with members from their respective regions; and
- issue a Circular Letter to collect further ideas.

282. The Commission also noted that organising such activities should not result in excessive additional costs in view of the fact that resources were already limited in essential areas such as scientific advice.

Proposal for the use of a Codex “Logo”⁵⁴

283. The Commission took note of the information provided in the discussion paper (CRD 26) and concurred to proceed with the development of a Codex logo in line with the recommendations of the 67th CCEXEC⁵⁵.

Committee on Fish and Fishery Products (CCFFP)

284. The Delegation of Indonesia informed the Committee about the preparations for the next session of the CCFFP (Bali, Indonesia, 1-5 October 2012), co-hosted by Norway and Indonesia.

Other matters

285. The Delegation of Argentina made a statement requesting the secretariat to comply with United Nations Editorial Directive ST/CS/SER.A/42 of 3 August 1999.

⁵⁴ CAC35/CRD26.

⁵⁵ REP12/EXEC1, paras 98-108.

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APPENDIX II

AMENDMENTS TO THE PROCEDURAL MANUAL

The following amendments were adopted by the 35th Session of the Codex Alimentarius Commission.

Codex Committee	Subject	Reference
CCMAS	Provisions on the Use of Proprietary Methods in Codex Standards (to be added after the Section of the <i>General Criteria for the Selection of Methods of Analysis</i> in the <i>Principles for the Establishment of Codex Methods of Analysis</i> of the Procedural Manual)	REP12/MAS, paras 61 – 78, Appendix V
CCFH	Revision of Risk Analysis Principles and Procedures Applied by the Codex Committee on Food Hygiene	REP12/FH para. 129, Appendix V
CCFA	Risk Analysis Principles applied by the Codex Committee on Food Additives	REP12/FA paras 14 – 21, Appendix II
CCCF	Risk Analysis Principles Applied by the Codex Committee on Contaminants in Foods	REP12/CF para. 22, Appendix II
CCCF	Revision of definition of “contaminant”	REP12/CF para. 38, Appendix IV
CCRVDF	Revision of the <i>Risk Analysis Principles Applied by the CCRVDF</i> and of the <i>Risk Assessment Policy for Residues of Veterinary Drugs in Foods</i>	REP12/RVDF para. 83, Appendix VII

APPENDIX III

**LISTS OF STANDARDS AND RELATED TEXTS ADOPTED BY THE THIRTY-FIFTH
SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Part 1 – Standards and Related Texts Adopted at Step 8

Standards and Related Texts	Reference	Status
Food additive provisions of the <i>General Standard for Food Additives</i> (GSFA),	REP12/FA Appendix VI	adopted with amendments (See Agenda Item 4)
Revision of the <i>Standard for Food Grade Salt</i> (CODEX STAN 150-1985)	REP12/FA Appendix XI	adopted
Maximum Level for Melamine in Liquid Infant Formula (ready to consume)	REP12/CF Appendix V	adopted
Maximum Residue Limits for Pesticides	REP12/PR Appendix II	adopted
Revision to the Codex Classification of Food and Animal Feed (fruit commodity groups)	REP12/PR Appendix VIII	adopted
Principles and Guidance for the Selection of Representative Commodities for the Extrapolation of Maximum Residue Limits for Pesticides to Commodity Groups (including Table 1: Examples of the selection of representative commodities - fruit commodity groups)	REP12/PR Appendix XI	adopted
MRLs for narasin (cattle tissues)	REP12/RVDF Appendix III	adopted
MRLs for Ractopamine	ALINORM 08/31/31 Appendix II	adopted
Revision of the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985) concerning a new definition of “nutrient reference values”	REP12/FL Appendix IV	adopted
Amendment to the <i>Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods</i> (CAC/GL 32-1999): use of ethylene for ripening of fruit	REP12/FL Appendix VI	adopted

Part 2 – Standards and Related Texts Adopted at Step 5/8 (with omission of Step 6 and 7)

Standards and Related Texts	Reference	Status
Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food	REP12/FH Appendix III	adopted with amendments (See Agenda Item 4)
Annex on Melons to the <i>Code of Hygienic Practice for Fresh Fruits and Vegetables</i> (CAC/RCP 53-2003)	REP12/FH Appendix IV	adopted
Food additive provisions of the <i>General Standard for Food Additives</i> (GSFA)	REP12/FA Appendix VI	adopted with amendments (See Agenda Item 4)
Amendments to the <i>International numbering system</i> (INS) for food additives	REP12/FA Appendix XII	adopted with amendments (See Agenda Item 4)
<i>Specifications for the identity and purity of food additives</i> arising from the 74th JECFA meeting	REP12/FA Appendix XIII (Part 1)	adopted
Maximum Level for Total Aflatoxins in Dried Figs, including Sampling Plan	REP12/CF Appendix VI	adopted
Maximum Residue Limits for Pesticides	REP12/PR Appendix III	adopted
MRLs for amoxicillin (cattle, sheep and pig tissues and cattle and sheep milk) and monensin (cattle liver)	REP12/RVDF Appendix IV	adopted
Sampling Plans for Residue Control for Aquatic Animal Products and Derived Edible Products of Aquatic Origin (C, Annex B of CAC/GL 71-2009)	REP12/RVDF Appendix VIII	adopted
Revision of the <i>Guidelines for Use of Nutrition and Health Claims</i> (CAC/GL 23-1997) concerning a new definition for “non-addition claim”, conditions for free of salt claims, amendments to the section on comparative claims and conditions for non-addition of sugars claims	REP12/FL Appendix II	adopted
Revision of the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985) concerning provisions for mandatory nutrition labelling	REP12/FL Appendix V	adopted

Part 3 – Standards and Related Texts Adopted at Step 5 of the Accelerated Procedure

Standards and Related Texts	Reference	Status
Amendment to the <i>Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods</i> (CAC/GL 32-1999) concerning inclusion of new substances	REP12/FL Appendix VII	adopted

Part 4 – Other Standards and Related Texts Submitted for Adoption

Standards and Related Texts	Reference	Status
Amendment to the <i>Principles and Guidelines for the Conduct of Microbiological Risk Assessment</i>	REP12/FH Appendix II	adopted with amendments (See Agenda Item 4)
Methods of Analysis in Codex Standards at different steps, including methods of analysis for food grade salt	REP12/MAS Appendix II	adopted with amendments (See Agenda Item 4)
Revision of the names and descriptors of food categories 16.0 and 12.6.1 of the GSFA	REP12/FA Appendix X	adopted
Revision of the Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals	REP12/CF Appendix III	adopted with amendments (See Agenda Item 4)
Regional standard for Fermented Soybean Paste (CODEX STAN 298R-2009) - provision for monopotassium tartrate (INS 336(i))	REP11/ASIA para. 10	adopted

APPENDIX IV

**LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5
BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Standards and Related Texts	Reference
Draft Principles and Guidelines for National Food Control Systems (Introduction, Sections 1-3)	REP12/FICS Appendix II
Draft Nutrient Reference Values (NRVs)	REP12/NFSDU Appendix III (See Agenda Item 4)
Draft Revision of the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (CAC/GL 8-1991)	REP12/NFSDU Appendix IV
Guidelines on Application of Risk Assessment for Feed	REP12/AF Appendix II
Draft Principles for the Use of Sampling and Testing in International Food Trade (section on Principles).	REP12/MAS Appendix IV
Draft Maximum Residue Limits for Pesticides	REP12/PR Appendix IV
Draft Revision to the <i>Codex Classification of Food and Animal Feed</i> - selected vegetable commodity groups	REP12/PR Appendix IX
Draft MRLs for monepantel (sheep tissues)	REP12/RVDF Appendix V
Draft revision of the <i>Guidelines for Use of Nutrition and Health Claims</i> (CAC/GL 23-1997) concerning Non-Addition of Sodium Salts	REP12/FL Appendix III

APPENDIX V

**LIST OF STANDARDS AND RELATED TEXTS REVOKED
BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Standard and Related Texts	Reference
Food additive provisions of the GSFA	REP 12/FA Appendix VII
Information on the Use of Food Additives in Foods (CAC/MISC 1-1989)	REP 12/FA para. 13
Specifications for potassium bromate (INS 924a)	REP 12/FA Appendix XIII (Part 2)
Guideline Levels for Vinyl Chloride Monomer and Acrylonitrile in Food and Packaging Material (CAC/GL 6-1991)	REP 12/CF para. 106
MRLs for pesticide/commodity combinations	REP 12/PR Appendix V
Analysis of Pesticide Residues: Recommended Methods (CODEX STAN 229-1993)	REP 12/PR para. 183
Fruit Commodity Groups in the Codex Classification of Food and Animal Feed (CAC/MISC 4-1993) (to be replaced by corresponding provisions of the revised fruit commodity groups in Appendix VIII of REP12/PR as part of the ongoing revision of the Classification)	REP 12/PR para. 107

APPENDIX VI

**LIST OF DRAFT STANDARDS AND RELATED TEXTS APPROVED AS NEW WORK
BY THE THIRTY-FIFTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

Responsible Body	Standard and Related Texts	Reference	Job Code
CCFH	Revision of the <i>Code of Hygienic Practice for Spices and Dried Aromatic Plants</i>	REP12/FH Appendix VII	N01-2012
CCFH	Annex on berries to the <i>Code of Hygienic Practice for Fresh Fruits and Vegetables</i> (CAC/RCP 53-2003)	REP12/FH Appendix VIII	N02-2012
CCCF	Code of Practice for Weed Control to Prevent and Reduce Pyrrolizidine Alkaloid Contamination in Food and Feed	REP12/CF Appendix VII	N03-2012
CCCF	Revision of the Maximum Levels for Lead in Fruit Juices, Milks and Secondary Milk Products, Infant Formula, Canned Fruits and Vegetables, Fruits and Cereal Grains (except buckwheat, cañihua and quinoa) in the <i>General Standard for Contaminants and Toxins in Food and Feed</i>	REP12/CF Appendix VIII	N04-2012
CCCF	Annex for Prevention and Reduction of Aflatoxins and Ochratoxin A in Sorghum to the <i>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals</i> (CAC/RCP 51-2003)	REP12/CF Appendix IX	N05-2012
CCCF	Code of Practice for the Prevention and Reduction of Ochratoxin A contamination in Cocoa	REP12/CF Appendix X	N06-2012
CCCF	Code of Practice to Reduce the Presence of Hydrocyanic Acid in Cassava and Cassava Products	REP12/CF, para. 165 CX/CAC 12/35/9 Annex 1	N07-2012
CCCF	Maximum Levels for hydrocyanic acid in cassava and cassava products	REP12/CF, para. 165 CX/CAC 12/35/9, Annex 1	N08-2012
CCCF	Levels for Radionuclides in Food	REP12/CF, para. 169 CX/CAC 12/35/9 Annex 2	N09-2012
CCPR	Priority List for the Establishment of MRLs for Pesticides	REP12/PR Appendix XIII	ongoing

Responsible Body	Standard and Related Texts	Reference	Job Code
CCRVDF	Priority List of Veterinary Drugs Requiring Evaluation or Re-evaluation by JECFA	REP12/RDVF Appendix IX Part A and B	ongoing
CCRVDF	Risk Management Recommendations for Residues of Veterinary Drugs for which no ADI and/or MRLs has been recommended by JECFA due to Specific Human Health Concerns	REP12/RDVF Appendix X	N10-2012
CCNEA	Regional Standard for Date Paste	REP11/NEA para. 92 CX/CAC 12/35/9-Add.1 Rev. 1	N11-2012

APPENDIX VII**LIST OF WORK DISCONTINUED BY THE THIRTY-FIFTH SESSION
OF THE CODEX ALIMENTARIUS COMMISSION**

Responsible Body	Standard and Related Texts	Reference
CCFA	Draft and proposed draft food additive provisions of the GSFA	REP12/FA Appendix VIII
CCMMP	Proposed Draft Standard for Processed Cheese	REP12/CAC para. 163

APPENDIX VIII

CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES

Subsidiary Bodies Established under Rule XI.1(b)(i)

Code	Subsidiary Body	Member Responsible	Status
CX 703	Codex Committee on Milk and Milk Products	New Zealand	<i>Sine die</i>
CX 708	Codex Committee on Cocoa Products and Chocolate	Switzerland	<i>Sine die</i>
CX 709	Codex Committee on Fats and Oils	Malaysia	Active
CX 710	Codex Committee on Sugars	Colombia	Active
CX 711	Codex Committee on Food Additives	China	Active
CX 712	Codex Committee on Food Hygiene	United States of America	Active
CX 713	Codex Committee on Processed Fruits and Vegetables	United States of America	Active
CX 714	Codex Committee on Food Labelling	Canada	Active
CX 715	Codex Committee on Methods of Analysis and Sampling	Hungary	Active
CX 716	Codex Committee on General Principles	France	Active
CX 718	Codex Committee on Pesticide Residues	China	Active
CX 719	Codex Committee on Natural Mineral Waters	Switzerland	<i>Sine die</i>
CX 720	Codex Committee on Nutrition and Foods for Special Dietary Uses	Germany	Active
CX 722	Codex Committee on Fish and Fishery Products	Norway	Active
CX 723	Codex Committee on Meat Hygiene	New Zealand	<i>Sine die</i>
CX 728	Codex Committee on Vegetable Proteins	Canada	<i>Sine die</i>
CX 729	Codex Committee on Cereals, Pulses and Legumes	United States of America	<i>Sine die</i>
CX 730	Codex Committee on Residues of Veterinary Drugs in Foods	United States of America	Active
CX 731	Codex Committee on Fresh Fruits and Vegetables	Mexico	Active
CX 733	Codex Committee on Food Import and Export Certification and Inspection Systems	Australia	Active
CX 735	Codex Committee on Contaminants in Foods	The Netherlands	Active
<i>Ad hoc Intergovernmental Task Force</i>			
CX 803	<i>Ad hoc</i> Codex Intergovernmental Task Force on Animal Feeding	Switzerland	Active

Subsidiary Bodies Established under Rule XI.1(b)(ii)

Code	Subsidiary Body	Member Responsible
CX 706	FAO/WHO Coordinating Committee for Europe	Coordinator for Europe
CX 707	FAO/WHO Coordinating Committee for Africa	Coordinator for Africa
CX 725	FAO/WHO Coordinating Committee for Latin America and the Caribbean	Coordinator for Latin America and the Caribbean
CX 727	FAO/WHO Coordinating Committee for Asia	Coordinator for Asia
CX 732	FAO/WHO Coordinating Committee for North America and the South West Pacific	Coordinator for North America and the South West Pacific
CX 734	FAO/WHO Coordinating Committee for the Near East	Coordinator for the Near East