Codex Alimentarius for consumers

What is it all about?

Demystifying the different Codex Committees

Participation in Codex Alimentarius – A step by step approach

Annexes
Acknowledgements

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Preface

Codex Alimentarius is the worldwide body with responsibility for setting harmonised food standards – which most people have never heard of. Codex (for short) is responsible for setting food standards so that consumers get safe wholesome foods, protecting health and for allowing foods that meet its standards to be traded freely between its member countries, worldwide.

Yet if Codex is so important why have so few people ever heard of Codex and yet fewer understand how it works? Who is involved in making Codex decisions? How does it make those decisions? Is Codex the responsibility of governments or do public interest groups and other interested parties have a role to play? Why, when food safety is such an important topic, do consumer organisations find it so difficult to get involved in Codex? Is Codex up to its job and is it able to balance its two roles of protecting consumers’ health and promoting international food trade?

This series of Resource Manuals from Consumers International aims to answer these questions and provide the information necessary for consumer organisations to get involved and really make a difference in Codex. Manual 1 explains what Codex is all about and how it operates; Manual 2 gives details of the different Codex committees and their main agenda items; Manual 3 gives a step by step approach for consumer organisations to get directly involved at the national level.

Codex has been working for almost 30 years, producing literally hundreds of standards, guidelines and manuals. But it has been a little-know body, whose work was not widely recognised. Since 1995 Codex has come under renewed interest and closer scrutiny from all quarters as the World Trade Organisation (WTO) cited Codex as the reference it would use to resolve trade disputes involving food; hence the greater interest in all Codex matters. WTO decides on the basis of Codex what can and cannot be traded safely for example, and what sanctions might be imposed if WTO and Codex rules are disobeyed. Codex matters more now than ever before.

But is Codex really able to meet the enormous task and challenge it is presented with? Consumers International has been working for many years with an agenda for change in Codex - making it more democratically accountable, putting the consumer interest first, making risk assessments more broadly based, ensuring consumers get the highest level of safety protection and information about their foods. Consumers should have confidence in the international bodies charged with protecting their interests, making sure that they get safe wholesome foods to eat, wherever those foods were grown or processed.

This is the challenge to Codex from Consumers International and its members: to ensure that consumers’ interests are given the highest priority in Codex and not over-ridden by trade interests. These resource manuals are a step towards enabling consumer organisations to demystify Codex and become directly involved in making Codex respond to the consumer challenge.
## Abbreviations

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<tr>
<td>AOECS</td>
<td>Association of European Coeliacs Societies</td>
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<td>BINGO</td>
<td>Business Interest Non Governmental Organisation</td>
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<td>BST</td>
<td>Bovine Somatropin</td>
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<td>CAC</td>
<td>Codex Alimentarius Commission</td>
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<td>CCEEXEC</td>
<td>Executive Committee of Codex Alimentarius Commission</td>
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<td>CCFAC</td>
<td>Codex Committee on Food Additives and Contaminants</td>
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<td>CCFH</td>
<td>Codex Committee on Food Hygiene</td>
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<td>CCFICS</td>
<td>Codex Committee on Food Import and Export Certification and Inspection Systems</td>
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<td>CCFL</td>
<td>Codex Committee on Food Labelling</td>
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<td>CCGP</td>
<td>Codex Committee on General Principles</td>
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<td>CCNFSDU</td>
<td>Codex Committee on Nutrition and Foods for Special Dietary Uses</td>
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<td>CCPR</td>
<td>Codex Committee on Pesticide Residues</td>
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<td>CCRVDF</td>
<td>Codex Committee on Residues of Veterinary Drugs in Foods</td>
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<td>CI</td>
<td>Consumers International</td>
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<td>CIAA</td>
<td>Confederation of the Food and Drink Industries in the EU</td>
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<td>CL</td>
<td>Circular Letter</td>
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<td>COMISA</td>
<td>World Federation of the Animal Health Industry</td>
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<td>CRN</td>
<td>Council for Responsible Nutrition</td>
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<td>CSPI</td>
<td>Centre for Science in the Public Interest</td>
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<td>FAO</td>
<td>Food and Agriculture Organisation</td>
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<td>EFLA</td>
<td>European Food Law Association</td>
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<td>EHN</td>
<td>European Heart Network</td>
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<td>ENCA</td>
<td>European Network of Childbirth Associations</td>
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<td>FDA</td>
<td>Food and Drug Administration</td>
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<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<td>GCPF</td>
<td>Global Crop Protection Federation</td>
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<tr>
<td>HACCP</td>
<td>Hazard Analysis and Critical Control Point (system)</td>
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<td>IACFO</td>
<td>International Association of Consumer Food Organisations</td>
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<td>ICA</td>
<td>International Co-operative Alliance</td>
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<td>IBFAN</td>
<td>International Baby Food Action Network</td>
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<td>IDF</td>
<td>International Dairy Federation</td>
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<td>IFOAM</td>
<td>International Federation of Organic Movements</td>
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<td>IGO</td>
<td>International Governmental Organisation</td>
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<td>ILCA</td>
<td>International Lactation Consultant Association</td>
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<td>ILSI</td>
<td>International Life Science Institute</td>
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<td>INGO</td>
<td>International Non Governmental Organisation</td>
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<td>ITIC</td>
<td>International Toxicology Information Centre</td>
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<tr>
<td>JECFA</td>
<td>Joint FAO/WHO Expert Committee on Food Additives</td>
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<td>JECM</td>
<td>Joint FAO/WHO Committee on Microbiology</td>
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<td>JMPR</td>
<td>Joint FAO/WHO Meeting on Pesticide Residues</td>
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<td>MRLs</td>
<td>Maximum Residue Levels</td>
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<td>NCC</td>
<td>National Coordinating Committee</td>
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<td>NCCP</td>
<td>National Codex Contact Point</td>
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<td>NGO</td>
<td>Non Governmental Organisation</td>
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<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<td>OIE</td>
<td>International Office of Epizootics</td>
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<td>PAN</td>
<td>Pesticides Action Network</td>
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<tr>
<td>PINGO</td>
<td>Public Interest Non Governmental Organisation</td>
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<td>RAFI</td>
<td>Rural Advancement Foundation International</td>
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<tr>
<td>SPS</td>
<td>Agreement of the Application of Sanitary and Phytosanitary Measures</td>
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<td>TBT</td>
<td>Agreement on Technical Barriers to Trade</td>
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<td>WHO</td>
<td>World Health Organisation</td>
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<td>WTO</td>
<td>World Trade Organisation</td>
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<td>WVA</td>
<td>World Veterinary Association</td>
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What is it all about?
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Chapter 1: What is Codex Alimentarius?

Introduction

International food standards and Codex Alimentarius – hardly the everyday concerns of consumers anywhere in the world as they go about buying their daily foods. Yet Codex Alimentarius and its deliberations in the setting of international food standards, as obscure as it appears, does have an impact on ordinary consumers and their daily foods, everywhere in the world.

1.1 What is Codex?

Codex Alimentarius is Latin for ‘food code’ or standard. ‘Codex’ is the term used as a shorthand when referring to the ‘Codex Alimentarius Commission’ (CAC), its committees and standards.

The Codex Alimentarius Commission was established in 1962. The World Health Assembly approved the establishment of the Joint FAO/WHO Programme on Food Standards and the first committee meetings followed to establish and harmonise food standards between countries.

The original remit of Codex, as spelled out in the Statutes of the Codex Alimentarius Commission, Volume 1 of the Procedural Manual was to

“guide and promote the elaboration and establishment of definitions and requirements for foods, to assist in their harmonisation and, in doing so, to facilitate international trade” (FAO/WHO, 1994).

Codex standards also contain

“requirements for food aimed at ensuring for the consumer a sound, wholesome product free from adulteration, correctly labelled and presented” (FAO/WHO, 1997a).

In summary the two requirements of Codex are:

- to facilitate trade and
- to ensure consumers are provided with sound, wholesome food.

Maintaining the balance between these two (often-conflicting) goals has in recent years become increasingly more complex and often controversial.

Prior to the signing of the General Agreement on Trade and Tariffs (GATT) in December 1994, Codex decisions were not binding on members nor had they any formal legal status. However, since 1 January 1995 and the setting up of the World Trade Organisation (WTO) with the application of its Agreement on Sanitary and Phytosanitary Measures (the SPS Agreement) there has been a change in the status of Codex standards, guidelines and recommendations. Codex is now the legal reference used by WTO and is binding on WTO members – should there be a trade dispute. These changes are beginning to have an impact on world food trade issues and on Codex itself.

1.2 The impact of Codex on consumers

It would be fair to say that most consumers have never heard of the Codex Alimentarius Commission (CAC). Consumers are largely unaware of its deliberations, complicated procedures, and decisions and how these impact on the foods they select, prepare and consume everyday.

Increasingly foods are subject to Codex as it determines the baseline for international food trade rules. Foods everywhere will ultimately be directly or indirectly influenced by Codex: in safety standards; additives; pesticide use; labelling of prepacked foods; international trade, competition and pricing – be the foods locally grown or imported from the other side of the world.

The impact of Codex on international trade and consumers’ food choices long-term should not be underestimated. This is even more pertinent now than when Codex was established in 1962.
Since December 1994, and the signing of the GATT Agreement, Codex standards have become ‘reference texts’ used by WTO for the settlement of international trade disputes, and hence, are increasingly becoming used as baseline, reference food standards in international trade.

National governments are able to set their own food standards at a higher level than Codex. But they cannot demand that food imports meet higher standards than Codex, unless this can be justified to the WTO. Under the trade rules higher standards are allowed, but if challenged by a trading partner, a country must be able to defend that, under the SPS agreement, a higher level of public health protection is necessary within their jurisdiction for those higher standards to be upheld at a WTO dispute panel. Some aspects of the WTO Agreements and their direct application are still unclear and untested but various trade challenges and disputes are establishing case law.

Many Codex commodity standards have become the accepted standards for food trade: such as, the Codex requirements for milk and dairy products, fresh fruits and vegetables, natural mineral waters, soups and broths, fats and oils and processed meats. Older Codex standards agreed some time ago are in the process of being revised, such as fruit juices. And new issues of concern in food trade, such as animal feedstuffs and biotechnology are being addressed in newly established ad hoc committees and task forces.

Many of the Codex commodity standards have been agreed and reviewed and, for the most part, they are not controversial. CI does not concentrate on commodity standards at specific Codex commodity committees. Instead CI focuses on the general subject Codex committees such as food hygiene, food labelling and pesticide residues - where the impact of Codex is felt across a whole range of foods.

With the globalisation of food trade and the convergence of scientific knowledge and its application to food production, national differences in approved lists of food additives and pesticides for example, are being reconsidered since internationally approved lists are being established under Codex.

Codex standards and decisions are reviewed periodically, particularly on the basis of new scientific safety assessments. The safety of all inputs, such as additives, pesticides and veterinary drugs, to the food supply is of great interest and concern to consumers. CI is particularly concerned that more sophisticated measures are adopted to consider multiple exposure risks and the particular sensitivities of children and vulnerable groups. At the Codex Committee on Pesticide Residues (CCPR) these matters have proved very controversial yet the committee is gradually beginning to be take them on board.

Issues that have a profound impact on consumers’ food choices, such as labelling guidelines, standards for food hygiene, nutrition standards, special dietary needs, as well as the levels of residues in foods and food additives are all important for CI within Codex.

In addition, the rules that Codex operates for international trade have been established and agreed by the Codex Committee for Food Import and Export Certification and Inspection Systems (CCFICS). The work of CCFICS has been important for ensuring fair trade, especially for developing countries, and that there is access to information about foods rejected on safety grounds.

One major issue and challenge for CI within Codex is to ensure that consumers’ views are acknowledged at all stages in the decision-making process. In addition, it is vital that undue attention is not placed on the first Codex principle – of basing Codex decisions on sound science – in isolation from the other principles. Consideration and application of other legitimate factors for the health protection of consumers (the second Codex principle), and noting that food labelling (the third principle) can play an important role are important for CI to keep to the forefront in all Codex decision-making.

### 1.3 Codex achievements

Prior to the 1999 Codex Commission meeting the following had been agreed
World Trade Organization, when first set up in January 1995, decided to use Codex as reference standards for world food trade. This has subsequently had a significant impact on Codex and the facilitation of food trade between nations. There is consequently more focus on the status of Codex standards and the specific detail of their content and scope.

1.4 New challenges

The legal implications of WTO and its reference to Codex are far reaching. Significant WTO obligations result for members as Codex decisions are agreed. This has presented Codex with new challenges.

- Decision-making at each stage of Codex is more difficult and often controversial and protracted. Decisions and final approval of Codex proposals has become more difficult since the legal obligations are more significant and binding. Several Codex decisions have even been taken by voting – which has been most controversial since Codex seeks to operate by consensus.

- Codex committee proposals are rejected by the Commission. Codex has also rejected some proposals, even though they have been approved and forwarded from the relevant subsidiary Codex committees. For example: proposals to approve the use of BST (Bovine Somatotrophin – a genetically engineered growth hormone that boosts milk production) have been before the Codex Alimentarius Commission (the final highest level of decision-making) on several occasions yet no consensus has emerged to adopt this proposal. Conflicting views on the interpretation of safety assessments and the role that factors other than pure science should play in decision-making have prevented the adoption and approval of this hormone within Codex and therefore for global trade.

- Principles for decision-making are challenged. Decision-making controversies have emphasised the need for clarity of the principles to apply and the role of science within this. At the time of the agreement of

(FAO/WHO 1999a):

236 Food Standards for commodities
41 Codes of Hygiene or technical practice
185 Pesticides evaluations
3,274 Limits for pesticide residues
25 Guidelines for contaminants
1,005 Food additives evaluations
54 Veterinary drugs evaluations

These figures were exceeded with further decisions and approvals at the Commission in June 1999 where 35 new food standards, 4 codes of good hygiene practice and 220 maximum residue limits in food were adopted (FAO/WHO 1999b).

As a result of Codex activities over the past decades there have also been substantial incidental achievements. These were noted by FAO/WHO in ‘Understanding the Codex Alimentarius’ (FAO/WHO 1999a) as “sensitising the global community to the danger of food hazards, as well as to the importance of food quality, hence leading to the need for food standards. Codex also generates reputable scientific texts, convenes numerous expert committees, consultations and international meetings, and is now recognised as the international reference body for food standards.”

Originally Codex was mainly concerned with developing commodity standards to ensure that traded foods would meet appropriate agreed quality and safety standards. Its work developed to further agree harmonised lists of approved food additives and pesticides and, to set maximum levels for residues of pesticides and veterinary drugs. Good standards of hygiene have been agreed and, systems of hazard analysis and critical control point (HACCP) developed for food safety and manufacturing practice. In addition, a new approach of risk assessment is being introduced into the work of Codex and this is being applied as standards are revised.

Codex has agreed and adopted standards, guidelines, codes of practice and developed many other related texts, together forming the basis of a global harmonised food regulation system.

WTO, when first set up in January 1995, decided to use Codex as reference standards for...
the Codex principles for decision-making (FAO/WHO, 1995), consumer and public interest organisations and CI particularly, criticised these principles for taking an approach which was too narrow to adequately address broader consumer needs and concerns. CI is still working to give these factors higher priority in Codex decision-making.

- Risk assessments of new technologies differ. As science and technology advances and new techniques emerge in food production and processing, the challenges for Codex will increase. Different risk assessment and differing interpretations of science and the other factors to take into account in decision-making lead to conflicting outcomes. Issues such as biotechnology and its application to food production, its safety assessment and labelling of foods produced from biotechnology are proving most controversial. Codex is making little progress in this area since there are such fundamental differences of opinion about risks.

The issue of labelling of genetically modified foods has been discussed by the Codex Committee of Food Labelling (CCFL) since 1993 – well in advance of these foods being traded globally. However, no agreement has been reached on how to label these foods. CI and other consumer and public interest organisations have lobbied Codex to resolve this by providing mandatory guidelines for the labelling of these foods, especially since they are now traded internationally and consumers want to have this information.

### 1.5 Consumers International’s agenda and objectives within Codex

Consumers International has a long history of involvement in Codex, having participated in many committees, since early in the 1970s. CI works at several different levels:

1) The specific content of Codex standards
2) Improving the Codex decision-making process
3) Representing members views at international Codex meetings and
4) Supporting members at the national level.

By providing expert technical expertise and input into general Codex committees, such as, pesticide residues, CI is working to ensure the decisions taken by these committees provide the highest level of protection for consumers’ health. Encouraging Codex to take on board the opinions of experts taking a different, more cautious, higher level of consumer protection is a challenge. At times it has been difficult for CI to question conventional science and risk assessments, and to encourage adoption of a higher level of precaution especially for children and vulnerable groups with multiple exposure to risk.

Improving the democratic accountability of Codex procedures and promoting the consumer interest is paramount for CI. Opening up Codex processes and increasing the consumer and public interest involvement is vital. CI works to make Codex and its impact on food more widely known in the public domain since public involvement and democratic accountability of Codex is essential.

The balance between the two Codex goals of ensuring fair practices in international trade and ensuring and protecting the health of consumers can be a delicate one. The often-conflicting interests of promoting food trade (increasingly from developing counties to the developing world) and, meeting ever more demanding needs of consumers for safer, better quality foods presents Codex with an even more challenging agenda in the future.

Consumers International is committed to working within Codex to ensure that:

- The highest level of consumer protection is achieved in all its standard setting
- The broadest consumer agenda – including a full assessment of legitimate factors other than science, is acknowledged and applied in Codex principles for decision-making
- Codex becomes more open, transparent, assessable and democratic in its decision-making
- Consumer and public interest groups, especially those from developing countries become more involved in Codex work at the national and international level.
Introduction

The complexity of Codex cannot be underestimated; its detailed rules and complex procedures have evolved to ensure consistency of approach and clarity in the decisions it makes. But they are often impenetrable to outsiders.

This chapter explains how Codex and its committees are structured, what the rules for decision-making are, and what procedures are followed in the Codex process.

Codex has its own particular jargon and procedural idiosyncrasies, which have developed and been highly refined over time. The application of rules, procedures and principles across all its committees, with delegations representing 98% of the world’s population, bequeaths Codex with a very complex system indeed.

Demystifying and explaining Codex to the uninitiated is one of CI’s aims, thereby facilitating wider understanding and participation of public interest NGOs in food standards setting at the national and international level.

2.1 Structure and funding

Codex is governed at the highest level by the Codex Alimentarius Commission. The Commission sets up subsidiary bodies or subordinate working committees; it reviews and adopts Codex standards, sets the agenda and future priorities for Codex.

Codex has two types of membership: ‘members’ – national government bodies who are responsible for decision-making, and ‘observers’ – other international approved organisations who have an interest in food matters. Observers can observe the process and participate in all debates but they are not formally involved in decision-making. Member countries alone are responsible for Codex decisions.

All Codex members and observers can attend Commission and committee meetings. All Codex meetings are open to the public. The Executive committee is an exception with only members being allowed to attend. Members of the public can attend Codex meetings, and increasingly the media attends and reports on Codex proceedings.

All Codex decisions must be approved at the top level, the Codex Alimentarius Commission. This body meets every two years in either Rome or Geneva, the respective bases of FAO and WHO. A proposal to hold the Commission every year is being considered given the increased workload of Codex and concerns over the secrecy and lack of access to the Executive committee.

The Commission has ‘subsidiary bodies’ or committees that do the detailed work and prepare draft standards, guidelines or other texts for the Commission to consider for approval. Most of these Codex committees meet every year; some meet once during the two year Codex session depending on the urgency of their business. Some committees are suspended since there are no current matters.

The Codex secretariat is provided by FAO and WHO, through the operation of the Joint FAO/WHO Food Standards Programme. Codex is based at FAO in Rome (for details see annex F).

The Codex secretariat is funded jointly by FAO and WHO, approximately 75% and 25% respectively. Governments fund the running costs of Codex committees by acting as hosts for individual committees. All members are responsible for their own Codex expenses: attending meetings, travel etc. Those with greater resources can naturally be involved to a greater extent than those – particularly from developing countries and the public interest
Consumers International attends these committees.

sector – whose financial and human resources are more limited.

2.2 Committees

Codex committees are all subsidiary bodies of the Commission. Currently there are 30 committees whose work programme is determined by the Commission. Not all of these are currently active: some are adjourned sine die (without a next meeting being fixed), for example, quick frozen foods and meat hygiene. CI is represented at most of the general subject committees, two task forces and regional co-ordinating committees (see shaded areas, Figure 1.

Should the Commission require new work, committees can be reconvened. Where work is urgent or new, ad hoc Intergovernmental Task Forces can be set up. These Task Forces are charged with dealing with important matters in a shorter timeframe. At the 1999 Commission meeting in Rome, three new Task Forces were set up to deal with the urgent matters of biotechnology, animal feeding and fruit juices. These are scheduled to complete their work and report back to the Commission within 4 years (by 2003).

An Executive committee is responsible for co-ordinating Codex work in between Commission meetings and for making proposals to the Commission about the general orientation and agenda of the work programme. The Executive comprises six elected members from each geographical region, in addition to the Chair and Vice-Chair of the Commission. No observers are permitted at the Executive committee and other member countries are discouraged from attending.

Codex has six regional co-ordinating committees with a remit to consider the general co-ordination of standards within, and for, that particular region.

Codex also depends on Expert Technical Committees of FAO and WHO to advise on technical safety aspects of food additives and pesticide residues. These are respectively the Joint FAO/WHO Expert Committee on Food Additives (JECFA) and the Joint Expert Committee on Pesticide Residues (JMPR). A new Expert Committee dealing with Microbiology (JECM) is to advise Codex on food microbiology, safety and hygiene matters.

At the national level, Codex member countries are required to specify Codex Contact Points within their country. In addition, National Codex Committees (NCCs) should be set up to establish forums for discussion and for the formulation of the national response to Codex proposals. Representatives from all relevant national bodies, including consumer organisations, should be invited to attend the NCC to put forward their views for consideration and inclusion in the national negotiating position.

NCCs also enable interested parties with no international body at Codex to represent their interests at the national level. Those groups unable to afford to attend the international meetings also have the opportunity to discuss the Codex agenda with their national representatives. All these interested national bodies can lobby for their positions and views to be taken into consideration by their national country member hopefully to be put forward at the international level in Codex.

Within Europe additional co-ordinating committees take place: member countries of the European Union discuss their individual positions and agree, where possible, a common European position to take forward at Codex. When there is agreed European legislation, a common position or draft European regulations are being formulated, individual countries usually agree to defer to the European Commission observer to negotiate collectively on their behalf at Codex.

Other regions with common interests in Codex are also beginning to co-ordinate their positions and use their collective bargaining force in negotiations, particularly the Middle East region and delegations from the developing economies, such as the Group of 77.

Effective operation of National Codex Committees has been an objective agreed by the Commission. Even so, not all member countries have achieved this. Given that many
organisations (particularly those from the public interest sector) do not have resources to attend Codex meetings, participation of public interest groups at the national level is even more vital and important.

2.3 Decision-making principles

Decisions in Codex are usually made by a consensus of the members present. The rules permit decision-making by voting but this is regarded as contrary to the ‘spirit of consensus’ to which Codex has committed itself and, is striving to achieve. Chairs of Codex committees strive to arrive at a consensus and avoid voting.

However, during the past few years a number of votes have been taken when adopting standards. Consequently these did not reflect a consensus, yet by the rules for voting, a simple majority vote of those present means that adoption of these standards was imposed on all members. These votes and controversial decisions provoked and initiated a review of the principles for decision-making and rules for elaboration of Codex standards.

The Commission subsequently agreed to improve procedures to facilitate consensus in the formulation and adoption of standards; this matter is currently under review by the Codex Committee on General Principles (CCGP).

The principles for decision-making and the role of science within this were clarified after much controversy and were finally agreed at the 1995 Commission in Rome, (FAO/WHO 1995). Details of the statement of principles for Codex decision-making are included in Figure 2.

The interpretation and use of the principles in practice has proved controversial and further clarification is being determined by the CCGP – particularly on the application of the second principle and the application of ‘other legitimate factors for the health protection of consumers’. CI has taken the lead in setting the agenda and defining the scope of these discussions to ensure that consumer views are paramount.

At the Codex Committee on Food Labelling (CCFL) CI along with Norway lobbied for the basis of decision-making to be extended to take full account of consumers’ needs, (FAO/WHO, 1997b). This broader base, taking into account consumers’ needs – not just science-based safety assessments – particularly in labelling matters, would ensure consumers have full and adequate information on which to base their purchasing decisions and especially in relation to genetically modified foods. Nevertheless, Codex maintains, that providing scientific assessments raise no safety concerns there should be no restrictions to adopting new standards, such as those for maximum residue levels for pesticides or growth hormones in meat, even where there is no demonstrable need or consumer demand for such substances.

Figure 2: Statement of principle concerning the role of science in the Codex decision-making process and the extent to which other factors are taken into account.

1 The food standards, guidelines and other recommendations of Codex Alimentarius shall be based on the principle of sound scientific analysis and evidence, involving a thorough review of all relevant information, in order that the standards assure the quality and safety of the food supply.

2 When elaborating and deciding upon food standards Codex Alimentarius will have regard, where appropriate, to other legitimate factors relevant for the health protection of consumers and for the promotion of fair practices in food trade.

3 In this regard it is noted that food labelling plays an important role in furthering both of these objectives.

4 When the situation arises that members of Codex agree on the necessary level of protection of public health but hold differing views about other considerations, members may abstain from acceptance of the relevant standard without necessarily preventing the decision by Codex.

Source: FAO/WHO (1995); Appendix 2, p 61
### Decision-making procedures

Codex procedures are long and complex and work through a “Step Procedure for developing standards and related texts”. Consequently all Codex decisions can take many years to agree. A rudimentary outline of the Step procedure follows. Full details can be found in the Codex Procedural Manual 11th Edition, (FAO/WHO, 2000: p19-30)

- **Step 1**
  New work is proposed – usually by a committee, which takes into account current Codex priorities. The Commission must approve new work. The task is then assigned to a subsidiary Codex committee to develop in detail.

- **Step 2**
  The secretariat arranges for the preparation of a “proposed draft standard”. This initial draft could be prepared in collaboration with a member or observer.

- **Step 3**
  The “proposed draft standard” is circulated to governments and international organisations for comment.

- **Step 4**
  Comments received are sent by the secretariat to the relevant subsidiary body – usually the relevant Codex committee for consideration, comments and amendment of the draft standard at its next meeting.

- **Step 5**
  The amended “proposed draft standard” is sent via the secretariat to the Commission or Executive for adoption as a “draft standard”. At this stage comments on any economic implications can be submitted.

- **Step 6**
  The “draft standard” is sent by the secretariat to all members and observers for further comment on all aspects.

- **Step 7**
  The secretariat forwards all comments to the Committee, which has the power to make further amendments to the “draft standard”.

- **Step 8**
  The “draft standard” is submitted to the Commission (with any further written proposals received) for final amendment at Step 8, with a view to its adoption as a full “Codex standard” to be sent to Governments for their acceptance and future application.

The same procedure is used when Codex is preparing standards, codes of practice, guidelines or other related texts. Codex decisions can be made to hold proposals at any step for further consideration, or even to return a proposal to a lower step for re-consideration and further amendment. Hence it can take many years to reach step 8.

An accelerated procedure exists for cases of urgency, such as new scientific information, urgent problems related to trade or public health or the revision of existing standards. The Commission can authorise, on the basis of a two thirds majority of the votes cast, the omission of Steps 6 & 7 for the accelerated procedure.

### Consultation procedures

The Codex 8-step process is deliberately long and detailed to allow full consultation with all interested parties as standards are being developed.

The Codex secretariat is responsible for the consultation process: formally comments are requested at Steps 3, 5 and 6 – the consultation steps. All member countries and observers are asked to submit written comments on drafts in response to circular letters. Circular letters announce proposals and ask for comments for inclusion at the next drafting stage, which is prior to the next formal discussion, and approval at the committee meeting.

However, comments can be submitted at any stage of the process, either as written comments or by presenting a verbal statement when the item is discussed at the Codex committee.

Although comments are not formally requested pre-Step 3, CI has been able to prepare detailed written comments and have them distributed as discussion papers prior to the formal consultation on important matters. This has been particularly important in setting the
agenda and presenting a consumer perspective early in the debate. For example, CI prepared significant papers for CCFL on the labelling of foods from biotechnology and for CCGP on BST (Bovine somatotrophin) and the role of ‘other legitimate factors’ in decision-making. These papers have been influential and presented both technical dimensions and procedural aspects. CI in this way has been able to reflect the level of consumer concern at the earliest stage possible to ensure that consumer matters are given a high profile in the Codex decision-making process.

At all formal consultation stages, CI, along with all other members and observers is able to submit written comments for review and consideration by the committee. Member countries should consult at the national level through their NCC with all interested parties, particularly consumer and industry groups. This ensures that national views can be reflected in the member country response to Codex proposals. In practice, while some governments formally circulate Codex consultations, seeking written comments, and input from NCCs, many do not. This needs considerable improvement in some countries. CI has been campaigning for improved participation at the national and international level, and while this has improved in some countries, there are still many countries where this does not happen at the national level.

Codex itself is powerless to insist that governments consult nationally, but it has strongly promoted the role of NCCs and the importance of national consultations. Codex has also approved rules and guidelines for the operation of national Codex Contact Points. These procedures and rules were developed with detailed input from CI’s members’ feedback and experience of NCC and Codex Contact Points.

In reality, where a member country does not hold NCCs or excludes an interested party, it is pressure from those very parties, demanding to have their views on Codex heard, that is most likely to bring about change. This will eventually ensure greater access to Codex process and accountability of members. Consumer groups need to be active if they are not invited or are excluded at the national level, citing the roles and responsibilities of Codex contact points and the National Codex Committees. In addition, reference to increasing best practice from many countries and the overall emphasis on having a responsible, inclusive policy towards consumer organisations (and other public interest groups) is forcing change. There is now considerable pressure on those member countries without proper national consultation procedures to swiftly move towards establishing such systems. CI will continue to work with its members to achieve effective national Codex consultations systems.

### 2.6 Acceptance procedures

Once a Codex standard is formally adopted by the Commission at Step 8, it can be then be fully accepted. Provided that a food complies with the standard, countries allow free distribution of that food within that country and its territorial jurisdiction. A country that cannot accept the standard, in any way, for say health reasons, has the right to make specified deviations that have to be declared, along with the reasons for any such deviations. Under the WTO Sanitary and Phytosanitary Agreement (SPS), members may deviate from international standards where they consider the standard inappropriate. A country may wish to set higher standards (for example on grounds of health protection as in the case of the EU and growth promoting hormones). However, they may have to provide justification for these variations if challenged by an exporting country, or the WTO.

The Codex secretariat sends approved standards to member governments for their adoption and keeps a record of those countries that have adopted Codex texts. The detailed procedure for acceptance is given in the Procedural Manual, 11th Edition, (FAO/WHO, 2000: p38-44). Legally, if a member country of Codex is also a member of WTO, by their very membership, Codex decisions are legally accepted, irrespective of the formal Codex acceptance procedures. Codex acceptance procedures and their legal status are being reviewed in the light of the WTO agreements.
Rules of operation

The specific rules of operation of Codex have been developed and refined since its inauguration; these are published in the Procedural Manual, which is now in its Eleventh edition, (FAO/WHO, 2000).

The formal statutes of the Codex Alimentarius Commission have been developed and refined over the years. They are given in the Procedural Manual: details of the 10 specific articles for its operation are given on pages 3-5. These Articles detail matters about the implementation of the Joint FAO/WHO Food Standards Programme, particularly:

- clarifying the purpose and scope of Codex
- specifying membership
- setting up and operating subsidiary bodies
- adopting and amending the rules of procedure and
- outlining the requirements for expenses.

The Procedural Manual is an essential reference for all Codex work, particularly when attending committees; rules of procedure are often quoted and invoked. While it is not necessary to learn all these rules, it is nevertheless very useful to develop a familiarity and working knowledge to understand the complex procedures and processes and to follow proceedings.

The Commission can amend its rules and statutes when a quorum of the majority of members is present. Indeed, it did so at its meeting in 1999 by agreeing new rules for INGO participation. When new rules are adopted they are published in the Procedural Manual. Indeed the details for INGO participation are now included in the Procedural Manual, p60-66.

At the end of each Commission meeting a report of the discussions, decisions and conclusions reached is agreed. A full report is subsequently published including a full participant’s list and a summary of the next steps.

When further comments are formally requested at Steps 3 and 6, the published report may be preceded by a Circular Letter requesting that comments be sent to the secretariat, prior to the next meeting. Alternatively a circular letter can be sent as a separate document in between Codex meetings seeking further comments.

Meeting procedures

The head of delegation is authorised to speak to present the views of that member country.

An alternate can also be designated to speak by the head of the delegation. The alternate speaker should be a member of the delegation but does not have to be a government official; advisers can take the floor to speak if requested to do so by the head of delegation.

There have been occasions when observers from industry and from consumer groups, as members of national delegations, have taken the floor on behalf of their national delegation at Codex committees.

Members make a request to speak by raising their country name flag and attracting the attention of the Chair. Contributions from members are taken in the strict order of the flags raised. This means that the discussions can often be fragmented and not sequential, sometimes several items are under discussion concurrently.

The rules allow observers to make interventions but only after all the members have taken the floor to speak.

At the discretion of the Chair, observers can be invited to speak earlier. CI has at times found it frustrating to wait to speak at the end of the discussion when important points of clarification and influence could have been more usefully interjected earlier. And yet, CI has also been called to take the floor early in discussions when it has been recognised to have an important contribution to present to the discussion. The order of addressing the meeting is at the discretion of the Chair unless challenged by the meeting.
Chapter 3: Participation in Codex

Introduction

Codex and its rules of participation are complex. This is not surprising when considering the numbers of members, observers and interested parties there are in an international organisation which covers 98% of the world’s population and a great proportion of international trade.

This chapter explains the different types of membership and the rules: who can become a member of Codex; who can become an observer; and the rules for participation and how to become a member.

There are several different types of approved international observers and their differing roles and perspectives are explained.

3.1 Membership and participation

Codex, as an intergovernmental body of FAO and WHO, has country members and other ‘observer’ members. Country members are representatives of national governments and observers are other officially recognised interested parties.

When Codex was set up in 1962 there were 38 original country members; now membership has risen to 165 countries. These countries represent 98% of the global population. In addition, there are literally hundreds of different observer organisations, from all types of international non-governmental organisations (INGOs) and intergovernmental organisations (IGOs).

A full list (as of October 2000) of members, arranged by Codex regions, is attached in Appendix B. The full membership list is updated regularly and published on the Codex Internet site at: http://www.fao.org/waicent/faoinfo/economic/esn/codex/CONTACT/new_list.HTM

Membership of Codex has increased significantly since the setting up of the WTO when Codex became a designated reference for international food trade. As more food is traded internationally, between more countries, so Codex membership continues to rise.

Codex members alone are responsible for decision-making which strives to be on the basis of consensus. However, the rules do permit voting. Should a vote be requested each member has one vote, irrespective of the size of the country, population size or political power.

Countries decide to become members of Codex – governments formally join Codex as they also do for the WTO. As members, they can send a delegation to the Codex Alimentarius Commission and its subsidiary committees. All members and observers are entitled to participate in all committees of interest and relevance to their geographical region, with the exception of the Executive committee, which is closed to all observers.

Codex members agree to conform to its decisions and implement its standards. However, this does not mean that all members actively participate in the work of all Codex committees. Developing countries are beginning to take a more prominent role but some of them rarely, if ever, are able to attend any international Codex meetings.

General Codex committees such as those for food labelling and food hygiene, (which apply across all foodstuffs) are better attended than specialist commodity committees, for example, those on fats and oils, sugars or natural mineral water. These commodity or vertical committees have a more specialised agenda and consequently a more limited technical, expert participation.

At the 23rd session of the Commission (June 1999, Rome) 103 member countries, 1 observer country and 63 international observer organisations attended: a total of over 600 participants.
Table 1 indicates how participation in the Commission has increased in recent sessions as Codex standards assume more importance in world trade affairs. The increase in attendance in 1999 was 24.5% more than the previous Commission meeting in 1997.

A detailed breakdown of ‘Who comes to Codex?’ is also given in Understanding the Codex Alimentarius (FAO/WHO 1999a). The figures cited give a detailed illustration of the increase in number of participants, and gives the breakdown from developed and developing country members attending. This breakdown shows the dramatic increase in numbers attending and particularly the increase from developing country members. It also demonstrates how the balance of participation has changed in favour of developed countries in recent years.

### 3.2 Member country delegations

Member country or national delegations mainly comprise government officials, as well as expert advisers and observer representatives from that country.

A senior government official (from for example, the Department of Health or Agriculture) usually leads a member country delegation. Usually this official is responsible for co-ordinating all Codex matters in that country. Other government officials and special advisers can also be included in the delegation.

It is not essential for the member country to be represented by the appropriate government department. At the discretion of the government department other national experts can be nominated to represent the member at a Codex meeting. On occasions some delegations have included technical or consumer expert without government representatives.

Countries with a major involvement in Codex work, such as the USA, have dedicated Codex officials with specific liaison and co-ordinating functions to deal with its national Codex work. Other member countries may have to prioritise and concentrate on one or two Codex committees where they may have a particular interest or expertise. Consequently a smaller group of officials may attend all the Codex committees of interest to that country.

The participant list from each Codex meeting is published in committee reports, available from Codex contact points or on the Codex web page. These show exactly who attended in each delegation, their status or affiliation. The participants list from the Commission meeting in July 1999 is available on the Codex web site and explains exactly who the delegations noted in Table 1 above were, (Codex web site at www.fao.org/es*/esn/codex).

There are no rules about the maximum size of a delegation. The size of a member country delegation may vary from one lone official to over 20 government officials and their advisers. However, there are sometimes practical problems in conference rooms: there are not always enough seats for all members of the delegation to be seated together. As agenda items are discussed different members of the delegation team will take a place at the conference table and speak to the relevant item.

**NGOs in member country delegations**

Member country delegations at their discretion,
can invite NGO ‘observers’ from their own country to be part of the national delegation.

Here the policy and practice differs significantly from one member to another, and even then varies from one committee to another. For example: at the Commission meeting in June 1995, the USA delegation included 27 delegates, the majority of whom (14) were government officials, the rest were observers –12 were trade or industry representatives or consultants and one represented a public interest NGO. At the 1997 Codex committee on food labelling the USA delegation comprised 8 government officials, 3 public interest NGOs and 10 industry funded groups.

CI’s members have participated in national delegations at some Codex committees and some have been funded by their governments to do so. Norway included and funded a consumer representative in its delegation to the Commission meeting in 1997. Likewise The Netherlands and France at the CCGP in 1999, and India at CCFL in 1998. While there are some examples of this good practice these are relatively few.

Some member delegations are reluctant to include observers in their delegations, for example, the UK, has stated that the proper place for all non-governmental groups to participate is through their international organisation.

3.3 Observers

In addition to member countries other groups are invited to participate in Codex proceedings and attend meetings as “observers”. Those granted observer status are either:

- international non-governmental organisations (INGOs) or
- intergovernmental organisations (excluding UN).

CI, then know as the International Organisation of Consumer Unions, (IOCU) joined Codex as an observer INGO in the early 1970s.

The list of all currently approved observer organisations is updated regularly on the Codex web site at: http://www.fao.org/waicent/faoinfo/economic/esn/CODEX/Manual/org_list.htm.

Full contact details are given for each observer organisation at: ftp://ftp.fao.org/codex/manual/obs_all.pdf

Observers represent various sectors with particular, but divergent interests in setting food standards. The three main groups of INGOs are roughly those from industry, public interest and professional organisations. For example:

- the food industry, such as the International Dairy Federation (IDF)
- public interest non-governmental organisations e.g. Consumers International and
- professional bodies such as the World Veterinary Organisation (WVA)

Unfortunately the Codex system does not distinguish between these three groups and consequently does not give any special status to public interest groups to counteract industry and trade NGOs.

Intergovernmental organisations (IGOs) – excluding the UN, represent organisations such as the ACP Group – African, Caribbean and Pacific Group of States and the EC – European Community.

Number of International NGO observers

The published list of INGO comprised 125 organisations in September 1999 and had risen to 226 by October 2000. The published list for IGOs in September 1999 contained 42 organisations and had risen to 46 by October 2000.

In 1997, the Codex approved list of 111 observer organisations comprised 104 industry-funded groups, six health and nutrition foundations and one broad-based international consumer group – Consumers International. It goes without saying that this level of representation and interest from industry overshadows consumer and other public interest organisations.

Rules for observer participation

Observers, once approved, are allowed to
participate in all relevant Codex matters; they can attend meetings, present written paper and address meetings.

While observer participation is encouraged and indeed increasing, observers cannot participate directly in decision-making. Observers are not allowed to vote, for example, but they are allowed to present their views for consideration in the decision-making process.

However, observers are not allowed to attend, participate or observe at the Codex Executive committee (CCEXEC). CI is campaigning to change this since all proceedings should be open and accessible to interested observers, in the public interest. There are proposals to allow an observer representative from each of the three INGO constituencies to attend CCEXEC as observers. Whether this will be approved and CCEXEC will be more accountable and open as a consequence remains to be seen.

Detailed rules for the approval of observers and their participation are defined, as are the requirements for new applicants. These require details of the organisation, its administration and funding, and whether it has recognised status with FAO or WHO (see Annex C). These principles concerning the participation of international non-governmental organisations in the work of Codex were agreed by the Commission, in 1999 and are included in the Procedural Manual 11th Edition, (FAO/WHO, 2000) and on Codex web pages at: http://www.fao.org/waicent/faoinfo/economic/esn/codex/Manual/ingos.htm.

3.4 The role of international NGOs

Codex decisions directly impact on the work of many International NGOs (INGOs), especially those industry groups involved in international food trade, as well as public interest groups and professional organisations working in the food sector. The number of INGOs recognised by Codex is increasing, as is their attendance as observers at Codex meetings.

Industry INGOs have a particularly interest in ensuring that Codex’s remit (as originally spelled out in Volume 1 of the Procedural Manual (FAO/WHO, 1994) “to guide and promote the elaboration and establishment of definitions and requirements for foods, to assist in their harmonisation and, in doing so, to facilitate international trade” is paramount.

On the other hand, public interest INGOs are concerned to ensure that Codex standards also contain “requirements for food aimed at ensuring the consumer a sound, wholesome product free from adulteration, correctly labelled and presented” (FAO/WHO, 1997a) and that these assure the health protection of consumers.

CI is also particularly concerned with the broader aspects of the democratic processes in Codex; the openness and transparency of the process, and CI aims at ensuring that other legitimate consumer concerns are recognised in the decision-making process. In addition, CI has much to contribute from its pool of technical expertise within its wide membership.

Professional organisations such as the European Food Law Association (EFLA) are concerned to monitor Codex decisions and discussions since they impact on the work of their members and in addition, these organisations can contribute their professional expertise to the discussions.

**Number of INGOs attending**

A very detailed breakdown of the delegations that attended Codex meetings was conducted in 1993 by Avery, N et al in ‘Cracking the Codex’. The fundamental concern discussed here was the balance of representation between industry-funded groups and public interest sector INGOs. Representation was dramatically skewed to those with the financial resources to send delegations to attend meetings. While there are now more public interest groups approved as observers, the overwhelming majority of observers is still those funded by industry.

An analysis of the participant’s list from the Codex Alimentarius Commission Rome, 1999 reveals the breakdown of the 63 observers and their affiliations. The number of public interest INGOs attending the Codex has increased recently, yet still these were still outnumbered by almost five times as many INGOs from the industry sector (see Table 2).
Numerical comparisons are interesting to compare and track the changing patterns of attendance at Codex meetings. However, attendance at Codex meetings is only one dimension of the overall work of INGOs to ensure their views are appreciated and taken on board by the Codex members able to make decisions.

### 3.5 The role of industry INGOs

In addition to attending meetings much lobbying takes place by industry INGOs before, during and after Codex meetings; they attempt to influence members to adopt their positions; discussion papers are researched and presented and often press statements are released to make the wider community aware of industry INGO’s positions on Codex discussions. Some of these groups have been involved in Codex work for many years; they are very well connected and known amongst the Codex fraternity. In some cases the representatives and employees or consultants have previously been government officials and even member country delegates to Codex meetings. For example, one former US delegate who was the Chair of the Commission now represents an industry funded INGO as an expert consultant. Depending upon the particular Codex committee and its agenda, particular industry/business funded INGO organisations will prioritise and attend according to their remit and association.

The key industry players in Codex and their main interests are listed below.

**Main industry INGOs**

- **CIAA**: Confederation of the Food and Drink Industries in the EU
  - The EU association of national food and drink industry organisations: mainly interested in foods for special dietary uses and food labelling issues.
- **COMISA**: World Federation of the Animal Health Industry
  - Deals with animal health and medicines, drugs and antibiotics: particular interest in growth-promoting hormones and BST.
- **CRN**: Council for Responsible Nutrition
  - Interested in food labelling and dietary intake levels and promoting free choice of dietary supplements to ensure optimum health.
- **GCPF**: Global Crop Protection Federation
- **IDF**: International Dairy Federation
  - Specifically interested in dairy commodity standards and labelling issues.
- **ILSI**: International Life Science Institute
  - Industry funded research institute focussing on nutrition standards and toxicity.

### Table 2: Breakdown of INGO delegation by sector, attending Codex Alimentarius Commission, Rome 1999

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<tr>
<th>Type of organisation</th>
<th>Number:</th>
<th>% of total number of observers</th>
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</thead>
<tbody>
<tr>
<td>• food industry sector</td>
<td>38</td>
<td>60</td>
</tr>
<tr>
<td>• public interest</td>
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<td>13</td>
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<td>6</td>
<td>10</td>
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<td>17</td>
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<td>100%</td>
</tr>
<tr>
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<td>103</td>
<td></td>
</tr>
<tr>
<td>Non-member country</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td><strong>Total All Delegations</strong></td>
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<td>Author’s own analysis from Commission report</td>
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IFOAM: International Federation of Organic Movements

Organic standards, labelling and GM issues

### The role of public interest INGOs

Many of the public interest groups involved in Codex work are often specific and focus upon their particular interest which may be discussed in one specific Codex committee. For example: the Association of European Coeliacs Societies (AOECS) has been working for many years specifically on the labelling of allergens at the labelling and nutrition committees, CCFL and CCNFSDU.

Public interest INGOs are also interested in promoting the broader consumer and public interest and obtaining standards that give the highest level of consumer protection. At times, the public interest agenda can directly conflict with the aims of Codex since when it attempts to harmonise, it often promotes acceptance of lower safety and public health standards.

In addition, many public interest INGOs are also concerned to ensure and promote the democratic process in Codex decision-making. Involving more INGOs, especially consumer organisations and those from developing countries has been a formal goal of Codex over the past decade. Significant improvements have been made whereby the formal procedures for INGO approval and involvement have been agreed (FAO/WHO, 1999b) and additional measures to facilitate improved consumer participation have been fully discussed and adopted.

CI has a long experience and expertise in Codex work and has a high profile in many of the general committees. It has good working relations with many other delegations, including member countries. CI works in collaboration with other public interest INGOs with the same agenda. The main public interest INGOs are listed below.

**Main Public Interest INGOs**

The main public interest INGOs participating in Codex are:

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<th>Description</th>
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<td>AOECS: Association of European Coeliacs Societies</td>
<td>Concerned with organic standards, environmental and development issues around food.</td>
</tr>
<tr>
<td>CI: Consumers International</td>
<td>Professional, objective view, have in the past supported CI in its quest to improve the democratic accountability of Codex. For example, EFLA supported CI at the Commission, Geneva 1997.</td>
</tr>
<tr>
<td>EHN: European Heart Network</td>
<td>A smaller, but never the less important group of INGOs represents professional organisations whose main work focuses on food and related issues. These groups often follow Codex developments and submit written comments; they are often present at the Commission meetings where final decisions are made.</td>
</tr>
<tr>
<td>ENCA: European Network of Childbirth Associations</td>
<td>Some of these organisations, taking a professional, objective view, have in the past supported CI in its quest to improve the democratic accountability of Codex. For example, EFLA supported CI at the Commission, Geneva 1997.</td>
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</table>
| EFLA: European Food Law Association | **Main Professional INGOs**

The main professional INGOs participating in Codex are:

<table>
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</thead>
<tbody>
<tr>
<td>EFLA: European Food Law Association</td>
<td>The main professional INGOs participating in Codex are:</td>
</tr>
<tr>
<td>WVA: World Veterinary Association.</td>
<td>CI: Consumers International</td>
</tr>
<tr>
<td>EHN: European Heart Network</td>
<td>EFLA: European Food Law Association</td>
</tr>
</tbody>
</table>
Demystifying the different Codex Committees
Demystifying the different Codex Committees
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## Chapter 9: **Codex Committee on Food Additives & Contaminants – CCFAC**

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## Chapter 10: **Codex Committee on Residues of Veterinary Drugs in Foods – CCRVDF**

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</tr>
<tr>
<td>11.3</td>
<td>Terms of reference</td>
</tr>
<tr>
<td>11.4</td>
<td>Timeframe</td>
</tr>
<tr>
<td>11.5</td>
<td>Main participants</td>
</tr>
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<td>58</td>
</tr>
<tr>
<td>12.3</td>
<td>Terms of reference</td>
<td>58</td>
</tr>
<tr>
<td>12.4</td>
<td>Timeframe</td>
<td>58</td>
</tr>
<tr>
<td>12.5</td>
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<tr>
<td>14.2</td>
<td>Recent consultations</td>
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</table>
Chapter 1: Codex committees of particular interest to Consumers International

Introduction

In this section of the Resource Manual we aim to give an overview of the Codex committees of particular interest to Consumers International. And provide a guide for consumer organisations (and other interested NGOs) to the basic issues covered by Codex that are of particular concern, interest, and impact on consumers, everywhere.

This section of the Manual is organised to review the overall committee structure of Codex and to explain, in detail, the work of each committee that is of particular interest to CI and that CI follows. The Commission, general Codex committees, Task Forces and regional committees are reviewed in detail, identifying the particular consumer issues.

CI does not follow developments in commodity committees per se but picks these issues up again when draft proposals are discussed by the Commission at the critical step 5 and 8 of the decision-making procedures.

Codex depends upon external expert bodies for technical advice and these are explained in later sections.

Codex has key areas of activities focussing on

- commodity and material standards, including food additives
- consumer information and labelling
- food hygiene
- food processing and packaging
- pesticides
- residues such as veterinary drugs, and contaminants
- sampling procedures, and methods of testing and
- international import, export inspection and certification systems.

1.1 Codex committees

Codex committees have been set up over the last 40 years to deal with specific topics as they have assumed importance to both food safety and health protection of consumers, or international trade matters. Subsidiary bodies, i.e. specific Codex committees, have been established to deal with these areas and are shown in Figure 1: page 13.

For example: the first Codex committees to be established were commodity committees, such as those on sugars and processed fruits and vegetables; both of which were set up in 1964.

Important general subject committees such as food hygiene and food labelling were also set up in the early days of Codex, 1964 and 1965 respectively. These general subject committees apply across all food commodities and are sometimes referred to as horizontal committees.

As Codex developed and world trade rules became necessary, issues of harmonisation of trade rules became more important. The food import and export certification and inspection systems committee (CCFICS) was set up to deal with this in 1992. More recently ad hoc intergovernmental Task Forces have been established to deal with important new issues (such as biotechnology and animal feeding) in a more expedient manner.

As the membership of Codex increased over the years specific issues, relevant for different geographical regions, became obvious. Codex regional co-ordinating committees were subsequently set up to deal with regional matters. Each member county can attend, as a member of the appropriate regional co-ordinating committee. Should any member country wish, they are able to attend any other regional co-ordinating committee, but only as an observer. Membership of each regional co-ordinating committee is show in Annex B.

Codex regional co-ordinating committees were set up by the Commission and the first meetings were held as below:
First meeting:
Africa 1974
Asia 1977
Europe 1965
Latin America and the Caribbean 1976
Near East 2000
North America and the South West Pacific 1990

1.2 Ad Hoc Intergovernmental Task Forces

There has been concern that the Codex process is too slow and unresponsive to address issues that need urgent attention, or able to deal with issues that are not covered by any existing subsidiary body. At the Commission in 1999 it was agreed to amend the rules to allow the establishment of ad hoc Intergovernmental Task Forces to deal with specific issues.

Specific terms of reference must, at the onset be defined for each Task Force to deal with the task, clearly stating the objectives, the number of sessions to be convened or the date by which the work is expected to be completed – which should not exceed five years. The membership is open to all interested members of Codex. A host government should be agreed at the onset, as should the expected date for the report to be presented to the Commission.

Two Task Forces were set up in 1999 to deal with the urgent matters of biotechnology, hosted by Japan, and good animal feeding, hosted by Denmark. CI has reassigned its Codex resources to be able to participate in both of these Task Forces.

1.3 Consumers International participation

The next sections of this document give a detailed description of the work, membership and specific issues covered by the main Codex committees and Task Forces of interest to CI and its members.

In 1999, CI determined that the following committees were of the most importance from a consumer perspective:

- Codex Alimentarius Commission
- Codex committee on General Principles
- Codex committee on Food Hygiene
- Codex committee on Food Labelling
- Codex committee on Pesticide Residues
- Codex committee on Food Additives and Contaminants
- Codex committee on Residues of Veterinary Drugs in Foods
- Ad Hoc Task Force on Foods derived from Biotechnology
- Ad Hoc Task Force on Animal Feeding

All these committees are explained in detail, emphasising the consumer issues that CI concentrates on.

CI also takes a keen interest in the work of the following FAO/WHO Expert bodies that provide specific expert technical expertise to the Codex committees:

- Joint Meeting on Pesticide Residues (JMPR)
- Joint Expert Committee on Food Additives (JECFA)
- Joint Expert Committee on Microbiology (JECM)

The way in which these committees operate is of the utmost importance – in selecting experts, in being free from influence and being open and transparent in their dealings since their decisions and advice is paramount to Codex and its committees. Hence these bodies and their decisions must be seen as being of the utmost credibility and accountability.

Last but not least, CI is interested in discussions of the Codex executive committee, (CCEXEC) especially since these cover policy aspects and impact on the work of Codex. However, no observers are allowed to attend CCEXEC. All papers and minutes are carefully monitored since this is the only access CI has to this important committee. CI has naturally been campaigning long and hard to gain access to CCEXEC since it believes that all public policy should be open and accessible to observers. Codex is proposing to allow a limited number of selected observers into CCEXEC but this proposal may take many years to reach fruition.

CI’s input to Codex committees essentially falls into the following areas with specific emphasis,
Chapter 1: Codex committees of particular interest to Consumers International

naturally on the consumer:

- providing technical expertise in standards setting
- ensuring that Codex does not put trade issues before consumer health
- representing views of consumers in all regions and particularly promoting the needs of those in developing countries and
- emphasising the need for Codex procedures to be open and accessible to ensure democratic accountability and credibility.

1.4 Codex systems: how? what? when?

Circular letters (CL)
Circular letters are formal consultations or requests for comments on Codex proposals and texts at various points or ‘steps’ within the Codex process. They form an important part of the Codex consultation process at steps 3, 5, and 7. Any member or observer can send a written response to a CL and expect to have those comments noted and considered at the next step, or presented to the next committee meeting.

CLs are important to obtain views from those unable to attend the Codex committee meetings. This means that many members and observers unable to afford to attend Codex meetings often make responding to CLs a priority.

CLs may be issued directly following a committee, indeed at the front of the report for that committee or, they may be issued between sessions, as the need arises. They are distributed to Codex contact points in member countries and, to those that normally participate in the work of that committee or have expressed an interest in the issues being discussed.

Circular letters are numbered, for example as CL 1999/8-GP to indicate:

<table>
<thead>
<tr>
<th>CL</th>
<th>1999/8-GP</th>
</tr>
</thead>
<tbody>
<tr>
<td>CL</td>
<td>that it is a circular letter,</td>
</tr>
<tr>
<td>1999/</td>
<td>the year of issue</td>
</tr>
<tr>
<td>8</td>
<td>the number of the CL in the series</td>
</tr>
<tr>
<td>GP</td>
<td>the Codex committee to which it relates.</td>
</tr>
</tbody>
</table>

CLs are always dated and require responses to the secretariat by a specified deadline so that they can be submitted to the committee for the next stage in the process.

Deadlines
Organisation and preparation for Codex meetings is of the utmost importance. This takes the most incredible amount of preparatory work from the secretariat, members and observers alike.

Codex carries out its work by committee meetings and by circulating papers for consideration at these committees, or by requesting responses to circular letters. In order to be able to participate effectively Codex papers have to be studied carefully before the meeting and positions developed in response to the detailed proposals. Therefore it is essential that all parties have access to all the Codex papers, before they can begin their preparation for a committee.

However, the circulation of Codex paper has been a major problem: the sheer volume of papers to be distributed to all the participants is overwhelming. Imagine there can be over 20 committees meeting in a year, all with large agendas and perhaps dozens of papers. All these papers have to be translated and circulated around the world to the 165 members of Codex and all of the observer organisations.

Consequently strict deadlines are imposed to ensure that delegates can receive papers in time for a thorough review, in order to prepare properly for further consideration of the agenda items.

Papers prepared by the secretariat should ideally be distributed three months in advance; but some are distributed just weeks before a committee and, there have been cases where papers have been published just weeks or days before a meeting. Some members have not even been able to get a copy before meetings. In these cases strong protests have been made and discussions at the committee have been of a preliminary nature so that no decisions are taken. The late paper is then re-circulated for proper consultation and comment.

All papers, including comments from governments and observers for circulation at a
Codex committee, should be received by the secretariat at least a month in advance, and ideally two months. Given how important it is for participants to prepare properly, and be able to take into account comments from all others, whether attending the committee or not, this rule should be strictly enforced.

**Electronic distribution of papers**

Unfortunately it has proved impossible to circulate all papers to all parts of the world by regular postal services in advance of formal Codex deadlines. This poses real problems for some countries and observers. Those with access to the internet now have another method of obtaining the papers but those members without reliable, easy and cheap access to the internet are disenfranchised if papers cannot be received in time by the normal distribution routes.

Increasingly Codex has come to depend on the use of the internet for circulation of all papers and correspondence in electronic format. This has improved matters significantly but, only for those with access to the internet. The Codex secretariat has a special email distribution list that it uses to send all Codex papers. In addition, anyone can have access to all Codex papers as they are placed on the Codex web site: www.fao.org/es*/esn/codex. CI is on the Codex ‘L list’ for electronic circulation of documents and passes these on to all interested members by email, through its regional food officers.

**Numbering of Papers**

Given the large number and different types of Codex papers it is essential to have a universal numbering system. All Codex papers are numbered according to the following scheme:

- **CX** Refers to Codex and appears first on all Codex papers
- **GP** Abbreviation for the Codex Committee or subject code – such as General Principles
- **99** Year in which the session of the meeting is held
- **13** Number of the paper in the Agenda for that meeting
- **ADD** Addendum
- **CRD** Conference Room Documents, circulated at the meeting and not normally available other than at the meeting
- **For example:** CX/FL 99/13 is a paper for the Codex committee on Food Labelling meeting in 1999: the 13th paper to be circulated for this meeting.

The Executive committee papers also indicate the session number: CX/Exec 94/41/1. This was the first paper circulated for the 41st session of the Executive Committee meeting in 1994. The Executive may meet twice in some years so it is important to be specific and distinguish with use of a session number.

Papers and reports of the Commission are numbered as Alinorm numbers, to distinguish them from the regular committees. When a Codex committee report is presented to the Commission for consideration and adoption it is given an Alinorm number. All papers presented to the Commission, even if they are reports of Codex committees (already with a number of that committee) are renumbered with an Alinorm number.

Alinorm numbers have the suffix for the year that the Commission meeting is to be held and the number of the paper within that year. For example: Alinorm 99/37 refers to the Codex Alimentarius Commission report for 1999, it being the 37th paper produced for that meeting in 1999. Alinorm 01/33 refers to the Codex session to be held in 2001, it being the 33rd paper for that meeting: specifically it is the report of the CCGP held in April 2000.

**Sessions**

Each session of the Codex Alimentarius Commission covers a period of 2 years. The Twenty-fourth session commenced in July 1999, immediately after the twenty-third Commission meeting met in Rome in 3 July 1999 and it will run until the end of the 24th Commission meeting in Geneva, July 2001.

During a Codex session, active committees meet at least once. Some committees will meet more regularly, maybe every year or even three times in a 2-year session depending upon the urgency of business.

Committees that are adjourned sine die are not scheduled to meet since there is no current business. But all sine die committees can be resurrected if there is new business to progress.
Chapter 2: Codex Alimentarius Commission – CAC or the Commission

2.1 Chair  Mr Tom Billy (US)

Vice Chairs  Mr Gonzalo Rios (Chile)

Prof. Stuart Slorach (Sweden)

Mr David Nhari (Zimbabwe)

Officers are elected to serve until the end of the next session and can be re-elected for a second term – 4 years in total.

2.2 Hosts  FAO, Rome

WHO, Geneva

Meetings alternate between hosts and are held every other (odd numbered) year, they are scheduled to last 6 days.

2.3 Terms of reference

Briefly stated, the aim of the Codex is to approve and adopt new standards, guidelines and texts, to approve work in progress and priorities for future work. Given the complexity of this task detailed rules and statutes are necessary to ensure effective and efficient operational procedures. These rules of procedure are made by the Commission and are regularly reviewed and updated. They are published in the Codex Procedural Manual, which in now in its eleventh edition, (FAO/WHO, 2000).

Detailed rules for the procedures of the Commission are given, along with the procedures for the elaboration of Codex texts.

Article 1 of the Codex Alimentarius Commission Statutes outlines the main obligations, the purpose of which is:

a) protecting the health of consumers and ensuring fair practices in food trade;

b) promoting co-ordination of all food standards work undertaken by international governmental organisations and non-governmental organisations;

c) determining priorities and initiating an guiding the preparation of draft standards through and with the aid of appropriate organisations

d) finalising standards elaborated under c) above and, after acceptance by governments, publishing them in a Codex Alimentarius either as regional or world wide standards, together with international standards already finalised by other bodies under b) above, wherever this is practicable

e) amending published standards, after appropriate survey in the light of developments.

2.4 Main participants

Government participants from 103 member countries attended in 1999 from a total membership of 165 countries. This meant that (for the first time in many sessions) a quorum (half the members + 1 = 84) was present at the Commission to vote and approve changes to its procedural manual.

Many delegations now participate in the Commission meeting because they have been unable to attend other committees often due to financial constraints. And this is often their last chance to put their position directly to the Codex members.

The Commission is the most important meeting of all Codex committees – where final decisions and approvals are made; therefore many member countries decide to make their main input in this, the highest level meeting of the Codex Alimentarius system. The Commission is the ultimate forum where opposition to proposals can be made.

INGO observers from 63 INGOs attended the Commission in 1999. For the most part there were few spoken interventions from INGOs.
Those that did make interventions included COMISA (Worldwide Animal Health Confederation), IACFO (International Association of Consumer Food Organisations), IFOAM (International Federation of Organic Farm Movements) and CI which was the most vocal of all INGOs.

**Attendance at the Commission**

It is clear from Table 1 that more and more participants are attending the Commission. This increase is most noticeable since the signing of the GATT Agreement and the setting up of the WTO in 1995.

### Main issues and current agenda items

A typical Commission agenda usually includes the following items:

- Election of officers of the Commission such as the Chair and Vice Chairs and the appointment of regional co-ordinators
- Reports from the Executive committees that have met since the last Commission meeting
- Report on the financial position of the Joint FAO/WHO Food Standards Programme
- Consideration of the draft medium term plan for Codex
- Consideration of Draft Standards and Related Texts at step 5 and for final adoption at step 8
- Consideration of proposals to elaborate new Standards and Related Texts
- Host Governments for Codex committees and Ad Hoc Task Forces
- Other matters – such as language and translation polices, and new issues not considered elsewhere such as food safety alerts e.g. Dioxins.

Other issues discussed at the 23rd Session included:

- Consumers involvement in the work of the Codex
- Principles of risk analysis
- Consideration of amendments to the Procedural Manual.

The volume of papers for Commission meetings is vast. All the reports from all the committees that have met in the 2-year Codex session are presented for adoption - this could be over 20 reports. These are renumbered as Alinorm papers, as is the requirement for the Commission. All draft standards and proposals are tabulated with the details buried within the Alinorm reports for each committee.

Many of the agenda items at the Commission, as expected, are of a procedural nature to ensure the efficient running of Codex for the next session. In addition, as the top level of decision-making the Commission is responsible for considering and approving proposals and recommendations passed up to it from its subsidiary committees.

These responsibilities include: the approval of all draft proposals for at Step 5, the Commission has to approve proposals at Step 5 for them to continue along the Codex process; final approval of all proposals at Step 8; all proposals for new work and changes to the rules.

Consumers International has been particularly active at the Commission working towards improving consumer participation in Codex, specifically regarding rules for INGOs.

### Table 1: Attendance at the Codex Alimentarius Commission

<table>
<thead>
<tr>
<th>Year</th>
<th>Total participants</th>
<th>Member Countries</th>
<th>Observers</th>
</tr>
</thead>
<tbody>
<tr>
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<td>608</td>
<td>103</td>
<td>63</td>
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<td>1997</td>
<td>459</td>
<td>83</td>
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<td>1993</td>
<td>259</td>
<td>70</td>
<td>27</td>
</tr>
<tr>
<td>1991</td>
<td>351</td>
<td>77</td>
<td>25</td>
</tr>
<tr>
<td>1989</td>
<td>281</td>
<td>56</td>
<td>29</td>
</tr>
</tbody>
</table>

Author’s own analysis from reports
participation, monitoring of consumer participation, increased resources for consumer participation - particularly for developing country members, and access of consumer observers at the CCEXEC. In addition, CI has challenged proposals (such as the approval of pesticide residues) that, in its opinion, do not give consumers adequate levels of health protection.

Consumers International aims to take a delegation to the Commission comprising representatives from each of its regions and including technical experts from relevant committees. CI has prepared many papers for the Commission and usually prepares a press release to comment and report on the outcome of proceedings and progress, or sometimes even the lack of progress.

The workload of the Commission is huge: at the 1999 meeting it approved 35 new food standards, 4 codes of good hygiene practice; 220 maximum residue limits in food were adopted (FAO/WHO, 1999b). Meetings are scheduled for 6 days and these are usually very long days. Currently there is a proposal under discussion to hold Commission meetings every year. This would mean that business would be progressed more swiftly. The Commission could then take some of the work from the Executive committee into the wider democratic forum of the Commission where the majority of members are able to attend.

Chapter 3: Codex Executive Committee – CCEXEC

The Chair and Vice Chairs of the Commission are also responsible in those roles at CCEXEC.

3.1 Chair
Mr Tom Billy (US)

Vice Chairs
Mr Gonzalo Rios (Chile)
Prof. Stuart Slorach (Sweden)
Mr David Nhari (Zimbabwe)

3.2 Hosts
FAO, Geneva
WHO, Rome

Meetings alternate between the two hosts and are held between Commission meetings. One CCEXEC is always held directly before the Commission meeting.

3.3 Membership

There are six formal members, one from each region, with not more than one delegate from any one country. Regional representatives are allowed to bring Advisers (usually two other member country representatives from their region) to accompany them.

The CCEXEC, it is claimed functions as a small caucus due to its limited membership and many wish to see this retained even though others object to the small, exclusive nature of CCEXEC.

At the 47th session of CCEXEC in July 2000 the regional representatives were from the following:

Africa Region: Tanzania
Advisers: None
### Asia Region
Advisers: Philippines, Malaysia

### Europe Region
Advisers: France

### Latin America & Caribbean Region
Advisers: Brazil

### North America Region
Advisers: Canada, US

### Near East Region
Advisers: Kingdom of Saudi Arabia

### South-West Pacific Region
Advisers: Australia, New Zealand

Regional co-ordinators, (elected at the Commission) one from each region, are also allowed to attend CCEXEC as observers. At the 47th CCEXEC only three* observers attended.

**Africa:**
- *Dr Eve Kasirye-Alemu, Uganda*

**Asia:**
- *Ms Kanya Sinsakul, Thailand*

**Europe:**
- Mr Felipe Mittelbrun, Spain

**Latin America & the Caribbean**
- Mr Luis Emilio Feliz Roa, Dominican Republic

**Near-East**
- *Prof. Mohamed Fahmi Saddik, Egypt*

**North America & South-West Pacific**
- Mr Geoff Gorrie, Australia

No observer INGOs are allowed at the Executive committee. In fact member countries are also deterred from attending CCEXEC as observers. Given that member countries are represented by their regional co-ordinators, it is argued that they should not attend and thus keep CCEXEC small and effective. This is a controversial matter for member countries and INGOs alike. Access to the elite Executive committee is severely restricted and this breeds suspicion and mistrust. CI has been working to reform CCEXEC to allow INGO observers to be present.

Codex has begun to address this problem though discussions at CCGP. It has been suggested, in the future, to allow one observer from each of the INGO sectors – industry, public interest and professional. This has not met with universal acceptance. Indeed it has prompted the bigger question – why does Codex need an Executive which is exclusive rather than inclusive? As a consequence of this fundamental questioning of the role of the Executive a review is being undertaken to consider transferring some of its authority to the Commission, which is open to all members, and would be much more democratic. The consequences for the agenda and workload of the Commission mean that it may need to meet every year instead of every other year. This matter is being reviewed.

### 3.4 Statutes
- The Executive committee shall, between sessions of the Commission, act on behalf of the Commission as its executive organ.
- In particular the Executive committee may make proposals to the Commission regarding the general orientation and programme of work of the Commission, study special problems and help implement the programme as approved by the Commission.
- The Executive may also exercise, when it shall be deemed essential and subject to confirmation by the next session of the Commission, the Commission’s powers under specific rules (FAO/WHO, 2000; p9).

The CCEXEC reports directly to the Commission.

### 3.5 Issues under discussion
The agenda for the Executive Committee often mirrors that of the Commission. At recent meetings the following items have been discussed:
- Financial and budgetary matters, including support to developing members
• Principles of risk analysis where the participation of observers in the Executive committee was raised as a side issue, as a matter from the FAO/WHO Consultation on Risk Communication
• Recommendations from the International Conference on Food Trade
• Matters arising from other international organisations
• Matters arising from the reports of Codex committees
• Host governments for Codex committees and Ad Hoc Task Forces
• Review of criteria for new work and inclusive standards
• Provision of documentation and interpretation services

Consumers International is determined to continue its campaign for access to the CCEXEC and to be able to observe all the working of Codex in the public interest. CI follows the proceedings of the Executive with interest but has been unable to attend or present papers since observers as excluded.

Regional matters are discussed in a series of regional committees that generally meet once in each two-year Codex session. The host countries generally rotate within the regions, by agreement and arrangement at the regional committees.

There are six regional co-ordinating committees:

- **Africa** CCAfrica
- **Asia** CCAsia
- **Europe** CCEuro
- **Latin America and the Caribbean** CCLAC
- **Near East** CCNE
- **North America & South-West Pacific** CCNASWP

The newest regional committee to be set up is the Near East (1999) and the oldest is Europe (1965).

### 4.1 Membership

Membership of all regional co-ordinating committees is open to all member nations and associate members of FAO and/or WHO that are members of Codex within the geographical locations of the committees. Annex B, gives the members of Codex according to regions.

Members, if they so wish, can attend other regional committees, but only as observers.

### 4.2 Terms of reference

- Defines the problems and needs of the region concerning food standards and food control;
- Promotes within the Committee contacts for the mutual exchange of information on
proposed regulatory initiatives and problems arising from food control and stimulates the strengthening of food control infrastructures;

- Recommends to the Commission the development of world wide standards for products of interest to the region, including products considered by the Committee to have an international market potential in the future;
- Develops regional standards for food products moving exclusively or almost exclusively in intra-regional trade;
- Draws the attention of the Commission to any aspects of the Commission’s work if particular significance to the region;
- Promotes co-ordination of all regional food standards work undertaken by international governmental and non-governmental organisations within the region;
- Exercises a general co-ordinating role for the region and such other functions as may be entrusted to it by the Commission
- Promotes acceptance of Codex Standards and maximum limits of residues by member countries.

**Regional co-ordinators appointed by the Commission in 1999:**

Each region is able to elect a co-ordinator as a regional representative at the Codex Executive committee. There is a rule at the CCEXEC that not more than one delegate from any one country can be a member. Therefore when regional co-ordinators are elected at Commission meetings these elections take place after the country affiliations are known for the elected Chair and Vice-Chairs.

Regional co-ordinators, like other CCEXEC members, hold office from the end of the session at which they were elected to the end of the second succeeding regular session – this could be 4 years. They are eligible for re-election for a second term.

**Regional co-ordinators appointed by the Commission in 1999**

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<tr>
<th>Region</th>
<th>Name</th>
<th>Country</th>
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<tbody>
<tr>
<td>Africa</td>
<td>Dr Eve Kasirye-Alemu</td>
<td>Uganda</td>
</tr>
<tr>
<td>Asia</td>
<td>Ms Kanya Sinsakul</td>
<td>Thailand</td>
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<td>Europe</td>
<td>Mr Felipe Mittelbrun</td>
<td>Spain</td>
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<tr>
<td>Latin America and the Caribbean</td>
<td>Mr Luis Emilio Feliz Roa</td>
<td>Dominican Republic</td>
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<tr>
<td>Near-East</td>
<td>Prof. Ali A. El-Naggar</td>
<td>Egypt</td>
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<tr>
<td>North America and the South-West</td>
<td>Mr Geoff Gorrie</td>
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Matters agreed at the Commission can be further discussed and disseminated at regional meetings. For example, the Commission has promoted the setting up of national co-ordinating committees for Codex work and Codex contact points; these matters have been discussed at several regional meetings, sharing experiences of different government systems and how best to operate the Codex recommendations. In addition, specific commodity standards are sometimes initiated at regional committees with a specific region emphasis and specific regional needs, such as those for street traded foods, developed on a regional basis, in this case by the Africa region.

There has been a debate whether regional standards, under WTO rules are applicable throughout Codex. Legally this might be the case - it hasn’t been tested, but it would be illogical and probably irrelevant in practice.

CI attends all of the regional committees and is able to develop closer links and collaborate with member countries discussing specific regional issues.
Chapter 5: Codex Committee on General Principles – CCGP

5.1 Chair
Prof. Pierre Louisot
Faculty of Medicine, Lyon South

5.2 Host
Government France
Meetings held in Paris, annually

5.3 Terms of reference
- To deal with such procedural and general matters as are referred to it by the Codex Alimentarius Commission. These have included:
  - the establishment of General Principles which define the purpose and scope of Codex Alimentarius, the nature of Codex standards and the forms of acceptance by countries of Codex standards;
  - the development of Guidelines for Codex Committees;
  - the development of a mechanism for examining any economic impact statement submitted by governments concerning possible implications for their economies of some of the individual standards or some of the provisions in them;
  - the establishment of a Code of Ethics for the International trade of food.

5.4 Main participants
Government participants from countries in every region of the world participate in this committee which deals with rules and procedures important to all members. Increasingly developing countries participate and raise their special issues and needs. However, a major point is that many developing countries are unable to afford to participate more fully in Codex due to financial constraints. Major players at CCGP include: Canada, US, UK, India, Indonesia, France, Malaysia, New Zealand, and Thailand. Between 40-50 member governments usually attend CCGP from a total of 165 eligible. Almost 30 INGOs have attended recent meetings, demonstrating the importance these organisations place on CCGP.

INGO observers include many industry groups such as COMISA (Worldwide Animal Health Confederation) and the CIAA (European Association of Food Industries). The public interest sector is well represented by Consumers International, IACFO (International Association of Consumer Food Organisations), IBFAN (International Baby Food Action Network) and the ICA (International Co-operative Alliance). CCGP has attracted interest from the press and worldwide media in the past since it has dealt with many controversial aspects.

5.5 Main issues and current agenda items

Main achievements
This committee establishes the formal rules and procedures for Codex overall.

One of the recent major issues for CI has been the participation of consumer and public interest INGOs in the work of Codex. This has been discussed extensively at CCGP and detailed recommendations have been agreed which were subsequently forward, discussed and approved by the Commission. The core functions of Codex contact points have also likewise been developed by CCGP, as have rules for the participation of INGOs.

Matters currently under discussion
The issues under discussion at CCGP are of the utmost importance to all other Codex committees and their operation.

Currently the agenda includes major items on definitions for risk analysis related to food safety, including risk assessment, risk management – including the precautionary principle and risk communication. These are
new concepts for many members; there is much suspicion and concern about these definitions and how they would be applied in practical situations at the national level. At the international trade level there is suspicion that a ‘precautionary approach’ might be used as a disguised trade barrier. It is apparent that different levels of risk are acceptable in different countries and cultures. As a consequence the debate is very detailed and technical with every interpretation being questioned at every stage. Codex is making little progress; yet the matter of risk analysis and how it applied in all other Codex committees is of the utmost importance. This item is of major importance to CI and it has been able to use its expertise to provide detailed papers and input to these discussions.

Discussions on procedural matters such as how to facilitate consensus in Codex decision-making, attendance at subsidiary bodies, and improving the participation of developing countries and consumer INGOs are on-going matters.

Decision-making by consensus in Codex has been reinforced as opposed to resorting to voting. However, the issue of being inclusive, facilitating improved participation of members, especially those from developing countries, at all stages of the Codex process presents a major challenge. CCGP agreed to draw the following conclusions to the attention of the Commission to improve consensus decision-making:

- 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 for thorough discussions and documentation of the issues at meetings of the committees concerned;
- Organizing informal meetings of the parties concerned where disagreements arise, provided that the objectives of any such meetings are clearly defined by the Committee concerned and that participation is open to all interest delegations and observers in order to preserve transparency;
- Redefining, where possible, the scope of the subject matter being considered for the elaboration of standards in order to cut out issues on which consensus could not be reached;
- 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;
- Facilitating the increased involvement and participation of developing countries.

Participation of consumer INGOs in Codex and at the Executive has been a major issue for CI and it has made progress over the years. Codex has accepted the importance of INGO, particularly consumer involvement. It has defined the rules for INGO participation and set up systems to monitor this overall. Encouraging more countries to set up national Codex co-ordinating committees has been emphasised, but there are still many countries that have failed to do this. Procedural duties for Codex contact points have been agreed. While Codex has made progress on these matters CI will continue to give this high priority and monitor the situation, especially where members report problems with at the national level.

Participation of INGO observers at CCEXEC and CI’s emphasis on the secretive, undemocratic way in which all observers are excluded from the Executive is being reviewed. Proposals are being considered to allow one observer form each of the 3 groups of INGOs - industry, consumer and professional – to be attend CCEXEC. This has prompted a greater debate about the role of the CCEXEC in relation to the Commission. Proposals are being considered to review the Executive, revise its mandate and to transfer business to the Commission, which as a consequence would need to meet every year.

A major item for CCGP is the role of science and other legitimate factors in relation to risk analysis. This was initiated after extended consideration of the hormone Bovine Somatropin (designed to increase milk yields) –
whether it was safe and if so what other factors were relevant for its approval. The extent to which ‘other factors’ are taken into account in Codex overall, what those factors are, when they are applied – at the national or international level – are all controversial. The importance of considering ‘other legitimate factors’ in order to restore consumer confidence in food safety regulations is vital. For this reason, some members have argued that the scope of this question should be expanded to address issues such as animal welfare, consumer concerns and consumer choices.

CI has expressed the view that the consideration of other factors should not be limited to risk management, that it should be considered by other Codex committees, including the Food Labelling committee and the new Task Forces. CI suggested that two separate lists should be prepared to distinguish the legitimate factors that were considered at the national and international level. There is much more work to do on defining and applying roles for the use of ‘other legitimate factors’ in Codex decision-making.

The Code of Ethics on International Trade has been in place for many years and is now being revised; CI has argued for good governance to be prominent and for developing country issues to have more status within this.

Other current CCGP issues include a review of the status of Codex texts in relation to the World Trade Organisation agreements and the extent to which the Procedural Manual needs to be revised in this respect. This relates to the Codex system of approvals and whether this is legal given the current legal status of Codex in WTO.

CCGP is a high priority committee for CI since its decisions impact on all other Codex committees. CI is one of the major players at CCGP taking a high profile in discussions and in preparing papers. The CI delegation, including members from all regions, has been able to make a big impact at CCGP by using technical expertise and specifically input from developing country members. CI member organisations from India, The Netherlands and Norway (to name the leaders) have all attended as part of their national member delegations and there has been a much stronger consumer position as a consequence.
6.4 Main participants

- Government participants
  This committee is well attended; issues of food hygiene are vitally important all around the world. Members from every region of the world attend CCFH, including a large number from developing countries. The following list gives the most active participants in this committee: India, The Netherlands, UK, Denmark, Norway, Canada, USA, the country designated to speak on behalf of the European Union.

- INGO observers
  Many international industry organisations attend CCFH including ILSI (International Life Sciences Institute), IDF (International Dairy Federation), and associations for specific foods like frozen foods. Consumers International is the only public interest INGO attending regularly and it plays a very prominent role in the deliberations of CCFH.

6.5 Main issues and current agenda items

This Committee deals with the fundamentals of food hygiene and foodborne diseases, which are essential for all countries. The procedural manual states that “food hygiene comprises conditions and measures necessary for the production, processing, storage and distribution of food designed to ensure a safe, sound, wholesome product fit for human consumption”. This illustrates the broad nature of the work of this CCFH. This was one of the first committees to be established in 1964.

Uncontrolled microbiological risks from food can be serious and deadly. Agreeing enforceable standards for food hygiene, through the work of CCFH is of the utmost importance to the health of consumers.

Main achievements

The main achievement of this committee has been the agreement of the International Recommended Code of Practice - General Principles of Food Hygiene. The General Principles of Food Hygiene are supported by detailed codes of hygienic practice, specially applied to a whole range of foods: from low-acid canned foods to pre-cooked and cooked...
foods for mass catering, the preparation and sale of street-vended foods (regional standard of Latin America and the Caribbean) processes meat and poultry, to name but a selection.

The agreement of the Principles and Guidelines for the Conduct of Microbiological Risk Assessment has also been a significant achievement.

With the emphasis of controlling and managing risk throughout the food chain, the HACCP approach (Hazard Analysis and Critical Control Point) and risk analysis approach adopted by this Committee apply across-the-board to all foodstuffs. In addition, guidelines and standards have also been agreed for a range of specific foods where the risks to health are of concern or international trade problems have occurred.

General Principles of food hygiene have been agreed, as well as International Codes of Practice for their operation. These cover foods throughout the food chain, from primary production through all processes of manufacture, transport and production to their eventual sale to the consumer.

CCFH and the 1999 Codex Commission meeting agreed principles and guidelines for the conduct of microbiological risk assessment. This is a major document about how to do microbiological risk assessment which is useful to all but especially for developing countries who are perhaps less familiar with this new approach.

Matters currently under discussion
A major item under discussion by the Committee are guidelines for the conduct of microbiological risk management. These discussions involve issues relating to the precautionary principle or a precautionary approach, what factors, other than science, are legitimately considered in microbiological risk management, and the involvement of stakeholders. Microbiological risk assessment in foods and changes in knowledge and science worldwide are reviewed by Expert consultations and fed back to CCFH.

To provide expert advice on microbiological risk assessments to CCFH, a series of ad hoc expert consultations were planned until a more formal body was established. The Joint Expert Committee on Microbiology (JECM) has been approved and is in the process of being set up to provide this expert advice on a continuing basis - as does JECFA and JMPR in providing expert advice to CCFA, CCPR and CCPR, respectively. Expert consultations and eventually JECM will review and summarise national and regional risk assessment data for pathogen-food combinations that CCFH considers a priority. In addition, they will evaluate the risk reduction potential of different risk management options, from farm to table.

CCFH has recently agreed a draft standard on bottled (packaged) drinking water (other than mineral water) and a draft code on transport of food in bulk and semi-packed foods. The Commission will review these for adoption.

Other items under discussion at CCFH cover primary production, harvesting and packaging of fresh produce, pre-cut fruits and vegetable, recycling of water in food processing plants, and a code for milk and milk products.

Another major item that CCFH has been working on is the development of risk-based guidance for HACCP-like systems for small businesses. This is an important matter for developed and developing countries alike; small business may not have adequate knowledge, training or resources to identify and manage all the risks inherent in the food systems they operate. It is important to assess how the same high standards – to protect consumers’ health - can be applied by smaller firms, irrespective of whether the food is produced for domestic use or for export. All consumers need to be assured of high standards of food hygiene in food production. Work continues on this item.

This committee has identified several other particular challenges for future work, including the control of Listeria, validating hygienic control measures, evaluating the presence of objectionable matter in food, revising and updating the Code on Hygiene Practices. Particularly of concern is antibiotic resistant bacteria in food; co-ordinated work across Codex committees is needed.
Food hygiene standards need to be set at the highest level for consumers’ health protection. However, it is a fact that food-borne illnesses are increasing worldwide. CCFH’s role in promoting and ensuring safe, clean, hygienic food production standards cannot be over-emphasised.

Chapter 7: Codex Committee on Food Labelling – CCFL

7.1 Chair
Dr Anne Mackenzie
Associate Vice President,
Science Evaluation
Canadian Food Inspection
Agency

7.2 Host Government
Canada
Meetings held in Ottawa, annually

7.3 Terms of reference
• to draft labelling provisions for all foods
• to prepare and amend specific labelling standards, codes of practice and guidelines from other committees
• to study specific labelling problems
• to study problems associated with advertising, particularly claims and misleading descriptions

7.4 Main participants
• Government participants
Around 50 members, mainly developed countries with a well-advanced market for pre-packaged foods are active in this committee: the US, Canada, European countries, Australia, New Zealand and the Scandinavian countries. Increasingly India, South Africa, Hungary, Brazil and Japan are taking a keen interest and actively participating in the issues at CCFL.

• INGO observers
This committee naturally dealing essentially with consumer information is of the utmost interest to CI and consequently it is probably the most prominent observer organisation at
CCFL. CI has worked hard over the years to provide well prepared and researched interventions on most of the items for discussion and has earned a respected position within this committee.

INGOs from the public interest sector are also influential and contribute much to the debates: particularly IFOAM (International Federation of Organic Agriculture Movements) and RAFI (Rural Advancement Foundation International) on organic food labelling; AOECS (Association of European Coeliacs Societies) on labelling for hypersensitivity; CSPI (Centre for Science in the Public Interest) and IACFO (International Association of Consumer Food Organisations) on nutrition labelling and claims and on labelling of genetically modified (GM) foods.

Industry INGOs are also present in large numbers and many take a keen interest, such as: ILSI (International Life Science Institute) IDF (International Dairy Federation), CIAA (European Food Industries Association) and trade groups from the soft drinks sector. The majority of the INGO observers (usually around 25 in total) attending CCFL are from the industry and trade sector.

7.5 Main issues and current agenda items

Labelling is the main means of communicating at point of sale, between the seller or producer and the consumer about the content of prepacked foods. CCFL was originally concerned to ensure that pre-packaged foods were labelled correctly with basic information in a standard format, to enable consumers to compare between products.

This committee also has a remit to ensure standardised labelling, according to Codex rules for commodity committees, such as for milk and dairy foods, or fish products and that any claims are harmonised.

More complex issues on the role of labelling to inform consumers about health related matters, such as allergens and health claims or to inform consumers about production processes, such as organically produced foods, halal and more recently foods produced from biotechnology (or GM foods) have all been discussed at CCFL.

The third principle for Codex decision-making acknowledges the importance of food labelling in furthering the aims of Codex decisions, based on sound science, and other legitimate factors. But labelling can also be controversial. It can be perceived to distort international trade e.g. a country can claim that labelling prevents its products from selling, for example US products have to be labelled with GM ingredients in Europe due to EU regulations and they may not gain a share of the market, and this could be portrayed as a barrier to trade, influencing consumers’ choice for home produced foods over imported foods. Therefore to have agreed international standards and guidelines is very important.

Main achievements

The General Standard for the Labelling of Pre-packed Foods was originally adopted in 1981 and revised in 1985 and 1991. This standard forms the horizontal regulation on labelling applying to all commodities. In addition, several guidelines on labelling have been agreed for specific claims and production processes, such nutrition claims and irradiation.

These Food Labelling Complete Texts have been published together by Codex (FAO/WHO, 1999c) summarising all agreed Standards and Guidelines for Labelling purposes. These are specifically:

- Codex General Standard for the Labelling of Food Additives (1981)
- General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses (1985)
- Guidelines for the use of Nutrition Claims
- General Guidelines for the use of the term ‘Halal’.

Organically produced foods

In 1999 the Commission approved guidelines for the production, processing, labelling and marketing of organically produced. CCFL took on this responsibility, looking at more than just the labelling requirements, since it appeared to be the most appropriate committee in which to do so.
These guidelines are significant since many different certification schemes had evolved around the world. International trade in organic produce is increasing vastly: agreed international guidelines are vital to assure free market access and that organic foods are produced to recognised and approved international guidelines. This is important for producers, consumers, regulators and enforcers.

**Hypersensitivity**

The labelling of foods that can cause hypersensitivity, such as intolerances to wheat or peanuts has been discussed at CCFL and were agreed at the Commission in 1999. The Joint Expert Committee on Food Additives (JECFA) has been asked for advice on the criteria for developing a definitive list of foods that could cause hypersensitivity. The detailed scientific information to set a definitive list is lacking at this stage - additions and deletions to the list will be necessary as more evidence is reviewed by JECFA.

**Matters currently under discussion**

Consideration is being given to extending the list for mandatory labelling requirements (within the guidelines for nutrition labelling) to include sugar, fibre, saturated fat and sodium. Advice has been sought from CCNFSDU (Codex Committee on Nutrition and Foods for Special Dietary Uses). It has long been CI’s view that there should be full mandatory labelling to help consumers make full comparison of products and also to act as an education tool making consumers more aware of the nutritional content of foods.

Labelling of foods from biotechnology (more often called gentic modification) has been a most controversial and difficult item for CCFL since it was first introduced for discussion in 1994. CI has campaigned for full mandatory labelling of all genetically modified foods, whether the final food product contains GM matter or not.

This has been a high profile global campaign for CI focussing on the extreme importance and urgency for this matter for consumers, and, their fundamental right to know how food is produced.

Progress has been slow: there has been no real consensus, with views ranging from CI’s for mandatory labelling, to those of the US wanting labelling only where there is a significant, detectable difference in the end product. In the middle are proposals (mainly from the EU) for labelling where GM matter remains in the final food. The definition of terms and issues related to risks of increasing allergenicity (as a result of genetic modification) have made progress. But, there is a long way to go on this important issue.

Codex has also set up a new task force to look at issues of Biotechnology but the labelling aspects remain with CCFL.

Health claims as a means of helping consumers chose ‘healthier dietary options’ have become widespread on food label. However, they are, in many cases used as mere marketing tools and consumers are confused about these claims. CCFL has been attempting to address this matter but has made little progress. Specific details of when and how health claims could be used so that consumers are not misled are being defined by CCFL. The level of evidence necessary to demonstrate that a claimed health effect is real a controversial aspect as is the specific claim if it is not to be confused with medicinal claims that ‘prevent, treat or cure’ a disease and in many countries require strict licensing.

CI has always been opposed to developing international guidelines on health claims since in the global context, the messages could be misleading for consumers. However, with the development of new foods with ‘functional’ properties guidelines on health claims are more of a priority. CI is subsequently working to ensure that the criteria for the validation of health claims are strict, to prevent consumers being misled.

CCFL intends working on new issues about QUID (quantitative ingredient declarations) and country of origin labelling. The agenda at CCFL is always full and discussions at CCFL detailed and enthusiastic. Providing consumers with clear, unambiguous food labelling is vital if they are to make effective food choices. And food labelling is also important for the food
industry to ensure that their products are able to compete fairly in the global market.

Chapter 8: Codex Committee on Pesticides Residues – CCPR

8.1 Chair
Dr W.H. van Eck
Netherlands Ministry of Health, Welfare and Sport

8.2 Host
Government
The Netherlands
Meetings held in The Hague, annually

8.3 Terms of reference
- to establish maximum limits for pesticide residues in specific food items or in groups of foods
- to establish maximum limits for pesticide residues in certain animal feeding stuffs moving in international trade where this is justified for reasons of protecting human health
- to prepare priority lists of pesticides for evaluation by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR)
- to consider methods of sampling and analysis for the determination of pesticide residues in foods and feed
- to consider other matters in relation to the safety of food and feed containing pesticide residues and
- to establish maximum limits for environmental and industrial contaminants showing chemical or other similarity to pesticides, in specific food items of groups of food.

8.4 Main participants
- Government participants
Countries that participate most actively in CCPR are mainly those with an advanced pesticide regulatory system such as the US, Australia, European countries, Canada,
Japan, and increasingly others such as Korea, Chile and Indonesia. Around 50 member countries usually attend CCPR.

- INGO observers
  Every year the largest INGO delegation at CCPR is GCPC (Global Crop Protection Federation) with 30 individual members attending in 1999, from all the major pesticide companies worldwide. Other INGOs attending include CRN (Council for Responsible Nutrition), IFT (Institute of Food technologists), ITIC (International Toxicology Information Centre). Consumers International and ICA (International Co-operative Alliance) are the only public interest NGOs attending.

8.5 Main issues and current agenda items

Main achievements
A phenomenal number of pesticides have been assessed by CCPR since its first meeting in 1966; over 185 pesticides have been evaluated with over 3275 limits established. At the 22nd Session of the Commission 380 MRLs were adopted and 310 MRLs revoked. More than 1000 MRLs have been adopted since 1990 which reflects the enormous workload of this committee and demonstrates the worldwide dependence on such chemicals.

CCPR is also the first Codex committee to begin tackling in earnest issues related to acute risk assessment.

Matters currently under discussion
The application of risk analysis principles to the work of CCPR has been a major topic of discussion; CI supports this approach for CCPR and emphasises the need that in addition to long-term exposure, acute risks arising from short-term or acute exposures should be considered. In addition, CI has been calling for the need to modify procedures to account for the cumulative effect of multiple residues with a common mode of toxic action to better account for risks to infants and young children generally.

There has been considerable discussion at recent meetings about procedures for estimation of intakes of pesticide residues.

(FAO/WHO, 1997c) made several excellent recommendations. The committee is beginning to develop methodologies to assess acute (short-term) risks, something the Consultation recommended and CI has strongly encouraged as necessary to protect infants and children.

In general, the CI focus in CCPR has been to improve the way CCPR and JMPR use and conduct risk analysis. CI has raised many issues relating to JMPR and the way in which it carries out risk assessment, particularly the need to explicitly consider the greater potential exposure and susceptibility of children, the need to account for multiple exposure pathways to pesticides (e.g., not just through food but at home, school, outdoors, etc.), and the need to account for the combined effects from multiple residues of pesticides in food with a common mechanism of toxicity. CI has also recommended that CCPR develop explicit risk assessment policies that clearly identify where uncertainties exist and where assumptions and value judgements must be made. CI has called for future reports on pesticide intake studies to be more balanced, to explain the assumptions that lead to an under-estimation of risk, as well as those that lead to an overestimation of risk, in the interest of good risk communication.

CI has particularly raised these issues to try to improve the risk assessment of pesticides in the context of establishing MRLs for organophosphate pesticides, since multiple residues of these pesticides are frequently found in foods consumed in large amounts by children, and they are especially toxic to the developing brain and nervous system.

Some of the issues discussed in this committee overlap with those covered by CCRVDF. For example, residue definition harmonisation and consistency between JECFA and JMPR when considering chemicals used both as pesticides and veterinary drugs. These issues are primarily being addressed at informal, special meetings of the expert bodies.

CI has taken a high profile at CCPR since it has been critical of the way in which science is applied to decision-making and the narrow perspective for assessing pesticides. For example: CI was critical of the scientific advice...
to CCPR from JMPR particularly on its statement on children. CI issued a press release and a conference room document (CRD) highly critical of the JMPR statement. CI concluded that the JMPR statement lacked the authority and scientific merit to serve as the basis for decisions by CCPR on the sensitivity of infants and children to pesticide exposures. The WHO Secretariat for JMPR responded that, contrary to CI’s statement, the JMPR statement agrees with other scientific conclusions of the NAS (National Academy of Science, US) report. JMPR will keep the issue and new date under review so that appropriate safety factors are applied to ensure that the ADI represents “no appreciable risk.” This issue is not closed; it is an evolving process.

The matter of protecting infants and young children has been a priority for CI. In attempting to assess the feasibility of establishing specific MRLs for cereal-based foods and infant formula (referred from CCNFSDU) the broader question of the adequacy of the procedures for protecting infants and children emerged. To respond to CCNFSDU, the Committee agreed that it had never established MRLs for composite/processed food, and to do so would require new methodologies, and that it would be difficult to establish these on a solid scientific basis. So it concluded that it was not feasible to establish specific MRLs for infant formula and baby foods; some delegations (e.g., the US, Canada, Australia) even questioned the need to do so (these delegations also opposed discussing the broader issue). The proposal of CCNFSDU was endorsed by this Committee, it was to include wording in the draft standard for these products about preparing the product with special care under GMP so that pesticide residues do not remain, or if technically unavoidable, are reduced to the maximum extent possible. JMPR was requested to explicitly comment on the adequacy of the database for assessing risks for infants and children as it conducts its assessments on specific pesticides.

Future meetings will focus on the following issues of major importance to CI:
• risk analysis principles and methodologies used by the Committee
• factors other than science applied in the past or being applied currently in all elements of risk analysis and how, when and to what extent they have been used along with examples of their application
• consideration of chronic and acute dietary exposure within the framework of setting MRLs
• national policies regarding the protection of infants and children and which pesticides are of particular concern in this regard
• feasibility of establishing MRLs for genetically modified crops and metabolite residues
• parameters and criteria for assessing the suitability of analytical methods for pesticide residues
• further consideration of whether to include two antibiotics (gentamicin and oxytetracycline) on the priority list; CI initiated this because of the importance of antimicrobials in human medicine they should not be used as pesticides.
Chapter 9: Codex Committee on Food Additives and Contaminants – CCFAC

9.1 Chair
Edwin Hecker

9.2 Host
Government
The Netherlands
Meetings usually held in The Hague, annually

9.3 Terms of reference
- to establish or endorse permitted maximum or guideline levels for individual food additives, for contaminants (including environmental contaminants) and for naturally occurring toxicants in foodstuffs and animal feeds;
- to prepare priority lists of food additives and contaminants for toxicological evaluations by the Joint FAO/WHO Expert Committee on Food Additives
- to recommend specifications of identity and purity for food additives for adoption by the Commission
- to consider methods of analysis for their determination in food and
- consider and elaborate standards or codes for related subjects such as the labelling of food additives when sold as such, and food irradiation.

9.4 Main participants
- Government participants
There is a wide spread of county participation at this Committee with active participation from the delegations from the US, China, NL, Switzerland, Sweden, Germany, UK and Japan. Between 50-60 members usually attend.
- INGO observers
CI is the only public interest INGO attending CCFAC. Industry is represented by a large range of INGOs from all sectors of food production and processing, including International organisations for producers of Pectin, Sweeteners, Wine, Peanuts, Margarine, Fruit Juices and Flavour and Fragrances - to name but a few. There are usually over 40 INGOs attending CCFAC, all except CI from the industry sector.

9.5 Main issues and current agenda items

The work of this Committee focuses on the approval of food additives, the setting of Acceptable Daily Intakes (ADI) for additives, the harmonisation of approvals, numbering systems and requirements for the purity of additives and setting Maximum Residue Levels (MRLs) for contaminants.

The 23rd Session of the Commission approved conditions for the use of 46 food additives and adopted 358 specifications for the identity and purity of food additives.

Main achievements
Over 1,000 food additives have been evaluated in the 31 sessions of this Committee, which first met in 1964. The General Standard for Food Additives is included in Volume 1A of the General Requirements of Codex which can be found of the Codex Webpages at www.fao.org/es*/esn/codex.

Matters currently under discussion
A large number of amendments to the General Standard for Food Additives are currently under review by CCFAC. In addition, proposals for amendment to the International Numbering System (INS) are being considered. There are literally hundreds of food additives to be reviewed and progress is very slow.

The Joint Expert Committee on Food Additives (JECFA) carries out evaluations of food additives and contaminants; CCFAC decides on the priorities to be referred to JECFA for scientific assessment.
CI in the recent review of food colours questioned the technological need of additives, particular colours and preservatives in fresh products, since these have the potential to mislead consumers. Some additives were deleted from some basic food in the list consequently. CI has also questioned how to distinguish between carriers, processing aids and additives; this matter will be further considered.

Other matters under consideration include:

- the application of risk analysis principles for food additives and contaminants
- exposure assessments for contaminants and toxins in foods e.g. dioxins
- maximum levels for lead and cadmium
- levels of patulin in apple juices and means to reduce levels of contamination
- MRL for aflatoxin M1 in milk (this is a particularly contentious issue since developing countries have a different view on acceptable levels)
- limits for natural mineral waters
- levels for ochratoxin A in cereals
- revision of the general standard for irradiated foods.

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### Chapter 10: Codex Committee on Residues of Veterinary Drugs in Foods – CCRVDF

**Chair**

Dr. Stephen Sundlof
Director, Center for Veterinary Medicine
United States Food and Drug Administration

**Host Government**

US
Meetings usually held in Washington, D.C. annually.

**Terms of reference**

- to determine priorities for the consideration of residues of veterinary drugs in foods
- to recommend maximum levels of such substances
- to develop codes of practice as may be required
- to determine criteria for analytical methods used for the control of veterinary drug residues in foods.

**Main participants**

- Government participants
  Just over 40 member governments usually attend CCRVDF. The main active participants are Australia, Brazil, Canada, France, Korea, Norway, Thailand, US and the country designated to speak on behalf of the European Community.

- INGO observers
  COMISA (the worldwide animal health industry confederation) and CI are both active in this committee; other INGOs attending include ICA (International Co-operative Alliance), IDF (International Dairy
The main business of CCRVDF is the consideration of specific MRLs for veterinary drugs based on reports from JECFA. Meetings review proposals for assessments and MRLs for many different groups of chemicals including Clenbuterol, Nicarbazin, Tetracycline, Bovine Somatotropin (BST) - to name but a few. MRLs for various hormones are also reconsidered and reviewed.

In addition, matters for the analysis and sampling of veterinary residues in foods, residues at injection sites and in milk and milk products are all subjects considered in CCRVDF. Veterinary drug residues may be present at higher levels at the site of injection compared to other parts of the animal, and can pose a risk to the consumer who consumes the injection site, especially in cases where the residues are acutely toxic or from pharmacologically active drugs e.g., tranquillisers.

CCRVDF agenda items for the future will include:

- revise the definitions of “muscle”, “milk” and “egg” and elaborate a definition for “fat”
- redraft and further elaborate guidelines on residues at injection sites and the prevention and control of veterinary drug residues in milk and milk products
- consider risk analysis principles and methodologies
- discuss antimicrobial resistance and the use of antimicrobials in animal production and take into account activities of other international organisations; it may be necessary to develop a code of practice for the containment of antimicrobial resistance.

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- consider risk analysis principles and methodologies
- discuss antimicrobial resistance and the use of antimicrobials in animal production and take into account activities of other international organisations; it may be necessary to develop a code of practice for the containment of antimicrobial resistance.

Main issues and current agenda items

The main work of this committee is to elaborate maximum residue limits (MRLs) for Veterinary Drugs in meat and milk - considering a full risk analysis. Typically, JECFA proposes MRLs based on its scientific analysis of the risks for consideration by CCRVDF, which will consider how to manage these risks by setting MRLs.

Main achievements
Since its first meeting in 1986, MRLs have been established for over 50 veterinary drugs.

CCRVDF typically recommends around 80 new and revised MRLs for about 10 veterinary drugs in various animal species/tissue combinations for adoption by the Commission in each session.

Matters currently under discussion
A range of divergent views has been expressed on antimicrobial resistance and the use of antimicrobials in animal production. The use of antimicrobials for growth promotion, is an issue of growing concern for consumers.

For substances used both as pesticides and veterinary drugs, the need for further harmonisation and consistency in the establishment of MRLs has been identified and is being considered by the CCRVDF and CCPR, and especially by the FAO/WHO scientific committees – JECFA and JMPR.

A draft code of practice on good animal feeding had been considered by this committee for several sessions, but with little real progress. The Commission at its 23rd Session in 1999 subsequently agreed that all matters relating to animal feedstuffs should be addressed by the Ad Hoc Task Force on Animal Feeding.
11. Chair

Professor Hiroshi Yoshikura
Director General, Research
Institute, International
Medical Center of Japan.

11.2 Host

Government
Japan
Meetings held in Chiba, Japan

11.3 Terms of reference

• to elaborate standards, guidelines, or other
  principles, as appropriate, for foods derived
  from biotechnology
• to co-ordinate and closely collaborate, as
  necessary, with appropriate Codex
  committees within their mandate as relates
  to foods derived from biotechnology
• to take full account of existing work carried
  out by national authorities, FAO, WHO,
  other international organisations and other
  relevant international fora.

11.4 Timeframe

The task force shall complete its work within
four years. The first meeting was in early 2000.
It should submit a preliminary report to the
Commission in 2001, and a mid-term report,
where appropriate to the Executive committee
in 2002 and a full report to the Commission
in 2003.

11.5 Main participants

• Government participants
  The first meeting was very well attended
  with over 30 member countries present.
  Several delegations were very large with
  representatives from many government
departments. The main participants
included: US, Japan, European Union
member countries, Thailand, Norway,
Korea, China, India and Brazil.

• INGO observers
  Almost half as many delegations were from
  observer INGOs. Both CI and IAFCO
  (International Association of Food Consumer
  Organisations) had large delegations and
  were active at the meeting. Other public
  interest INGOs included Greenpeace and the
  International Co-operative Alliance. Industry
  representatives attending included a whole
  range from across the food chain from
  ingredient manufactures to grocery
  manufactures, veterinary associations and
  the IDF – the international dairy federation.

11.6 Main issues

Clearly, the issues being addressed at this task
force are of importance to all sectors of the food
chain, from the farm to the consumer, in all
areas of the world. The issues are complex and
technical, mixed with several other factors that
are considered relevant by some members and
not relevant by others. Setting the remit, the
parameters and priorities were all-important:
members had been asked to set the work
priorities, key concepts and definitions.
The list below is the proposed list of subjects for
inclusion in the Task Force’s programme of work.

1. Area of the work of the Task Force
   (Focused on Risk Analysis)
   • Science based decision making
   • Pre-market approval

   Risk Assessment
   • Safety and nutrition assessment
   • Marker genes
   • Long-term health effects
   • Non-intentional effects
   • Substantial equivalence
   • International Expert Body

   Risk Management
   • Elements for decision making
   • Precautionary approach/principle
   • Familiarity
   • Other legitimate factors
   • Ethical consideration
Concerning legitimate factors other than science that were relevant to the health of consumers and the promotion of fair trade practice, several delegations and the observer from the European Commission proposed to develop a specific guideline to take into account those factors. Several other delegations were of the opinion that since the Codex Committee on General Principles (CCGP) was currently working on this issue, therefore the development of a guideline specific to the Task Force was not an immediate priority. The following factors were mentioned by some delegations as potential other legitimate factors: ethical, religious, cultural considerations, consumer concerns/interests, food security, enforcement capacity and environmental risk.

Many delegations and observers also pointed out the need for addressing precautionary principles/approaches to be recommended by the Task Force. While others stressed that the issue of precaution should first be discussed at the Codex Committee on General Principles (CCGP).

Many delegations and observer organisations identified safety and nutrition assessment of foods derived from biotechnology as the main priority area. Several others stressed the need for further review of the concept of substantial equivalence and its applicability to safety assessment.

Several delegations stated that risk management and especially pre-market approval were fundamental aspects of risk analysis in relation to foods derived from biotechnology. The Task Force noted the necessity to study marker genes and the potential for non-intentional and long-term health effects. Some delegations expressed the view that it would be useful to establish an international expert body that would be responsible for risk assessment.

The Task Force decided to elaborate two major texts, namely:

- a set of broad general principles for risk analysis of foods derived from biotechnology
- specific guidance on the risk assessment of foods derived from biotechnology.

It also:

- agreed to prepare a list of available analytical methods including those for the detection or identification of foods or food ingredients.
• decided to establish two open-ended Ad Hoc Working Groups, namely:
  • Ad Hoc Working Group to develop texts (chaired by Japan)
  • Ad Hoc Working Group to compile a list of analytical methods (chaired by Germany)
• welcomed the initiative of FAO and WHO to convene an expert consultation to support the scientific aspects of its work and agreed five specific questions for which scientific advice of the expert consultation would be sought.

Questions for a Joint FAO/WHO expert consultation
1. What over-arching scientific principles should be applied to safety and nutritional assessment?
2. What is the role and limitation of substantial equivalence in safety and nutrition assessment?
   Are there alternative strategies that should be used for safety and nutrition assessment?
3. What scientific approach can be used to monitor and assess possible long term health effects or unintended/unexpected adverse effects?
4. What scientific approach can be used to assess potential allergenicity?
5. What scientific approach can be used to assess the possible risks arising from the use of antibiotic resistance marker genes in plants and micro-organisms?

The first Ad Hoc Working Group was chaired by Japan and met in Tokyo, during July 2000. The Working Group considered proposed draft texts introduced by the Delegation of Japan:

• Proposed Draft General Principles for the Risk Analysis of Foods Derived from Modern Biotechnology
• Proposed Draft Guideline for the Conduct of Safety Assessment of Foods Derived from Recombinant-DNA Plants agreed to review the revised texts at its second meeting scheduled for October 2000.

The priorities and workload for this task force are extensive; much work will be carried out by the working groups. CI is an active member of all these activities and will be working closely with other public interest INGOs to ensure the consumer perspective is central to these debates and discussions. CI’s delegation comprised representatives from all regional offices and technical experts from member organisations.
12.1 Chair
Mr M N Larsen
Director, Danish Plant Directorate

12.2 Host
Government
Denmark
Meetings held in Copenhagen, annually

12.3 Terms of reference
• to complete and extend the work already done by relevant Codex committees on the draft Code of Practice for Good Animal Feeding
• to address other aspects which are important for food safety, such as problems related to toxic substances, pathogens, microbial resistance, new technologies, storage, control measures, traceability, etc.
• to take full account of and collaborate with, as appropriate, work carried out by relevant Codex committees, and other relevant international bodies, including FAO, WHO, OIE and IPPC.

12.4 Timeframe
The task force shall complete its work within four years; it was set up in 1999 – the first meeting was in 2000. It should submit a preliminary report to the Commission in 2001 and a full report in 2003.

Matters of the safety of animal feeds have been a concern to consumers, particularly since BSE (and its possible link to recycled animal products used in animal feeds) and the contamination of animal feedstuffs with Dioxins. This task force is charged with completing and extending Codex work on a draft Code of Practice on good animal feeding, including issues of concern such as biological and chemical contaminants, anti-microbial resistance, traceability etc.

12.5 Main participants

• Government participants
Countries that participate actively are those with highly developed livestock rearing practices, such as the US, Australia, New Zealand, European countries, Canada, Brazil, while others such as India and Japan are active given the trade implications. Almost 40 member countries attended the first meeting.

• INGO observers
Fifteen INGOs attended the first meeting including active delegations from COMISA (the worldwide animal health industry confederation), IDF (International Dairy Federation) and IFIF (International Feed Industry Federation). Most of the INGOs represented trade and industry organisations related to animal feed manufacturers. Consumers International was the only public interest NGOs attending.

12.6 Main issues

It was agreed that the scope of the Code of practice should cover the entire feed chain and include grazing or free-range feeding and on-farm production of animal feeds, in addition to processing, distribution, storage and use of compound feedstuffs.

The primary purpose of the Code was the protection of consumers’ health, in particular food safety issues. Since issues of animal health relating to food safety were of significant importance, the task force noted links with other Codex Codes of Practice in the area of meat hygiene, aquaculture, food hygiene and application of the HACCP system and the work of the OIE (Office International of Epizootes).

Issues relating to animal welfare (other than food safety related animal health issues) did not fall within the mandate of Codex and hence were not within the Terms of Reference of the task force.
The first meeting focussed on setting the parameters for its work, agreeing the scope and deciding how to carry out this work. It agreed that the Code should:

- include special provisions relating to “traceability” in reference to good manufacturing practices for the production, distribution and use of feedingstuffs
- include labelling of feedingstuffs as part of good manufacturing practice and risk management to ensure traceability
- ensure that additives should be assessed for safety and approved under stated conditions for use and that there should be delineation between feed materials and additives and between additives and veterinary medicines so as to avoid misuse
- request information on lists established by different governments to control the use of prohibited and undesirable substances in animal feedingstuffs.

The task force accepted the offer of FAO to establish an Internet Conference site on the FAO Website to develop the debate on this issue further. This is an innovative way of taking forward matters between meetings, especially since there are time constraints for this task force to complete its work.

Particular debate centres on the use of antimicrobials as growth promoters and antibiotics in animal feeds and the links to human health. There appears to be no consensus and some members questioned the scientific evidence on the use of antimicrobials. These are controversial aspects where CI will lobby to ensure a high level of precaution be adopted to protect human health and ban these substances in animal feedstuffs.

Currently three expert committees of FAO and WHO advise Codex on technical scientific assessments:

- Joint Meeting on Pesticide Residues JMPR
- Joint Expert Committee on Food Additives JECFA
- Joint Expert Committee on Microbiology JECM

Codex relies upon these advisory committees of FAO/WHO for expert scientific evaluations on a whole range of food safety issues, such as food additives, animal drugs (including growth promoting hormones and BST), pesticides, contaminants, pathogenic organisms, and allergens.

These committees are required to carry out toxicological evaluations and exposure assessments and other specific assessments. These form the basis of risk assessments on which Codex committees can base decisions (along with other factors in the whole risk management process) in setting standards.

The role of these expert committees is to provide Codex with a risk assessment based on a review all the published scientific evidence on a particular matter. Frequently they recommend a standard (for example, an MRL for a particular pesticide in a particular crop).

It is CI’s view that it is not for these committees to decide how this advice is used by Codex in setting the standards or subsequently in managing risks. This is the proper function of
Codex committees, taking into account all the Codex principles, including other legitimate factors, and where appropriate, considering a precautionary approach to food safety matters. In short, it is Codex’s responsibility to carry out a full risk-management strategy based on the risk assessment provided by the expert committees.

The most recent committee to be formed was JECM to consider matters of microbiological assessment; there are many matters of urgency for this new body to consider, such as emerging pathogens and resistance.

13.1 Membership

Panels of selected experts objectively assess the science in an impartial, unbiased way. FAO and WHO carry out the selection of experts for these permanent committees. The invited individuals must be international leaders in their fields.

One of the problems in selecting experts is that some are funded directly or indirectly by industry; even academic researchers are now often funded by the commercial sector. When appointed to an Expert committee the individual is required to act in a personal capacity, unhindered by commercial interests. CI has campaigned for the selection process to be more open, with the selection criteria published, and for the inclusion of experts from the widest perspective.

13.2 Openness

The meetings of these committees are closed to observers and are therefore presumed to be protected from “political” influence. However, there are legitimate concerns about the secrecy that surrounds these committees.

CI has campaigned for greater openness and transparency of the workings of these Expert committees and believes to improve openness the following reforms are long overdue:

- a full declaration of all interests of all members selected should be in the public domain
- any vested interest should be declared and made publicly available

- publication of the Committees’ full reports in a timely manner
- publication of the research that formed the basis of the advice should be available
- judgements should be made explicit and reasons for judgements stated
- qualified experts nominated by consumer organisations should be appointed to all committees to represent the public interest

In most cases, full reports of these committees have been delayed, sometimes for more than a year before publication. CI believes it is inappropriate for Codex committees to base decisions on the summary and conclusions of an expert review. The full report must be in the public domain for consideration in an open transparent manner by all interested parties, before the conclusions have to be applied by Codex.

The workload of expert committees is increasing in volume and scope, so much so, that the process has become too slow to meet the urgent need for technical advice. Concerns have also been expressed about the appropriateness of the expertise of experts with such a range of topics to cover. These issues, along with the adequate resourcing of the secretariats of expert committees are major concerns. The responsibilities of these expert committees and the timely manner in which they can fully achieve their tasks are essential for the proper working of Codex and its risk analysis approach and must be improved.

So important are these issues that The FAO Conference on International Food Trade beyond 2000, (FAO, 1999a) drew the attention of the member governments of FAO, WHO and WTO to a specific recommendation regarding the scientific expert committees:

- Member Governments, FAO and WHO should adopt policies wholly consistent with the need for an independent and transparent risk assessment processes in particular in relation to the selection of the scientific experts, the working procedures and the tightening of the conflict of interest requirements. FAO and WHO should also provide adequate resources to the expert
bodies for risk assessment to continue to ensure confidence and competence in expert evaluations.

Some improvements have been made in the selection of experts; invitations and calls for experts are now advertised on the Webpages. However, CI will continue to press for more reforms and improvements in the expert committees and their workings. These matters are of the utmost importance to the credibility of Codex and its decisions.

Details of previous meetings, reports and calls for experts can be found on the relevant Internet pages.

JECFA details can be found on: http://www.fao.org/waicent/faoinfo/economic/ESN/jecfa/jecfa.htm

JMPR details can be found on: http://www.fao.org/ag/agp/agpp/pesticide/JMPR/Priority/Eval99.htm

JECM, at the time of writing, had no web pages since it is newly established and had yet to meet.

From time to time special FAO/WHO consultation meetings are held to address areas of current concern.

For example: the new emphasis on risk analysis within Codex has prompted several consultations on Risk Assessment, Risk Management and Risk Communication. Future consultations are planned on biotechnology, especially related to allergens.

The role of these expert consultations is to address a specific topic of concern in the joint food safety programme and to invite experts from around the world to address the matter. FAO and WHO fund the consultations and publish their results both in published reports and on the internet at www.fao.org.

**14.1 Membership**

FAO and WHO carry out the selection of experts; the invited individuals must be international leaders in their fields. One of the problems in selecting experts is that some, in their regular work, are funded directly or indirectly by industry; even academic researchers are now often funded by the commercial sector. When appointed to an Expert committee the individual is required to act in a personal capacity, unhindered by commercial interests.

Selected experts are invited to participate in the consultation meetings, which are usually held in Rome or Geneva. Experts are selected for the ‘expert knowledge’ they can bring to the process. Often the consultations are subject specific and require a high degree of technical knowledge. CI has been able to nominate
experts, both from within its member organisations and beyond, and these experts have attended consultations on risk and biotechnology.

In addition, CI has lobbied for the inclusion of ‘consumer experts’ in all consultations. It is widely recognised now that a consumer or public interest representative can bring a valuable, different perspective to such committees, in their own right and not just for their technical expertise.

Reports of Expert consultations are published and are used as a reference. Though the conclusions of these reports are interesting and important they have no formal status or mechanism for feeding into Codex policy or strategy unlike the Expert committees. However, they do serve as a very useful benchmark for the current state of knowledge and expert opinion on the topic and are used widely as reference materials in forming positions and policies.

**Recent consultations**

Recent consultations include:

- Risk management and food safety (FAO, 1997)
- The application of risk communication to food standards and safety matters (FAO, 1999b)
- Animal feeding and food safety (FAO, 1998)

Details of FAO Consultations and publications can be found on the FAO Web pages at www.fao.org.
Participation in Codex Alimentarius – A step by step approach
Participation in Codex Alimentarius – A step by step approach
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Introduction

Ensuring the safety of food is an important issue on the agenda of consumer groups across continents, nations and cultures. Consumer movements have gained public support and attention while advocating for greater food safety. It is as a recurrent theme in the work of consumer organisations in developed as well as developing countries, it is as much of a consumer issue in Asia, Africa and Latin America as it is in Western Europe and North America. Even in the economies in transition within Eastern Europe and the former Soviet Union, food safety figures as a popular consumer issue.

This resource manual deals with the issues and processes relevant to consumer groups, particularly those in developing countries, who wish to get involved in food safety advocacy at the national and international level through the work of the Codex Alimentarius Commission, which lays down global food standards.

It is the third and closing section in this series of resource manuals aimed at increasing the understanding and awareness of the work carried out by Codex. It provides practical suggestions and hopefully increases the success of lobbying and advocacy activities of consumer organisations.

1.1 Food safety in a developed economy

In developed markets where households spend a relatively smaller share of household incomes on food, the consumer movement is seen to raise issues concerning nutritional values, food labelling and quality. Mass retailers bring endless varieties of packaged and processed foods to consumers, and most families consume packaged and processed foods. A consumer from a developing African or Asian economy will truly be bewildered and lost in an American food supermarket due to the mind-boggling variety of packaged food on sale.

Consumer organisations in developed markets tend to cater to the safety needs of consumers by focusing on testing of food varieties and informing consumers of ‘good buys’. This serves a need in a market where the problem is usually not of ‘availability’ but of informed choice amidst ‘plenty’. Most consumers in developed countries have so much choice that they need advice on which brand to buy; although even there, the poorest sections of society are still restricted in their buying choices by their limited purchasing power.

Official food safety enforcement bodies in such countries have developed to quite a level of maturity and sophistication. The Food and Drug Administration (FDA) of the USA is one such example. The monitoring systems in place here would largely ensure that FDA standards are by and large adhered to. It would be uncommon to find scores of consumers in a number of cities of USA dying of buying adulterated cooking oil, as was the case in a south Asian country in 1998. In such developed countries the food safety problems are not so much adulteration, the usage of harmful food colours or additives but include mislabelling, poor food quality standards, nutritional issues, lack of food hygiene and problems with expiry dates.

1.2 Food safety in a developing economy

In developing countries the official food safety institutions are relatively less sophisticated. Food is in short supply and poorer and disadvantaged consumers are extremely vulnerable. Households spend a relatively larger share of their smaller incomes on food and scarcities of food are compounded by health hazards caused by contaminated food. Generally the major consumer problems are of adulteration and contamination of food. In developing economies food trade and industry
are generally more powerful and influential, than those who seek to ensure safer food in the marketplace. Availability of food or food security for the poor is often the more important issue than quality or choice and variety of food available. Occasionally sale of adulterated or contaminated food may cause sickness or death pushing food safety issues to the forefront. Incidents of death and disease as a result of contaminated food have become more frequent, fuelling consumer concerns for food safety in a number of developing countries.

The official food safety systems in such countries are less sophisticated in terms of standardisation, testing capabilities and enforcement. The food trade and industry are able to devise means to avoid ‘inconvenient’ food safety measures. In some countries enforcement of food laws provides a welcome means of ‘unofficial’ additional income for government officials who are charged with enforcement of food standards. It is easy for the consumer to lose out in such a food safety environment.

2.1 The key to food safety

The evolution of food safety systems in developing countries is influenced by a number of factors. These include administrative, cultural, legal, as well as technical and scientific considerations. At the core of each country’s national system on food safety is a specific food standard for a given article of food. The standard for a particular item of food is the key to protecting consumers. ‘Good’ food standards are one of the keys to ensure that safe food will be sold in the market place. A good standard though is only half of the job. The other half is the task of monitoring and testing food and taking corrective action against those responsible for putting unsafe food on the market. The testing and enforcement mechanisms are embedded in the national municipal legal systems. Their efficacy and effectiveness depends on a host of national factors that are unique to the legal, political, cultural and economic environment of each country.

2.2 Weak food standards

Food standards are at the heart of any national system to ensure food safety. The evolution of national food standards is a slow process. The extent to which food standards are consumer friendly depends upon how well organised consumers and their public representatives are in a given social system. It also depends on the social and political space that industry in general, and the food industry in particular, occupies in the country. The food industry has a very strong business interest in food standards and tries to influence the formulation of food standards in every way open to it in the
given national context. It is generally believed that in those countries where the consumer movement is weak or public representatives are not effective enough, food standards generally represent a low level of consumer safety.

2.3 The need to strengthen food standards

In such a situation, consumer groups are well justified in seeking higher and safer food standards. This, however, is a difficult task. The debate on food standards is a highly technical one. It is a debate in which the knowledge of food technology, chemistry, hygiene or toxicity is essential. It requires technicians and scientists to do justice to such a debate. Generally, it has been found that the food industry employs the best scientists who then invariably use their talents to protect the commercial interests of their employers, not consumers. In the national debate on a particular food standard, food industry advocates invariably use the language of ‘science’ to advance their commercial agenda. If a country has a pool of independent scientific institutions, laboratories and scientists, who are involved as ‘players’ in the food standards debate, it could then get balanced in favour of the consumer rather than the producer interests. However, in most situations it is the approach and lobbing of food industry advocates that is much more focused and effective in advancing their corporate agenda.

3.1 Move national standards closer to Codex Standards

It has been found that if there are any accepted international food standards, national standards can invariably be influenced to move closer to them. The international standard represents a collective expression of the best in the “language of science”. Experts and non-experts can easily draw reference to such an international standard for a particular food item and seek to move a national standard closer to it. The Codex dialogue and decisions can become an important medium for consumer groups to enhance food safety at the national level.

3.2 Past works in food safety?

A strategy for getting involved in Codex work at the national level needs to evolve as an extension of a consumer group’s work on food safety in the national context. A consumer group that has not handled food safety issues in the past is at a disadvantage to get involved in this work.

3.3 Choose products or issues with care

The area of food safety is wide and varied. It is important for the consumer group to focus on a few products or issues of national concern. Choose these with care. Each product or issue group you choose sends a ‘signal’ to your audience. A consumer group that complains about the quality of “caviar” in a country with problems of malnutrition, poverty and adulteration in staple foods is unlikely to succeed in Codex work.
3.4 Understand standards for your chosen issues

The group needs to understand the existing national standards for their chosen targets. It may be the case that there are no food standards, or existing food standards are inadequate or not followed by trade and industry. The group needs to compare national standards with Codex standards. How do national standards differ from existing Codex standards? The group needs to be able to make technical comparisons. It also needs to identify the differences in the national context (food habits, patterns, culture or ingredients) that do not fit in with the Codex standards. In some cases Codex standards may be the result of inputs from alien food cultures and systems, which don’t fit into the national context. A consumer group is justified in asking for changes that do not fit the food safety needs of domestic consumers. The products, issues and concerns can be built up as the group’s experience evolves over time.

Chapter 4: Understanding the Codex process

4.1 The eight step process

The Codex Alimentarius Commission (CAC) is the only global body responsible for the setting of international food standards. The CAC was set up as a joint program of FAO and WHO and has well defined structures and processes for formulation of international food standards (for further information on how Codex works, please see Resource Manuals 1 and 2. Codex works through several horizontal and vertical committees. Each government is expected to send a national delegation to these committees to deliberate on agenda items circulated in advance. There is an 8-step process for approval of a standard that goes through a long and laborious debate at each of the steps).

4.2 The ‘rich-nations’ club

While theoretically all Codex member states are eligible to attend, most meetings are dominated by delegations from developed countries. For this reason it has frequently been remarked that Codex is a ‘rich-nations club’. At a past meeting of the Codex Committee for General Principles (CCGP), a member of the Indian delegation representing the dairy industry quoted an unnamed ‘observer’s’ comment to this effect. This drew a furore from the Chair and many delegates from OECD countries who were present. Most developing country delegates however who were present in the session later congratulated the Indian delegate for speaking out on what was perceived as true.

4.3 Codex standards generally higher

However dominated by developed countries the Codex process may be, it can advance
consumer protection through formulation of consumer-friendly food standards. Its food standards cover a wide range of ingredients, contaminants, adulterants, toxic materials, food colours, food labels, food hygiene etc. These Codex standards can be used effectively to bring national standards in line with Codex standards. The average level of protection available to consumers in developed markets is higher than the average level of similar protection in a developing economy. The Codex standards, which have been historically developed by major influence of delegations from developed countries generally, are of a higher standard than those available in many developing countries. Bringing national standards closer to Codex standards, in many cases, may help to improve the level of protection for consumers in developing markets. There may be situations where Codex standards are not appropriate for national peculiarities, and in these circumstances national standards will be based on the relevant parameters.
Chapter 5: Getting to know your National Codex Committees

5.1 Does your country have a National Codex Committee?

All Codex members have designated a National Codex Contact Point (NCCP) who is usually a government official. There is also a requirement for governments to set up National Codex Committees (NCCs) so that all stakeholders can provide input in the setting of Codex standards. Recently the Regional Codex Committee on Asia (CCA) has adopted a guideline that will help institutionalise the work on Codex in Asian countries. It involves setting up National Codex Committees in all member-states in Asia. A similar guideline proposed for the Latin American region however was not accepted. This does not though preclude the setting up of such a committee at the national level and many national governments have in fact set up such committees. Consumer groups need to find out whether their country has such a Committee.

5.2 Use Asian guidelines as a model

African and Central/Eastern European consumer groups would be well advised to use the Asian guidelines to advocate the setting up of National Codex Committees (NCCs) by the national government. The setting up of NCCs also requires the involvement of consumer representatives. Consumer groups can use the Codex Alimentarius Commission resolution on the setting up of NCCs to persuade their national governments to actually set up these committees (using the model of Asian Codex Guidelines). A consumer group can then request its government for representation on this committee or one or more of its sub-groups of interest. This is a potentially useful platform for getting consumer protection concerns on board the national food safety agenda. It will help a consumer group to re-state its credentials with national food safety authorities and enhance its leverage and influence with respect to national legislation on food safety.

5.3 Gathering the intelligence

If a consumer group wants to influence the national codex process it must get answers to the following questions:

- How is the Codex national position formulated?
- Who are the key persons within Government?
- What are their roles and responsibilities?
- Are there different key persons for different Codex Committees?
- Who receives the Codex agenda papers?
- What form of consultation takes place and when?
- Who is invited for such consultations?
- Among the people consulted who represents whom?
- Who are the traditional allies of the consumer movement?

The answers to these questions will help to prepare a ‘Situation Analysis’ fact sheet. Such a fact sheet is of tremendous help in drawing up a strategy to make contacts with the correct people, at the appropriate, time, with accuracy and well-developed positions.
Chapter 6: Getting your Codex team organised

6.1 Regional coordination

The work done at national level within a region (there are 6 Codex regions: Asia; North America and South West Pacific; Africa; Europe; Latin America and the Caribbean; and the Near East) needs to be coordinated at the regional level. There is a lot to gain by creating a regional network on food standards among consumer groups in the region. Most food standards have technical parts related to safety, which can be applied to different national situations. Sharing of information among consumer groups will not only enhance their national roles on food safety but also help evolve common regional positions, which can be articulated at the global level.

6.2 Barriers to networking

There are two barriers to setting up a regional network:

First, there is often a lack of qualified personnel among many consumer groups. A consumer group needs at least one key person (part or full time, preferably qualified in food science or nutrition) to closely follow the technical issues in this area. Such a key person needs to have an overall view of national Codex work.

Second, the group also needs specialist advisers to obtain opinion on specific issues from time to time. You should identify a few technical experts to understand technical documentation. A person qualified in food science/toxicology is well qualified to look into issues that come up at the Codex Committee on Food Additives and Contaminants. A person conversant with food labelling regulations can handle issues at the Codex Committee on Food Labelling. A nutritionist, dietician or a paediatrician can handle issues arising at the Codex Committee on Nutrition and Foods for Special Dietary Uses. Without these two basic ingredients, a consumer group is unlikely to make its presence felt in the work related to Codex food standards.

6.3 Choose key issues to focus on

It is not an easy job for a single consumer group to give consumer friendly responses on all subjects. The range of subjects is too wide and varied. The level of technical and scientific expertise required for many of these committees is beyond the competence of most consumer organisations. Further, participation is constrained by resources. Technically qualified people need to spend several man-weeks to study the technical and scientific developments to be able to find evidence that can support a consumer response. Therefore, the most plausible strategy is to identify a few issues of consumer interest and focus your work and research on them.

6.4 Reach out to specialised NGOS

In order to get an understanding of different angles of a given Codex agenda item, one needs to get advice from a whole range of experts (in house or external). Feedback and support from other consumer organisations, particularly in-developed countries can be useful. Also useful, are NGO’s working on specific issues such as the International Breastfeeding Action Network (IFBAN), on baby food standards or Pesticides Action Network (PAN) on pesticide residues. It is advisable to identify the Committees where the consumer group has an interest and can make a difference. It may be unwise to work on all the Committees as the documentation is huge and requires study.
Get hold of agenda papers

To be able to enter the Codex dialogue the consumer group needs to get a copy of the Codex agenda papers for the relevant committee. It needs to request the National Codex Contact Point (NCCP) for copies of the Codex documents. It may not be easy to do so. Government officials tend to share these documents only with those they are authorised to do so. Even though theoretically these are public documents, their circulation in practice often seems to be restricted. Another reason why it is difficult to get the documents is that the NCCP may not get them in time. In spite of the stipulation that the Codex Secretariat shall send all documents to NCCP two months in advance of a meeting, there are frequent delays in getting the documents. Oral requests for copies should be followed up by written requests. It is necessary to get refusals in writing. This allows quick representations to higher authorities to remedy the situation. Getting the documents from national authorities is also important to gain Locus Standii at the national level. If a consumer group cannot get copies of agenda papers it should raise the issue publicly and apply pressure to have the situation changed.¹

Agenda papers are usually downloaded from the Codex Website by national authorities and circulated to officials.

Write your briefs

Once agenda papers are in hand, items of interest need to be addressed. A written brief on a particular agenda item needs to be prepared. The quality of the intervention needs to be good otherwise it will be ignored. If some points are unique and pertinent to the interests of consumers they are likely to make an impact on the people who formulate the national position. Frequently, overworked or low paid government officials may not be in a position to make any meaningful contributions to developing well thought out national positions. This is an ideal opportunity for a well-organised consumer group to move in and occupy social space with a well-drawn up position paper on chosen items of agenda. Such comments must be written and sent to the correct officials in time.

Stand up and be heard

There is need to gain visibility for your comments to enhance a dialogue. This can be done by circulating comments to others who are being consulted in preparing the national position. The group must act before meetings are held to formulate national positions and requests must be made to attend such meetings. In case of difficulty it may be prudent to seek observer status at such consultation meetings. Prior to such meetings some lobbying is in order to meet allies and ask them to also raise the consumer viewpoint.

After the group has been involved in this work for some time it is prudent to request consultation status in the official discussions at an appropriate stage.

¹ Another possibility is to get the papers from the Codex Website, but it is politically very important for a consumer group to receive them from their National Codex Contact Point.
Chapter 8: Does the industry have effective lobbying?

8.1 Understand industry involvement

It has been observed that industry and trade associations are usually consulted or involved in the process of developing national positions. This may happen regularly or in an ad-hoc manner. Usually industry gets involved when items of their interest to them are on the agenda. It is wise to understand the concerns of industry. The following questions need to be answered:

- What issues are national industries interested in and why?
- What are they doing about it?
- Who among national industries is being consulted?
- Who among the multinational corporations are interested? For example is the International Life Sciences Institute (ILSI) present?

8.2 Is industry hand-in glove with key government officials?

It is important to understand industry concerns. When they conflict with consumer concerns they need to be countered. One needs to do this with an understanding of what extent industry is able to influence government. In some countries, such as Japan, Korea and Thailand, industry has a very close relationship with the food safety authorities and consumer interests can easily be sidelined or completely excluded from the consultation process. Among the developed world such a relationship is visible in countries like Australia, USA and Switzerland. In a country where such a situation exists, it can be extremely difficult for a consumer group to enter the Codex consultation process. In such situations the food safety authorities hold close consultations with trade and industry while sometimes completely excluding consumer groups on the grounds that government officials are protecting consumer interests.

For example, the largest consumer group in Australia was told that since it is affiliated to CI, which has observer status at Codex, it need not be involved in the process of formulating national positions. In the USA, consumer groups are consulted but often marginalized by the dominance of trade and industry interests. Senior managers of US multinational companies who have an interest in global markets always play a dominant role in the US delegations. However, there are a number of countries where consumer organisations and their viewpoint are given a proper hearing and balance between industry and consumer interests is maintained. One can cite the cases of Malaysia, Kenya, Bolivia, South Korea, Uruguay and India among developing countries and Norway among developed countries where such a situation exists at the present time. Within Eastern Europe one could cite the case of Romania and Bulgaria where a similar situation is seen to exist.

8.3 Sophistication in industry influence on Codex

At the global level, industry works in a very sophisticated manner. Global or regional industry and trade associations routinely follow all Codex meetings of interest to them. As an illustration one can cite the case of International Life Sciences Institute (ILSI). This is perhaps the most sophisticated operation of its type, which carries a noticeable influence over Codex. This institute has been created and funded by major multinationals involved in the food and beverages industry. With headquarters close to Coca-Cola Headquarters in Atlanta (USA), it is constituted by highly visible multinational brands and operates as a vehicle for increasing the influence of food multinational companies on the Codex process. It has opened branches in many countries and the senior national managers of the multinationals’ subsidiaries are installed as its officials. They are expected to work closely...
with food safety authorities and are also seen to have close working relationships with officials of the Codex secretariat in Rome, indeed in the recent past Codex officials have publicly praised the work of ILSI and acknowledged its financial support to Codex activities. To the extent that it advocates the legitimate concerns of business, it is acceptable. When it becomes the vehicle of pushing business interests at the costs of consumer interests, it becomes a cause of concern.

8.4 Loading of delegations by industry interests

The following is an illustration of how industry interests get to dominate the Codex proceedings. The Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) is the Committee that deals with standards on baby foods. The Committee is heavily dominated by West European delegations who have a large influence on the outcomes. The difficult part of the situation is that industry and commercial interests led by the baby food manufacturers who operate globally, heavily dominate some of the West European delegations. Table 1 shows the weight of commercial interests in 17 different delegations at the CCNFDSU meeting at Berlin in 1998. The delegations of Switzerland, France and Germany were heavily loaded in favour of commercial interests and took positions, which were out rightly the influenced by the commercial interests of baby food manufacturers. Others whose delegations were heavily loaded in favour of commercial interests were USA, Belgium and Japan.

Prominent among the commercial interests at CCNFDSU were well known manufacturers like Nestle, Nutricia, Monsanto, Milupa, Amway, Hoffman-La Roche, Procter and Gamble, Nestec and Novartis. It is also worth noting the pro-industry role of an academic on the French delegation. Here was a case of academics actively and openly advocating commercial interests. There were several points during the debate when he intervened on behalf of the French delegation to advance the point of view of commercial interests. His interventions seemed to be a part of well-coordinated attempt by the commercial interests represented at the meeting. The overall ambience of the meeting displayed an undue influence of commercial interests. This is

<table>
<thead>
<tr>
<th>Country</th>
<th>Total Delegates</th>
<th>Commercial Reps</th>
<th>Consumer NGO/ Reps</th>
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<tr>
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</tr>
<tr>
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</tr>
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<tr>
<td>Total</td>
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Source: compiled by VOICE, India
an undesirable feature of the working of Codex and needs to be curbed. The undue influence of commercial interests has a bearing on the prominence given to public health concerns that are present in almost all items being deliberated at Codex.

8.5 Counter undesirable industry influence

Multinational companies seem to be using Codex as an instrument of market access by influencing product standards in a manner that can help them advance their global business strategy. This is particularly worrisome because under the WTO agreement Codex standards can be used as benchmarks in trade dispute resolution in the years to come. Developing country governments need to be alive to this aspect and take precautions to avoid difficult situations in the future years. Whether at the national or international level, consumer groups need to identify such undesirable industry influences that compromise consumer interests and check them. To protect consumer interests the consumer group involved in this work will need to prepare a well-thought out position to counter the industry position and protect the consumer interest.

9.1 Codex committees

Codex works through a number of horizontal and vertical committees. These Committees are designated as subsidiary bodies of the CA Commission and meet at agreed intervals to discuss and adopt agenda items. Developed country government’s host almost all the committees. These bodies are expected to follow the procedure laid out in the ‘Khaki Book’: The Codex Procedural Manual, 11th Edition, (FAO/WHO, 2000).

Horizontal Committees (whose work cuts across product groups):

- Codex Alimentarius Commission
- Codex Committee on General principles
- Codex Committee on Food Additives and Contaminants
- Codex Committee on Food Hygiene
- Codex Committee on Food Labelling
- Codex Committee on Methods of Analysis and Sampling
- Codex Committee on Pesticide Residues
- Codex Committee on Residues of Veterinary Drugs in Food
- Codex Committee on Food Import and Export Certification and Inspection Systems
- Codex Committee on Nutrition and Foods for Special Dietary Uses
- Regional Coordinating Committees
- Ad Hoc Intergovernmental Task Force on biotechnology
- Ad Hoc Intergovernmental Task Force on Animal Feeding

Vertical Committees (whose work is confined to specific product groups. Consumers International is not involved in these):
9.2 Concentrate your resources

It will be unwise for any consumer group to get involved in all these committees. A well-settled strategy is to try and concentrate your resources for maximum effect. At this point it is pertinent to quote Carl Von Clausewitz (1780-1831), a European military strategist: “The best strategy is always to be very strong, first generally then at the decisive point… There is no more imperative and no simpler law for a strategy than to keep the forces concentrated”. In the context of Codex it means that a consumer group should get involved in the work of one or two committees at a time.

The committees a consumer group might choose should be based on the products of concern in the domestic context. The group would then end up choosing a particular vertical committee to follow. However, it has been found that the focus on a vertical committee may become too narrow and is also far too technical. Therefore, unless there is a special reason, it is advisable to choose among the horizontal committees that generally have a wider coverage and cover a range of products. One such committee where consumer groups have found great interest is the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU). This committee deals with infant foods and has been the focus of many consumer groups that have been historically involved with the campaign on breast-feeding.

9.3 Make this a long-term arrangement

The choice of committees is a strategic decision as the consumer group will need to be involved with the committee for at least a couple of years. Committees meet once a year or every 2 or 3 years and will take a group some years before it can develop a good understanding of the structure, politics and balance of the work inside a particular Codex committee. Therefore, the decision to follow a committee has to become a long-term arrangement.

9.4 Follow the committees

Once a consumer group has chosen a committee, it needs to follow all the work that comes under its remit. There is a lot of paperwork to follow. The consumer group must get hold of the agenda papers. It must look at minutes of previous meetings and index relevant papers and materials. Apart from the agenda document there are several position papers and comments by governments and observers that have a bearing on the situation and discussions at the meeting.

9.5 Be selective

Identify the agenda items where you want to fight. It makes sense to choose items that have also regional or global concern. If a subject is too national or ethnic in character, it is unlikely to have much understanding, appreciation or support in a Codex committee. If the subject is widely known and understood there is a greater chance of its progressing on the long 8-step Codex process. If an agenda item of ethnic nature were being discussed, the consumer group would also have a formidable task to educating consumer groups from other countries. The government would have to engage in special lobbying to educate other governments to move the subject forward. Even an activist has to spend considerable time convincing colleagues in the consumer movement from the developed world on such issues, one such example is the meaning of being a “vegetarian” in the context of South Asian food habits, which is understood differently in different parts of the world.
9.6 **Create a library of Codex resources**

The consumer group needs to develop the nucleus of a library on Codex related materials. The first book to acquire is the “Khaki Book”. It is the book that contains the rules of procedure on working of all Codex Committees and is a valuable resource to have. The Codex Secretariat in Rome can supply you with a copy. There are reports, documents and related publications that may be useful. Needless to say such a library will also come in handy on any domestic food safety work being undertaken.

9.7 **Mark your calendar**

The schedule of Codex meetings is posted on the Codex website and updated at regular intervals. It is possible for a consumer group to mark its calendar for meetings of interest. Advance planning, preparation and consultation are also possible. The work must begin at least two months prior to the targeted Codex meeting. The intensity of exchange, domestically and internationally, will become heightened in the two to three weeks preceding the date of the meeting.

10.1 **Download the agenda**

Even though it is necessary for tactical reasons to get a copy of the agenda papers from the government, in some cases one may save time by downloading the documents from the codex Website. A consumer group should try and get the listing of agenda items officially from its own National Codex Contact Point in order to get a foot in the door domestically. Many times some documents arrive late and further time is lost within the government to circulate the documents, and consequently it is useful to get the necessary details from the Codex website.

10.2 **What items are of national concern?**

Scanning the listing of agenda items provides a good idea of their contents. This will help a consumer movement to choose the items of consumer interest to their country. Issues of concern to a government may not be of concern to consumers. Yet on each issue of concern to a national government there is an angle of consumer concern. This is the angle that is least likely to enter the dialogue that precedes formulation of a national position. It is the job of the consumer group to apply its mind to the agenda item of concern and articulate the consumer concerns on the given subject.

10.3 **Does your battle fall within the subjects CI has chosen?**

It is not necessary that the agenda items of concern to a consumer group within a national context are the same as those CI may have chosen for focus of its lobbying at the meetings. As an observer at the Codex meetings, CI will
have chosen which items of consumer interest have relevance for the consumer movement worldwide. CI members active on a given Codex Committee should input into this process, to ensure sufficient convergence on issues between the concerns of the national consumer movements and those pursued by CI. Consumer groups getting involved in Codex work should also participate in CI’s policy-making and contribute towards creating such convergence on issues.

10.4 Working towards convergence among CI’s members:

CI does not work on all Committees and follows a strategy of focusing on a limited number of Committees. Those working on behalf of CI select agenda items, which are of consumer concern. Unless consumer organisations from all over the world make an effort to become involved in this process, it might be the case that the selection may be based on the limited frame of reference of the persons involved. In many cases, the time available to prepare position papers is short (about a month or two prior to the meeting). Therefore, it is important that CI members are actively involved and that a consumer group should suggest to the CI team subjects it is concerned about that have relevance for the wider consumer movement. If other CI members agree on them, it is possible to arrive at convergence between the issues consumer movements are working on nationally and those that are lobbied internationally on behalf of consumers.

Contribute in the preparation of CI positions

CI’s regional offices have set up regional networks of members who are interested in Codex and a particular food issue and who should get all the relevant communications. Once a consumer group has chosen its committees, it is advisable to get on the relevant list. Draft position papers being prepared are circulated and there is an opportunity to provide inputs. The larger the number of country members from different regions contributing to the drawing up of CI positions, the wider their acceptability and representative ness.

10.6 Link with CI positions

Once CI has position papers on selected agenda items ready, they can also be used as ammunition at the national level. Assuming that the CI position represents a convergence of views across regions, the position paper can be adapted to the ‘national’ context. Using the main arguments from the CI position in favour of the consumer viewpoint on a given agenda item, the consumer group can prepare its own position paper to enter into the dialogue at the national level.

Prepare your domestic inputs/papers

The position paper to be prepared by the consumer group at home should use as many technical arguments as possible. It should articulate the consumer concerns and highlight relevant facts in the domestic situation. The domestic position paper needs to be written as a reasonable national position to take at the Codex. If there are some governments that have already expressed support for the position, reference needs to be drawn to such facts. The consumer group should incorporate a national flavour, terminology and facts to advance the position as its own on a given agenda item. This position can be highlighted as one protecting national consumer interests and evolved after due consultation with national and international experts on consumer affairs. It has to be carefully judged by the consumer group if the best strategy is to advocate a position paper as being the position of CI before national officials or not. Similarity in the consumer group’s position with the CI position can be referred to as a convergence of views among consumer groups from different countries, but it might be looked at with suspicion domestically if a national consumer group presents its position as documented by consumer experts from other countries. Some governments have taken a position to avoid consultation even with well-recognised consumer groups during the dialogue to formulate national positions. One of the grounds for avoiding such dialogue is that the consumer group is closely aligned with CI, which enjoys observer status at Codex. The government argument is that because CI is able to speak at the Codex meetings as an observer.
and represent the views of consumer organisations, consequently there is no need for them to have consultations with the national consumer group. In no case should a national consumer group concede such an argument. A case in point is that of Australia where such a position has been taken in the past. A similar plea is currently being used in Thailand to avoid formal consultation with consumer groups. Therefore, it is advisable that the consumer perspective on the selected agenda item is put on the letterhead of the national consumer group involved, with endorsement from its national leaders and presented to the national dialogue partners as its own position. If some well known domestic evidence can be associated with support to the position, it may add to the weight of the arguments.

10.8 **Circulate the position paper in time to target audience**

The position paper needs to be circulated to the target audience. The focus should be on all the persons who are going to be involved in the national consultation. The consultation is normally held within the corridors of government and may be recorded in minutes of the meetings. Normally officials from different parts of government (agriculture, health, standards bodies, scientific bodies, internal and external trade) are present. It is advisable to send advance copies of the position paper to all such participating officials along with any supporting material with a request to give due consideration to the consumer viewpoint.

11.1 **Make sure you are on the CI mail list**

In the recent past CI has carried out a survey of interests of its members in relation to Codex Committees. It is advisable to get in touch with your CI Regional Food Officer and ask them to ensure you are on the list for your Committee/s of interest. CI staff maintains these lists and can send material of interest to those listed. This list can be particularly helpful if the consumer group has e-mail. A consumer group will be well advised to get on only that list where it is doing work otherwise it could get swamped with e-mails and information that are unlikely to be of much use. Apart from the CI list there may be other international or regional lists run by other INGOs on relevant subjects that can be useful to gain new perspectives.

11.2 **Get to know your consumer counterparts**

Each Codex committee has a core of CI members working on it. Up until this group was largely made up of CI members from OECD countries, but recently CI members from other parts of the world have got involved increasingly in this work. It is a good idea to get acquainted with these persons and interact with them on issues of concern. There is also a need to make sure your ‘key person’ communicates with counterparts from other groups and NGOs on Codex. E-mail can make this communication prompt and inexpensive.

11.3 **Get involved in the wider international NGO dialogue**

A numbers other NGOs / INGOs are likely to be involved in the discussion on the agenda
items of consumer concern. Similarly there will be allies for consumer interests in different countries. It is important to identify who they are and get familiar with their positions. It is important to get involved in the dialogue explaining your position to them and understanding their concerns. This is particularly helpful in understanding the convergence and divergence in the evolution of specific positions on an agenda item among a wide diversity of international players. Such a dialogue is best undertaken by email. The ‘key’ person of the consumer group should be active in such a dialogue. In some cases it may not be necessary to react but just listen to the dialogue and save interesting parts on the computer for future use.

**12.1 Seek entry for consumer representatives on national delegations**

Once a consumer group has gained consultation status in the formulation of national positions on Codex issues, it should take the next step of asking its government to include a consumer representative in the national delegation. This strategy requires the consumer organisation involved to be well informed and outspoken in defence of the consumer interest, otherwise participation will be seen as merely legitimising the government positions. This request is likely to be rejected out of hand. However, persistence is an essential ingredient in this step. It will require continued dialogue and persuasion. Many governments routinely include representatives of national trade and industry in such delegations. The consumer organisation must argue against the inequity of such an imbalance and seek consumer representatives wherever industry is included. In some countries like UK, the Government has refused to have consumer groups on national delegations on the grounds that they do not normally have industry on its delegations. In USA, consumer groups are welcome to participate along with industry but never allowed to speak for their delegation.

**12.2 Seek written refusals with reasons**

It will frequently be the case that government officials in charge of Codex delegations will refuse to include a consumer representative in the delegation. It may be necessary to press the issue to the point of getting a written refusal. Once a written refusal is obtained it may be necessary to ask for the reasons for such refusal. Government officials in a number of
countries have considerable expertise in avoiding providing such reasons. Persistence may be fruitful as reasons can help to understand the difficulties and constraints that prevent the consumer representative’s inclusion in a delegation. If reasons become available they should be addressed point by point in representations to higher authorities. The issue can be taken to the highest levels of government.

12.3 **Ask government to pay expenses**

Some Governments may agree to the request of having the consumer representative on the delegation provided s/he pays for her/his own expenses. This is really another way of ensuring that consumer representatives stay out because they invariably cannot afford the cost of travel and participation. There have only been a few countries, for example Norway and India which have allowed a consumer representative to participate as part of a national delegation on government expense during 1998 and 1999. This however is not a frequent occurrence. It is likely to be repeated only when there are “hot” issues of consumer concern and there is need to project a national consumer angle to a given agenda item. The consumer group needs to build a case for being useful in projecting the national position. If it has contributed usefully to the evolution of the national position in the domestic consultation, there are good chances that government officials can be persuaded to provide partial or full financial support. This is not an easy task in developing countries where there is a paucity of funds to enable even government officials to participate in Codex meetings.

12.4 **Seek non-government funding for travel support**

Consumer groups who have been able to become participants in the national Codex dialogue have a good chance of being able to join national delegations at their own expense. Once Government officials agree to include a consumer representative in a national delegation they will communicate the names to the Codex Secretariat. Then it is only a matter of getting a ticket and a visa to attend the meeting. Efforts can be made to seek funds to enable participation in such a situation. The

time is short as the constitution of delegations is usually decided days or weeks before the meeting. Therefore, prior planning is necessary to organise financial support for such participation.

The fact that such an outcome is feasible, is evident from the CCNFSDU meeting. There were several Consumer/NGO representatives that were represented on their national delegations at this meeting. They included consumer representatives Mr Oscar Lanza (Bolivia); Dr. Sri Ram Khanna (VOICE-India); Ms. Kim Jai Ok (CACPK- Rep. Of Korea) and Ms Daniela Eugenia Cucu (Romania). Non-government funding supported all of them. In addition there was a CI delegation among observers. There were also other observers at this meeting who worked in coordination with the NGO representatives on the six different national delegations. They included IBFAN (International Baby Food Action Network), ENCA (European Network of Childbirth Associations) and ILCA (International Lactation Consultant Association).

12.5 **Get a copy of national delegation’s report**

Every Government usually expects its delegation to prepare a report on its participation at Codex meeting. It is useful to try and get a copy of this report to know the delegation’s own assessment of its performance. Sometimes delegations may not be able to project the national positions adequately and it is useful for a consumer group to be able to point this out to officials at home. It is also useful to be able to get information on the performance of your national delegation from others who attend the meeting. This can help to make an impartial assessment of the performance of the delegation on key issues of concern.
Chapter 13: We need several delegations to speak on behalf of consumers

13.1 Influencing Codex requires consumer coordination globally

Most national delegations draw up their positions after domestic consultations well before the meetings. Once these positions have been formulated it is naïve for anyone to expect them to be changed substantially during the meetings. Heads of delegations are expected to follow their briefs and may have limited room to modify their basic positions. The outcome of the debate on a particular issue is based on how many countries have identical views and which way the debate moves. A number of countries try to sway the debate in their own direction while others try to resist. The battle is fought between national delegations that are the main players in this game. A number of observers also participate in the meetings. CI as an observer representing the consumer interest, can comment, but by itself is limited in its capacity to influence outcomes. It must be noted that the observers are also dominated by international industry and trade associations who also advocate their positions by speaking out. They lend their support to favourable positions already taken by some national delegations and seek to broaden the consensus in favour of an industry position. A number of industry representatives inside many national delegations may have already prepared the ground to influence Codex decisions their way.

During the 1998 meeting of CCFL at Ottawa a number of delegations led by the US, Brazilian and Australian delegations took a position against full compulsory labelling of genetically modified foods. This was the position being aggressively lobbied for by the major multinationals like Monsanto. A number of observers including CI spoke out in favour of compulsory labelling, yet until two players (India and Norway) also took a position seeking compulsory labelling, that option appeared to be off the agenda. Since that meeting the campaign against GMOs has been continued outside Codex, and Consumers International has assisted its members in doing so. By the 2000 CCFL meeting, the number of delegations in support of compulsory labelling of such food had swelled. Many of the delegations, which supported the US position in 1998, had changed their positions. It is pertinent to point out that a Norwegian and Indian consumer group had been involved in the domestic consultations on this issue prior to the 1998 Codex meeting and were able to move their national positions in favour of compulsory labelling. There was also prior coordination between the consumer groups in India and Norway. Both delegations became familiar with the convergence in their respective positions and joined hands to raise the issue on the floor at Ottawa. It is also pertinent to note that there was only one consumer representative in one delegation (India) at this meeting in 1998.

From the point of history it is relevant to point out that by 1999 the strongest supporters of the “minimal labelling” position led by the US had to give in to public pressure. Consumer movements in Australia, New Zealand and Brazil reversed their government’s positions, leaving the USA in isolation. Japan moved to the consumer viewpoint due to an effective lobbying campaign by the Japanese consumer group and NGOs and the ranks of the compulsory labelling position swelled. At the Codex Committee on Food Labelling in 1999 it appeared that Monsanto had clearly lost this battle, but they will no doubt continue to challenge the consumer position on future occasions.

13.2 Lessons from the 1998 Ottawa meeting

There are two important lessons we can “take home” from the Ottawa experience:

1) How much impact CI can have through effective work at the national level. What VOICE accomplished in India-turning the government’s position to be in line with CI’s
Chapter 13: We need several delegations to speak on behalf of consumers

position, should be our model for what we seek to do in the future.

2) How important it is that national delegations speak out and take a consumer position at the meetings. Getting a vocal consumer representative to play an active role on the national delegation - like VOICE were able to do- can be an effective way of ensuring outcome.

13.3 Essential ingredients of such a strategy

What is the work that needs to be done to turn the tables on the world's strongest and wealthiest multinationals? Using the Ottawa lessons, the ingredients of the strategy are outlined below.

- At the 1998 meeting of CCFL, there were seven countries that opposed the CI position and supported the US (minimal labelling) position. Consumer organisations in these countries in the following year kept the pressure on their governments to change their positions.

- There were 10 countries that supported the European Union's (EU) moderate labelling position. CI members in those countries after the meeting kept the pressure on their governments and on the EU, to keep their position from sliding further away from the CI position.

- AND—there were 17 countries that were uncommitted to any of the three positions, or that did not speak out. The secret to building a majority was probably influencing those countries delegations. Many of these are countries where CI has strong members for example: South Korea, Japan, Uruguay, Malaysia, Indonesia, Chile, Italy and South Africa. A strategic focus of CI’s campaign in 1999 consequently was on getting them to support the consumer position.

- There probably is no other organisation -not even Monsanto- positioned to have as much influence, in as many countries, as CI could, if we make effective campaigning at the national level our top priority.

- We also must continue to write good, technically sound statements and to send a capable delegation to the meeting. But a large part of the secret to success is at the national level, and it's probably primarily in the smaller countries with lesser stakes in the industry, where CI member consumer advocates could have greater leverage.

Pre-departure consultation

A consumer group which has been able to participate in the national dialogue and influence the national position should be able to find support for getting on the national delegation. It would be ideal to have about 6 to 10 national delegations that are favourable to the consumer viewpoint on a subject of focus and that allow a national consumer representative to play a significant role on their national delegation. This was achieved in the 2000 CCFNDSU meeting where about 10 NGO reps were inside national delegations. The delegations are likely to be finalised about a week or two before the meetings. It is not known in advance as to which countries will support the consumer viewpoint. Approvals for names of delegations are also finalised quite close to the meetings. Therefore the coordination needs to be quite fast. This is now possible as developments of positions in different capitals can be exchanged on a day-to-day basis by email. This is why it is important to inform a central point like Consumers International of the developments in different countries.

CI Head Office could then act as the central coordinator disseminating information, and CI Regional offices as regional coordinators. To implement the strategy each CI Regional office could identify two to three national delegations, which can be influenced to support the common consumer position. The strategy requires a minimum of 5 to 6 consumer groups or NGOs to be able to influence what their national delegations will say at the given Codex meeting, and to try to get to play an active role on their national delegation. In addition this strategy needs a strong CI delegation with representatives from different regions as observers to coordinate the lobbying of national delegations. It becomes
easier to lobby friendly uncommitted national delegations from within those regions, and consumer representatives on national delegations can also play a major role in this.

There is greater chance of getting consumer representatives to influence national delegations among developing countries in Asia, Africa, Latin America and Eastern Europe than in the OECD countries. Therefore, it appears that the implementation of this strategy should focus on those countries where the national situation welcomes consumer participation in the Codex work.

13.5 **Pre-meeting floor coordination plan**

Consumer representatives need to arrive at the venue in advance of the meeting to share notes on the finer points of their respective national positions. CI as the coordinator can provide information on positions taken by different countries in order to draw up a floor strategy. This meeting requires a floor coordination plan to try and persuade delegations, which are fence sitters, or undecided delegations. It also requires division of work to persuade delegations to speak in support, where their the national position is closer to the consumer viewpoint. Some delegations, which are supportive, may not speak out unless persuaded to do so. It also requires developing a personal chemistry with individual members of the friendly delegations. The plan also requires lobbying within the delegations on new developments as they occur. The best example to date is the flour co-ordination at the CCFNDSU Berlin meeting in 2000 where attempts by baby food industry to rush infant food standards were successfully checkmated as a result of IBFAN efforts.

13.6 **Daily plan of floor coordination**

Normally a meeting will go on for 2 or 3 days and new positions and situations will unfold. The industry game plan will begin to unfold itself with delegations moving alternative proposals and counter-proposals. Developments on each day will have to be reviewed and tactics changed to meet the new and emerging situation. Time would have also been spent to identify core industry interests within the active delegations. The review will help to formulate measures to neutralise their influence. CI is expected to be at the centre of all available information and provide timely intelligence to the consumer representatives, i.e. the CI delegations as well as those consumer experts on national delegations.

Daily review meetings help to strengthen the floor coordination and to refine the details. Floor coordination can result in effectively countering industry onslaughts on subjects of vital interest.
Chapter 14: The work continues after your delegation gets home

Once your national delegations returns from the meeting, it is important that you have information on how they performed, and whether or not they defended the consumer position. Consumers International can play a crucial role as a source for this information. It is also important at this stage that a consumer group continues its involvement with the government officials and asks for feedback from them in the form of their delegation report.

It is also important at this point to seek media publicity, and let the public know what the national delegation has achieved and argued for. This is best done both cases where the national delegation supported the consumer viewpoint – to ensure their efforts are publicly praised – and also if they did not – to ensure their failure to take consumers interests at heart is publicly challenged.

The evaluation of what happened at meetings forms the foundations for the work of the consumer groups on the Codex work for the next year.

Conclusions

Nations across the world are no longer insulated from one another. The forces of globalisation will accelerate over the next decade. Consumer interests will have to be advocated with greater sophistication and finesse in the new millennium.

In the area of food safety, consumer advocates will have to widen their area of work to adequately cover Codex, the only world body dealing with food standards. The strategy of involvement of national consumer groups in

Codex work presented in this paper is hoped to be of some assistance to enable them to get involved in this emerging area of consumer advocacy. Involvement in Codex work will build consumer group’s capability in ensuring food safety at home as well as coordinate its work with like minded consumer group’s and NGOs at the regional and global level.

The steps outlined in this paper are based on a somewhat limited cross-national experience. It is recognised that national socio-economic, political and legal environments may differ vastly from one country to the other. The strength and the social weight of the consumer movements and their constituents also vary across national boundaries. The essential ingredients in the strategy outlined in this paper may need to be adapted to local environment and conditions. A consumer group will be well advised to fashion its own strategy to conform to its given national situation, departing from the steps in this paper where necessary and creating new and more efficient approaches where possible.
Annexes
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Introduction and background

35. The Commission recalled that the involvement of consumer and other International Non-Governmental Organizations (INGOs) in the work of Codex had been discussed at the 20th and 21st Sessions of the Codex Alimentarius Commission. It welcomed the cooperation between the Secretariat and Consumers International in preparing the working paper and the inputs from FAO and WHO.

General observations

36. The Observer from Consumers International expressed appreciation for the level of cooperation with the Commission and noted that the clear progress made in enhancing consumers’ participation in the Codex work. However, the Observer noted that more work needed to be done to improve the situation in coordination particularly at the national level and in sharing experiences in training, as indicated in the survey of members of Consumers International as reported in CAC/LIM 6. The Observer noted that significant training initiatives on National Codex Committees and Codex Contact Points and risk analysis were taking place and asked, where possible, for Members to consider including consumer groups and representatives in these programmes in the future. The Observer stated that Consumers International had initiated a new regional training programme in addition to its ongoing training on Codex and was eager to cooperate further with the Commission at national and international levels in order to ensure participation of consumer organizations in this high profile area.

37. The Observer from the International Association of Consumer Food Organizations also welcomed the paper presented to the Commission and indicated that the presence of the Association may be considered as one example of the increased openness of the Commission to the participation of consumer organizations in its work.

38. The Commission expressed full support for efforts to enhance the participation of consumer organizations’ in the development of food standards and also in relation to Codex at the national level. It agreed that it was highly desirable for consumers and their organizations to participate in training activities designed to establish or strengthen Codex Contact Points or National Codex Committees.

39. The Commission noted the outcome of the FAO/PAHO/CI Regional Workshop on the Integration of Consumer Interests in Food Control and Food Production (Quito, 1996) - outlined in Appendix B of the working paper. Nevertheless, the Commission recognized that several of the recommendations of this Workshop could be interpreted as calling for the participation of consumers in official food control activities. Several delegations stated that whereas consumers, their organizations and other interested parties could be involved in the development of standards, official food control activities to determine compliance with standards and regulations were the responsibility of government authorities and the legal system. The Commission noted that it had already accepted that, “while respecting legitimate concerns to protect confidentiality, the principles and operations of food inspection and certification should be open to scrutiny by consumers and their organizations and other interested parties”.

40. Several delegations reported that consumer participation at the different stages of development of food legislation, standard setting and decision making processes was authorized by legislation. However, some delegations expressed the need to arrive at a
better understanding of what constituted a legitimate “consumers’ organization”, stating that such an understanding was needed if organizations were to be involved in the food standards development and Codex processes at the national level. The Observer from Consumers International noted that CI had prepared and published guidance on this matter.

41. The Commission noted that in some developing countries consumer organizations were not well established, the educational level of consumers was low, scientific or technical expertise was unavailable, and resource constraints and communication problems did not allow consumers to participate effectively in the process. The need for training was especially highlighted.

42. Several delegations expressed concern that some consumer organizations tended to reflect only the views, interests and culture of consumers in industrialised countries and that a wider basis of opinions, especially from consumers in developing countries, would be useful and welcome. The Observer from Consumers International noted that this organization had a world-wide membership and regional offices located in developing countries to encourage the development of the widest possible consensus on issues of concern to consumers.

Recommendations

43. The Commission considered the recommendations addressed to it in the paper. The Commission:
- Agreed to consider the development of a “checklist” of measurable objectives to assess consumer participation in Codex work at the national and international levels and asked the Committee on General Principles to review the proposal contained in the document;
- Noted the recommendations of the Quito Workshop without endorsing them (see para. 39, above);
- Recommended that consideration be given by FAO and WHO, in co-operation with consumer organizations, to the development of guidelines or models for enhancing consumer participation in Codex and food standards work at the national and international levels;
- Noted that there was little support for the Joint FAO/WHO Food Standards Programme and related FAO and WHO programmes to identify funds to support expanded participation of consumer International Non-Governmental Organizations in Codex, stating that any resources available to Codex should be directed first to developing Member countries of the Commission;
- Recommended that FAO, WHO and national governments work with national and international consumer organizations to improve the dissemination of Codex information to consumers;
- Recommended that FAO, WHO and national governments invite consumer organizations to participate in national, sub-regional or regional workshops and seminars relevant to Codex matters; and
- Proposed that Regional Coordinating Committees continue to take the opportunity to provide a forum for the exchange of experiences on the ways and means of developing consumer input into National Codex Committees and Contact Points.

44. The Commission noted the recommendation that the Codex Committee on General Principles develop proposals that would allow for a limited number of representatives of the INGOs in Observer Status with the Codex Alimentarius Commission to be invited as observers to Sessions of the Executive Committee. Several delegations indicated that the Executive Committee was an executive organ of the Commission and that according to the Rules of Procedure of the Commission, its composition was strictly limited. It was stated that it would be unfair to Member countries of the Commission to extend “observer status” to INGOs at Sessions of the Executive Committee when Members themselves were not invited to attend as observers. Other delegations favoured the proposals, but noted that there were a number of issues that had to be considered carefully, including the assurance of a fair representation...
of all of the INGOs contributing to the Codex process; the rights of such organizations as observers; how such organizations would be selected; and how to ensure that the Executive Committee would continue to function as an effective and efficient body under the Commission.

45. It was noted that three broad classes of INGOs had been identified in the working document, namely consumers and other public interest groups; the food industry, trade and marketing organizations; and professional and scientific international non-governmental organizations. It was noted that all of these groups had made valuable contributions to the Codex process and therefore consideration could be given to enhancing the transparency and credibility of Codex decisions by also involving these groups in the work of the Executive Committee. Without prejudice to any decision that might be taken at a later stage, the Commission agreed to ask the Committee on General Principles to develop proposals for its consideration on this matter.

46. Some delegations expressed the opinion that the composition of the Executive Committee as set out in Rule III.1 of the Rules of Procedure required reconsideration, as the basic Rule had been in place since the First Session of the Commission in 1963. The Delegation of Japan pointed out that clarification was needed regarding the participation, as observers, of Member countries. Proposals included the enlargement of the Executive Committee with the possibility of electing several Members from the different Regions as was the case with FAO Council and other bodies. The Secretariat was requested to consult the Legal Counsels and Offices of the Directors-General of FAO and WHO on these matters, taking into account the status of the Executive Committee as described in the Commission’s Statutes, and to report to the Committee on General Principles.
Annex B: Members of the Codex Alimentarius Commission, October 2000

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Observer members of Codex, October 2000

The full list of Observer organisations participating in Codex activities is updated regularly and published, with full contact details, on the Codex web site at: ftp://ftp.fao.org/codex/manual/obs_all.pdf

International Non-Governmental Organisations (INGOs) details can be found at: http://www.fao.org/waicent/faoinfo/economic/esn/codex/Manual/org_list.htm#E9E2

Intergovernmental Organisations - excluding UN (IGOs) details can be found at: http://www.fao.org/waicent/faoinfo/economic/esn/codex/Manual/org_list.htm#E9E1
Annex C: Principles concerning the participation of INGO’s in the work of the CAC

These principles were agreed at Codex Alimentarius Commission, Rome 1999 and can be found in the Procedural Manual 11th Edition, (FAO/WHO 2000, p60-65).

Purpose

The purpose of collaboration with International Non-Governmental Organizations is to secure for the Codex Alimentarius Commission, expert information, advice and assistance from international non-governmental organizations and to enable organizations which represent important sections of public opinion and are authorities in their fields of professional and technical competence to express the views of their members and to play an appropriate role in ensuring the harmonizing of intersectoral interests among the various sectoral bodies concerned in a country, regional or global setting.

Arrangements made with such organizations shall be designed to advance the purposes of the Codex Alimentarius Commission by securing maximum cooperation from International Non-Governmental Organizations in the execution of its programme.

Types of Relationships

Only one category of relationship shall be recognized, namely “Observer Status”; all other contacts, including working relations, shall be considered to be of an informal character.

Organizations Eligible for “Observer Status”

The following shall be eligible for Observer Status:

• International Non-Governmental Organizations in consultative status, specialized consultative status or liaison status with FAO;
• International Non-Governmental Organizations having official relations with WHO; and
• International Non-Governmental Organizations that:
  a) are international in structure and scope of activity, and representative of the specialized field of interest in which they operate;
  b) are concerned with matters covering a part or all of the Commission’s field of activity;
  c) have aims and purposes in conformity with the Statutes of the Codex Alimentarius Commission; and
  d) have a permanent directing body, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries. Its members shall exercise voting rights in relation to its policies or action or shall have other appropriate mechanisms to express their views.

Procedure for Obtaining “Observer Status”

International Non-Governmental Organizations having status or official relations with FAO and WHO

“Observer status” shall be accorded to those International Non-Governmental Organizations in consultative status, specialized consultative status or liaison status with FAO or International Non-Governmental Organizations having official relations with WHO that inform the Secretary of the Codex Alimentarius Commission of their desire to participate in the work of the Commission and/or any or all of the Commission’s subsidiary bodies on a regular basis. They may also request invitations to participate at specific sessions of the Commission or its subsidiary bodies on an ad hoc basis.

The term “subsidiary bodies” means any body established under Rule IX of the Commission’s Rules of Procedure.

Non-Governmental Organizations not having status or official relations with FAO and WHO
Before any form of formal relationship is established with a Non-Governmental Organization, such Organization shall supply the Secretary of the Commission with the information outlined in the Annex to these Procedures. The Secretary shall transmit this information to the Directors-General of FAO and WHO.

Upon confirmation that the Directors-General are satisfied that the applicant Organization is in a position to make a significant contribution in advancing the purposes of the Codex Alimentarius Commission, Observer Status shall be granted to the applicant Organization.

Observer Status at specific meetings will not normally be granted to individual organizations that are members of a larger organization authorized and that intends to represent them at these meetings.

**Privileges and Obligations**

International Non-governmental Organizations in Observer status shall have the following privileges and obligations:

**Privileges of International Non-governmental Organizations in “Observer Status”**

An Organization in Observer Status:

a) shall be entitled to send an observer (without the right to vote) to sessions of the Commission, who may be accompanied by advisers; to receive from the Secretary of the Commission, in advance of the session, all working documents and discussion papers; to circulate to the Commission its views in writing, without abridgement; and to participate in discussions when invited by the Chairperson. An invitation to a Codex meeting and representation thereat by an observer shall not imply the granting to an international non-governmental organization of a status different from that which it already enjoys;

b) shall be entitled to send an observer (without the right to vote) to sessions of specified Subsidiary Bodies, who may be accompanied by advisers; to receive from the Secretaries of the Subsidiary Bodies, in advance of the session, all working documents and discussion papers; to circulate to these Bodies its views in writing, without abridgement; and to participate in discussions when invited by the Chairperson;

c) may be invited by the Directors-General to participate in meetings or seminars on subjects organized under the Joint FAO/WHO Food Standards Programme which fall within its fields of interest, and if it does not so participate it may submit its views in writing to any such meeting or seminar;

d) will receive documentation and information about meetings planned on subjects agreed upon with the Secretariat;

e) may submit, under the authority of its governing body, written statements on matters before the Commission, in one of the languages of Commission, to the Secretary, who may communicate them to the Commission or the Executive Committee as appropriate.

**Obligations of International Non-governmental Organizations in “Observer Status”**

An Organization in Observer Status shall undertake:

a) to cooperate fully with the Codex Alimentarius Commission for the furtherance of the objectives of the Joint FAO/WHO Food Standards Programme;

b) in cooperation with the Secretariat, to determine the ways and means of co-ordinating activities within the scope of the Joint FAO/WHO Food Standards Programme, with a view to avoiding duplication and overlapping;

c) to contribute, as far as possible, and at the request of the Directors-General, to the promotion of a better knowledge and understanding of the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme through appropriate discussions or other forms of publicity;

d) to send to the Secretary of the Commission on an exchange basis, its reports and publications concerned with matters covering all or part of the Commission’s field of activity;

e) to keep the Secretary of the Commission informed of changes in its structure and
Review of “Observer Status”

The Directors-General may terminate arrangements for Observer Status which are no longer considered necessary or appropriate in the light of changing programmes or other circumstances, and will report such action to the Commission. However, the international non-governmental organization concerned may appeal the termination of Observer Status.

An international non-governmental organization in Observer Status which has not shown any interest and has not attended any meetings during a period of four years may be deemed not to have sufficient interest to warrant the continuance of such relationship. The Secretary shall report to the Codex Alimentarius Commission on the relations between the Codex Alimentarius Commission and international non-governmental organizations established in accordance with the present Procedures and shall provide a list of organizations granted Observer Status, with an indication of the membership that they represent.

The Commission shall periodically review these principles and procedures and shall consider, as necessary, any amendments which may seem desirable.

Information Required of Non-Governmental Organizations Requesting “Observer Status”

1 Official name of the organization in different languages (with initials)
2 Full postal address, Telephone, Telex address, Facsimile and Email as appropriate
3 Aims and subject fields (mandate) of organization, and methods of operation. (Enclose charter, constitution, by-laws, rules of procedures, etc.)
4 Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country)
5 Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.)
6 Indication of source of funding (e.g., membership contributions, direct funding, external contributions, or grants)
7 Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission’s field of activity
8 Relations with other international organizations:
   • UN and organs (indicate consultative status or other relationship, if any)
   • UN Specialized Agencies (indicate consultative status or other relationship, if any)
   • Other international organizations
9 Expected contribution to the Joint FAO/WHO Food Standards Programme
10 Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees)
11 Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the formation of such a single organization is not feasible, the application should explain why this is so.
12 Language (English, French or Spanish) in which documentation should be sent to the international non-governmental organizations
13 Name, Function and address of the person providing the information
14 Signature and date
Annex D: References


Annex E: Additional reading


FAO. 1998. *Food safety and globalisation of trade in food, a challenge to public health*. Rome: Food Safety Unit, FAO.


Annex F: Useful contacts

**FAO**
Viale delle Terme do Caracalla, 00100 Rome, email: Codex@fao.org.

Codex
www.fao.org/es*/esn/codex

http://www.codexalimentarius.net

Consumers International
www.consumersinternational.org

**JECFA**

**JMPR**

**FAO**
www.fao.org

**WHO**
www.who.org

**WHO/EURO Food safety**
www.who.it/ht/food_safety.htm

**WTO**
www.wto.org