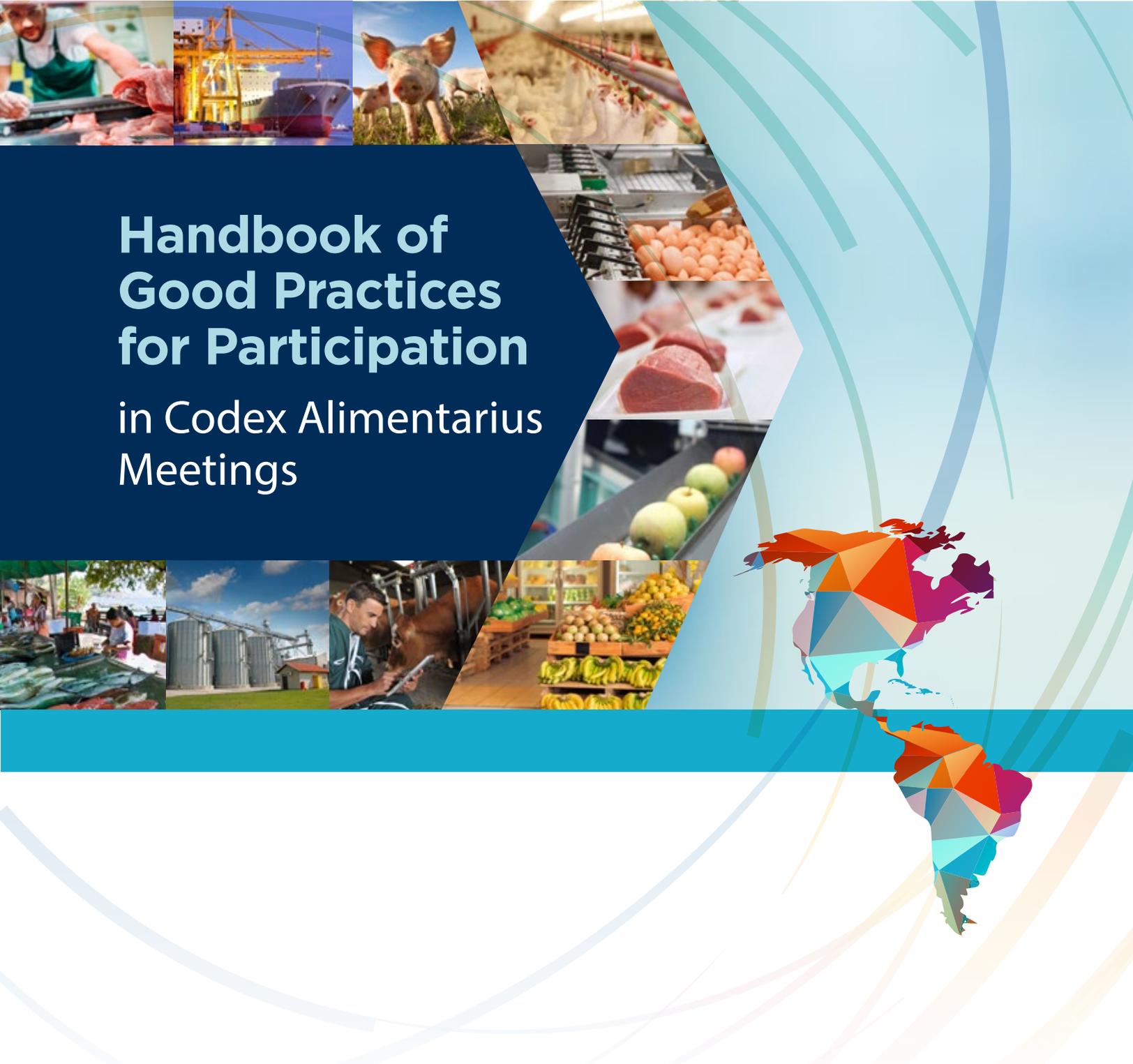


**Handbook of  
Good Practices  
for Participation  
in Codex Alimentarius  
Meetings**



Inter-American Institute for Cooperation on Agriculture (IICA), 2021



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# Handbook of Good Practices for Participation in Codex Alimentarius Meetings





### Note to the updated version

This new version of the IICA Handbook of good practices for participation in Codex Alimentarius meetings, while continuing to keep consistency with the content and spirit of the Handbook published in 2009, incorporates new practices of the Codex Alimentarius Commission in the last 10 years, including virtual tools or instruments, new committees and working methodologies and eliminates those elements that have become obsolete. Furthermore, some aspects, such as the FAO/WHO provision of scientific advice to Codex work and regional coordination, have been strengthened.

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# 1. Description of the organization

## 1.1. What is the Codex Alimentarius?

The Joint FAO/WHO Food Standards Programme, commonly known as the Codex Alimentarius Commission, was created in 1963 by the Food and Agriculture Organization United Nations (FAO) and the World Health Organization (WHO).

The Codex Alimentarius (or “Food Code”) is a set of standards, codes of practice, guidelines and other recommendations for protecting the health of consumers and ensuring fair trade practices so as to facilitate international trade in food. The Codex Alimentarius should not be confused with the Codex Alimentarius Commission, hereinafter referred to as the Commission, which is an international intergovernmental organization within which the standards, codes of practice, guidelines and other recommendations are negotiated, adopted and consequently incorporated into the Codex Alimentarius. The Commission currently has around 190 members, making

it one of the largest intergovernmental organizations in terms of membership and demonstrates the strategic importance that its work has acquired in recent years.

The Commission promotes coordination of all work on food standards conducted by international governmental and nongovernmental organizations. This is important, as there is currently broad debate over the proliferation of private food standards.



## 1.2. Principles of the Codex Alimentarius

The Commission has established a series of general principles that govern its work. Those principles are the following:

### Purpose of the Codex Standards

The Codex Alimentarius is a collection of internationally adopted food standards and related texts<sup>1</sup> presented in a uniform manner. These food standards and related texts aim at protecting consumers' health and ensuring fair practices in the food trade. The publication of the Codex Alimentarius is intended to guide and promote the elaboration and establishment of definitions and requirements for foods to assist in their harmonization, and, in doing so, to facilitate international trade.

### Scope of the Codex Alimentarius

The Codex Alimentarius includes standards for all the principal foods, whether processed, semi-processed or raw, for distribution to the consumer. Materials for further processing into foods should be included to the extent necessary to achieve the purposes of the Codex Alimentarius as defined. The Codex Alimentarius includes provisions in respect of food hygiene, food additives, residues of pesticides and veterinary drugs, contaminants, labelling and presentation, methods of analysis and sampling, and import and export inspection and certification.

### Nature of the Codex Standards

Codex standards and related texts are not a substitute for, or an alternative to, national legislation. Every country's laws and administrative procedures contain provisions with which it is essential to comply.

In other words, each country must legislate internally on the questions addressed by the Codex.

Codex standards and related texts contain requirements for food aimed at ensuring for the consumer a safe, wholesome food product free from adulteration, correctly labeled and presented. A Codex standard for any food or foods should be drawn up in accordance with the Format for Codex Commodity Standards and contain, as appropriate, the sections listed therein.

### Revision of Codex standards

The Commission and its subsidiary bodies are committed to reviewing Codex standards and related texts to ensure that they are consistent with and reflect current scientific knowledge and other relevant information. When required, a standard or related text will be revised or removed in accordance with the Procedures for the Elaboration of Codex Standards and Related Texts. Each member of the Commission is responsible for identifying, and presenting to the appropriate committee, any new scientific and other relevant information which may warrant

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<sup>1</sup> "Related texts" include codes of practice, guidelines and other recommendations.



revision of any existing Codex standards or related texts.

### 1.3. Origin of the Codex Alimentarius

The Codex Alimentarius was created in 1963 by decision of FAO and WHO. The growth of international trade at the end of the 19th and beginning of the 20th century revealed that the proliferation of food standards with divergent and contradictory criteria could pose serious obstacles to countries' trading needs and interests.

#### Joint FAO/WHO work on food standards

Given the international community's growing interest in food issues, FAO and WHO began to pursue joint activities in 1950, when joint expert meetings on nutrition, food additives and related areas began. One of the factors driving this initiative was the proliferation of chemical food additives which was deemed as an essential aspect to be evaluated to ensure the safety of food.

In 1961, at the initiative of the Regional Conference for Europe and with the support of WHO and other European organizations,



the FAO Conference approved the establishment of the Joint FAO/WHO Food Standards Programme. Subsequently, the World Food Assembly ratified the Joint Food Standards Programme and created the Codex Alimentarius Commission. In 1963 the Statutes of the Codex Alimentarius Commission were approved, marking the starting point for the organization's work.

#### 1.4. Why is the Codex Alimentarius Important for Your Country?

Acceptance of Codex standards is voluntary for Members, but it should be noted that the adoption and integration of the standards developed by the Commission is increasing in

many countries. This is because governments consider them as the regulatory minimum that must be met to ensure that foodstuffs reaching consumers are wholesome and safe, thereby improving the functioning of their national food control systems and thus facilitating national and international trade and contributing to public health via the prevention of food borne diseases.

The negotiations conducted under the aegis of the Commission are strategic for exporting and importing countries alike, for developed and developing countries, and for economies in transition. For developing countries—whose economies are often geared to agricultural production—the process of negotiating Codex standards offers a unique opportunity to defend their

positions on a footing of equality and to express their concerns about the issues under debate. It also presents a great opportunity for countries that have not been able to implement an efficient and modern national food control system, to access high quality scientific information and amend their laws and regulations based on Codex standards.

The worst mistake a country can make in assessing the importance it should assign to its participation in the Commission is to assume that this is an entity that prepares technical recommendations and nothing more.

This assumption ignores the interests that lie behind each of these negotiations and the impact Codex standards have in international trade. For example, in 2014, concerns regarding the classification of the mouse bioassay (MBA) as Type IV method were raised at the Codex Alimentarius Commission<sup>2</sup>. The overall concern was that biological methods used to detect chemicals of concern were not as effective as chemical methods. Biological methods are widely used, efficient, and allow for adequate protection of human health, they are also much less costly than other alternatives. The classification of methods done by Codex are primarily intended to serve as a benchmark for the methods that can be used internationally for reference, in calibration of methods in use or introduced for routine examination and control purposes. The exclusion from the categories of methods that exist in Codex would have a negative impact on trade as these methods

are widely used by developing countries, and because they are recognized by Codex, are also valid to help clarify international trade disputes at the World Trade Organization. Because of the coordinated actions of Latin American and Caribbean countries, in 2018, the Codex Committee on Methods of Analysis and Sampling finally concluded that it was possible to evaluate biological methods on a case-by-case basis using the General Criteria for Selection of Methods of Analysis in the *Procedural Manual*, and so biological methods were not excluded from the Codex *Procedural Manual*<sup>3</sup> and could continue to be used by developing countries in international trade disputes.

While the work of the Commission has always been recognized for the technical and scientific soundness of its recommendations, with the creation of the World Trade Organization (WTO) in 1995, Codex work has become even more important and strategic. The reason is that the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), which is binding for all members of the organization, recognizes the Codex Alimentarius Commission as the international reference body with respect to food safety, and requires WTO members to base their sanitary measures relating to food safety on the Codex standards.

Similarly, although this is not explicitly stated in its text, the Codex texts are an international benchmark for the WTO Agreement on Technical Barriers to Trade (TBT Agreement),

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2 REP14/CAC, paragraphs 53-60.

3 REP18/MAS, paragraphs 49-54.

as has been demonstrated in some of the panels that have been held in this area (for example, the case of Peru versus the European Community regarding the standard on sardines).

The recognition in the SPS Agreement is based essentially on the fact that the Codex standards satisfy a fundamental principle of the Agreement, i.e. that any sanitary measures must be based on a scientific risk assessment. The World Organization for Animal Health (OIE) and the International Plant Protection Convention (IPPC) have also been designated in the SPS Agreement as international reference bodies in the area of animal and plant health, respectively.

WTO recognition of the work of these organizations and their guiding principles is particularly important for developing countries, as the harmonization of national standards with those adopted by these international organizations leads to a presumption of legal consistency with the WTO obligations. Consequently, the importance of the Codex standards lies in their contribution to public health and their international scientific, technical and legal validity, and as such they serve as undisputed benchmarks for local harmonization and for the settlement of disputes relating to food among member countries of the WTO.



Codex members are not—or at least should not be—mere spectators in this process of adopting international standards, as the standards adopted will be taken as benchmarks by the WTO. Consequently, countries should make their best efforts to ensure that Codex recommendations are favorable to their concerns and interests, taking into account the technical and economic feasibility of those decisions.

## 1.5. Structure of the Codex Alimentarius

- a. Codex Alimentarius Commission.
- b. Executive Committee.
- c. Codex Secretariat.
- d. Subsidiary bodies of the Codex.

The Codex Commission requires scientific advice to develop sound scientific standards and related texts. That advice is provided by FAO and WHO, through joint expert bodies and meetings convened for this purpose. It should be noted that the joint FAO/WHO expert bodies and meetings, as the name implies, are not part of the Commission, although it draws upon their work and that the Commission strictly adheres to the principle of ensuring independence between risk assessment and risk management.

There are currently four Joint FAO/WHO expert bodies and meetings: the Joint Meetings on Pesticide Residues (JMPR), the Joint Expert Committee on Food Additives (JECFA), which also assesses the risks from

veterinary drugs residues and contaminants, the Joint Expert Meetings on Microbiological Risk Assessment related to food safety (JEMRA), and the Joint Expert Meeting on Nutritional Aspects (JEMNU). FAO and WHO also organize ad hoc consultations or expert meetings to address issues that do not fall under the mandate of these expert bodies and meetings, for example the ad hoc expert meeting on foodborne antimicrobial resistance.

### 1.5.1. The Codex Alimentarius Commission (CAC)

As an international governmental body, the Codex Alimentarius Commission is responsible for taking decisions on food standards through an international negotiation process among members. The Commission currently comprises 189 members, representing 99% of world food production and of the world population.

All members of FAO and WHO are eligible for Codex Alimentarius Commission membership. Regional economic integration organizations can also acquire the status of Codex members, but to do so they must demonstrate that they constitute an economic integration organization and therefore have common objectives with respect to food standards, and they must give assurance that their members will act jointly in the Codex negotiations. To date, the only regional economic integration organization that has been recognized as a Codex member is the European Union.

The Commission meets annually, alternating between the FAO headquarters in Rome and WHO in Geneva. The Commission is headed by a Chairperson and three Vice-Chairpersons elected from different regions of the globe by the Commission Members.

The Chairperson and the Vice-Chairpersons are elected in their personal capacity, and although they require the backing of their governments to present their candidacy, they do not represent their governments in the exercise of their functions, in accordance with the provisions in the *Procedural Manual*. Codex Members must zealously guard the transparency of action of the elected Codex authorities, as this is the only way to ensure equal treatment for the interests of all members.

Because the Commission is an international intergovernmental body, their Members speak through official delegates appointed for each meeting by their governments. Countries are allowed to include representatives of the private sector or of national NGOs in their delegations as advisers. It is not recommended (or appropriate), however, for private sector representatives to represent their countries in Codex meetings.

In the Commission each Member has one vote, and although decisions are generally taken by consensus, there may be situations where a vote has to be called.

The Commission also includes international

governmental and non-governmental organizations that attend as observers to the Commission, provided they meet certain conditions. Codex Observers have no right to vote as do Members, but they may express their opinions on the issues under debate.

The Commission is governed by a set of Rules of Procedures, *Procedural Manual*<sup>4</sup>, for which the Statutes of the Commission constitute the historical legal basis.

The Commission currently meets annually, but it is empowered to decide the frequency of its meetings at each of its sessions, bearing in mind the workload on its agenda. During its annual meetings, the Commission adopts decisions with respect to standards, codes of practices, guidelines and other recommendations, as well as decisions on the management policy of the Commission and of the subsidiary bodies and on its relationship with other international organizations; the Commission also makes amendments to its procedures and elects its authorities.

### 1.5.2. Executive Committee (CCEXEC)

The Executive Committee was created by the Codex Alimentarius Commission. Its mission is to carry out the decisions of the Commission. The Executive Committee's functions are many and varied, but its primary function is to act on behalf of the Commission between the latter's sessions, implementing its program.

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<sup>4</sup> The *Procedural Manual* is now in its 27th edition, which can be downloaded from the Codex website (<https://www.fao.org/fao-who-codexalimentarius/es/>) in its various languages.



The functions of the Executive Committee include:

- Conducting a critical review of Codex work, paying particular attention to requests for new work.
  - Presenting proposals to the Commission on the general direction of its activities.
  - Studying special problems relating to standards development, and also problems that may arise in the various Codex regions relating to standards development.
  - Handling the strategic planning of the Commission.
- Making recommendations for sound management of the Commission's standards development program.

The Executive Committee is also involved in the program budget and examines other questions submitted to it by FAO or WHO.

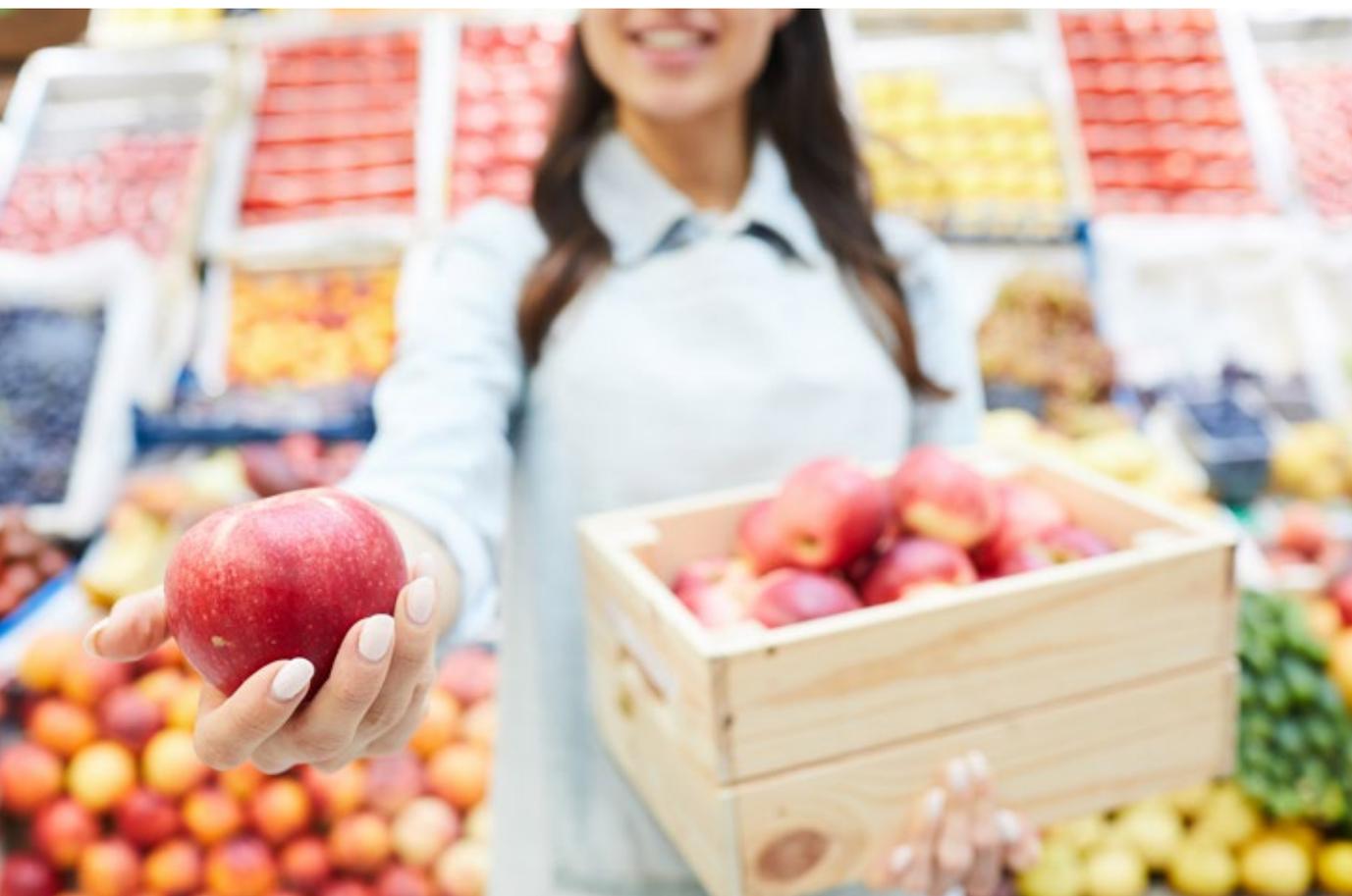
The Executive Committee has no decision-making power on actions of the Commission, as its function is basically to assist the Commission in its work and to make suggestions and recommendations to enhance the working efficiency of the Commission. It also serves as the executive body between sessions.

The Executive Committee is composed of the Chairperson and the three Vice- Chairpersons of the Commission, the six Coordinators of the Regional Coordinating Committees, and the seven members elected on a geographic basis by the Commission, called Geographical Representatives, one from each of the following geographic areas: Africa, Asia, Latin America and the Caribbean, North America, Near East, Europe, and Southwest Pacific. Geographical representatives are entitled to invite up to two advisors, that are usually countries from the geographical region they represent. Advisors, with the permission of their respective geographical representative, may take the floor during meetings of the

Executive Committee to comment on the issues under discussion.

In accordance with the *Procedural Manual*, the Executive Committee meets before the meetings of the Commission, but additional meetings may be held when so decided by the Directors of FAO or WHO or by the Commission.

The Executive Committee has one role that is not described extensively in the *Procedural Manual*, but is key for the Commission; the exploration of possible solutions to issues that have reached a deadlock at the Commission or at a Committee level. There



are occasions in which it is particularly difficult to reach consensus, and negotiations are not reaching a point in which countries are satisfied. In those cases, the Executive Committee has the capacity, as it is a smaller group, to explore innovative ideas, to make concessions and find new fertile ground. This has proven helpful to unlock complicated and controversial issues that sometimes take years to be solved. Nonetheless, it must always be reminded that all the outcomes of the Executive Committee discussions are recommendations to the Commission and are not mandates to be followed.

The Regional Coordinators play a very important role in the Executive Committee meetings and countries that host Regional Coordinating Committees must be able to have fluent communication with the members of their region, in order to inform the Executive Committee about positions or views of the region they represent. For this purpose, Regional Coordinators and especially the Coordinating Committee for Latin America and the Caribbean organize meetings of the countries of their region prior to an Executive Committee session, to have a clear vision of the different views and concerns that their regions may have regarding specific topics. This is a great opportunity to put forward concerns or proposals that are valuable for the Executive Committee to overtake difficult topics and work on possible solutions to offer to the Commission.

The role of the Geographical Representatives is often misinterpreted. Their role is not to be an amplifier of the regional positions brought forward by the Regional Coordinators, but to act in the interest of the Commission as a whole.

### 1.5.3. The Codex Secretariat

The Codex Secretariat is located at FAO headquarters in Rome, Italy. The Codex Secretariat is the very core of the Commission, and in practice keeps the Codex functioning. The Codex Secretariat is led by a Secretary, selected through an open, worldwide search by the Directors General of FAO and WHO. The Secretary has a small team of professional and technical staff to assist him/ her in his/ her work.

The Codex Secretariat organizes the meetings of the Commission and the Executive Committee, and jointly with the host country Secretariat, provides support and supervises the work of the Codex subsidiary bodies, hosted by governments for the purpose of preparing and distributing documents to the Codex Contact Points in each country, and to the observers and assisting the Chairperson during the meeting. The Codex Secretariat collaborates in such matters as the calendar and place of meetings, distribution of invitations to members and observers to attend meetings, finalizing the program and documentation for meetings, preparing reports of meetings, sending all Codex

Members and Observers the documents that are to be dealt with, and organize all the details of the meetings held in Rome or Geneva, by either the Commission or the Executive Committee.

The Codex Secretariat is the great “communicator” of the work of the Commission: it provides guidance to countries for seeking information, makes the Commission’s decisions on standards available to all interested parties, distributes circular letters and negotiating documents, maintain the Codex website update, assist Codex Members and Observers in the use of Codex web-tools and prepares texts to guide the work of the organization.

#### 1.5.4. Subsidiary bodies of the Codex Alimentarius

The Commission may establish subsidiary bodies, subject to availability of funds, as it deems necessary to accomplish its work. Codex subsidiary bodies include:

- a. General Subject Committees, also called “horizontal committees”
- b. Commodity Committees, also called “vertical committees”
- c. FAO/WHO Coordinating Committees (regional coordinating committees)
- d. Ad Hoc Intergovernmental Task Forces

Codex subsidiary bodies are hosted by the governments of various countries. When the committees have no matters to discuss,

the Commission may decide either their abolishment or their adjournment. The adjourned committees can be reactivated when new issues arise that require their input.

In early 2000, the Codex Alimentarius Commission created a new type of subsidiary bodies: the ad hoc Intergovernmental Task Forces, which have a clearly defined mandate that should be completed within a limited time and are abolished once they have completed their work.

In recent years, several committees have been working by correspondence in view of the limited workload which did not warrant a full physical meeting or to complete specific tasks assigned by the Commission. The Executive Committee has considered the option of working by correspondence an efficient way to organize Codex work and the Committee on General Principles is now discussing the elaboration of procedural guidance to address a number of procedural issues that have been identified and to ensure transparency, in particular on the manner committees reach conclusion when working by correspondence (see report of the 31<sup>st</sup> Session of the Committee on General Principles in 2019).

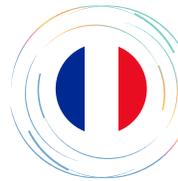
Following is a brief description of the Codex committees (both active and adjourned *sine die*)<sup>5</sup> and the subject matter they handle. More information on this point can be found in the *Procedural Manual*.

#### 1.5.4.1. General Subject Committees or horizontal committees

#### Committee on General Principles (CCGP) - active

The General subject committees work on questions of general scope, applicable to all foods or food groups, therefore they are often called “horizontal committees”. The standards and related texts that emerge from their recommendations are applicable to all foods, including commodity standards prepared by commodity committees in their respective areas of competence. The general standards must ensure the consistency of criteria applicable to product standards and must seek to avoid regulatory contradictions. For example, provisions on the general labeling standards must be followed by all the product committees. Where commodity committees are of the opinion that the general standards are not applicable to one or more commodity standards, they may request the responsible general subject committees to endorse deviations from the general standards. If the Commission approves principles on risk analysis or on the role of science in Codex decision-making, all committees must take them into account and should not reinterpret them in a way that would distort their application when establishing specific Codex standards.

The general subjects’ committees are the following:



Host government:  
France

This committee works on the general principles that define the object and purpose of the Codex Alimentarius. It is responsible for preparing and discussing all proposals relating to the *Procedural Manual*. It also deals with procedural issues such as the length of time between Commission sessions, the mandate of the Codex subsidiary bodies, the rights and obligations of Members and observers and requirements for obtaining the observer status, questions that must be submitted to vote and decisions that may be taken by consensus, and guidelines for physical and electronic working groups. In addition, it recommends general principles that all Codex committees must apply in their work, such as the principles for risk analysis. Finally, it must ensure consistency in the application of those general principles by the other Codex committees.

The recommendations of the Committee on General Principles to the Commission have important implications for the work of Codex and have important repercussions for the responsibilities of governments in considering Codex standards.

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5 As at the end of the 42<sup>nd</sup> Session of the Codex Alimentarius Commission (July 2019), information about the current status of the different Subsidiary Bodies is updated and available at the Codex webpage.

## Codex Committee on Food Additives (CCFA) - active



**Host government:**  
China

Its functions are to establish or endorse acceptable maximum levels for individual food additives; to prepare priority lists of food additives for risk assessment by the Joint FAO/WHO Expert Committee on Food Additives (JECFA); to assign functional classes to individual food additives; to recommend specifications of identity and purity for food additives for adoption by the Commission; to consider methods of analysis for the determination of additives in food; and to consider and develop standards or codes for related subjects such as the labeling of food additives when sold as such.

Until 2006, the Committee on Food Additives was joined with the Committee on Contaminants in Food to form the Committee on Food Additives and Contaminants, which was chaired by the Netherlands. In 2005, the Commission decided that the workload of this dual committee was too heavy and that its functions should be divided by establishing two independent committees: the Committee on Food Additives and the Committee on Contaminants in Food. Thus, during its 29th session, in June 2006, the Commission approved the mandates of the two separate committees and the hosting

of the Committee on Food Additives was transferred to China.

It is important that countries that participate in the work of the Committee on Food Additives consult with their food industry and, when possible, include representatives of the food industry in their delegations to provide information on the use of food additives, which safety has been assessed by JECFA, and on technological suitability of the maximum levels and other texts developed by the Committee. Similarly, the participation of observers representing the food industry contributes to the development of sound and acceptable food additive measures.

Information on the work of the Committee on Additives prior to the Commission's 29th session can be found under the Codex Committee Food on Additives and Contaminants (CCFAC).

## Codex Committee on Contaminants in Food (CCCF) - active



**Host government:**  
The Netherlands

Its functions are to establish or endorse permitted maximum levels or reference levels, and where necessary revise existing guidelines levels for contaminants and naturally occurring toxicants in food and feed; to prepare priority lists of contaminants and



naturally occurring toxicants for risk analysis by the Joint FAO/WHO Expert Committee on Food Additives (JECFA); to consider and elaborate methods of analysis and sampling for the determination of contaminants and naturally occurring toxicants in food and feed; to consider standards or codes of practice for related subjects; and to consider other matters assigned to it by the Commission in relation to contaminants and naturally occurring toxicants in food and feed.

In considering the work of this committee it is important to bear in mind the entire food production chain. For this reason, it is recommended that the national animal

and plant production sectors be involved in the work of the committee. Moreover, when it comes to contaminants in foods, it is important for countries that are food producers, to consider the technical and economic feasibility of the measures that are adopted, and, on that basis, that they make proposals for adopting measures that ensure a reasonable level of food safety and yet be adequate for local production conditions.

Because this committee also concerns itself with environmental contaminants and natural toxicants that can affect food safety, it is very important for national environment ministries to participate in the work.

When a new topic is dealt with by the Committee on Contaminants in Foods., it is important that countries consult their national control agencies to see if the contaminant in question is regulated and therefore controlled; if it is not regulated, there may not be any data, and the country may be led to assume that it has no problems with it. In all cases, it is important to consult the scientific and technical authorities to see if a study has ever been conducted in the country on the contaminant in question. If there has been no such study, and if there is a suggestion that the country might have a problem,

then the country would be well advised—if it produces the type of foods for which the contaminant in question will be regulated—to conduct a thorough bibliographic review to assess the conditions under which that contaminant might be present and then conduct more intensive studies for a complete risk assessment.

Information on the work of the new Committee on Contaminants in Food prior to the Commission's 29<sup>th</sup> session can be found under the Codex Committee on Additives and Contaminants (CCFAC).



## Codex Committee on Food Hygiene (CCFH) - active



Host government:  
USA

Its functions are to draft basic provisions on food hygiene applicable to all food; to consider, amend if necessary and endorse provisions on hygiene prepared by Codex commodity committees and contained in Codex commodity standards; and to consider, amend if necessary, and endorse provisions on hygiene prepared by Codex commodity committees and contained in Codex codes of practice—unless, in specific cases, the Commission has decided otherwise— or to draft provisions on hygiene applicable to specific food items or food groups, whether coming within the terms of reference of a Codex committee or not; to consider specific hygiene problems assigned to it by the Commission; to suggest and prioritize areas where there is a need for microbiological risk assessment at the international level and to develop questions to be addressed by the risk assessors; to consider microbiological risk management matters in relation to food hygiene, including food irradiation and in relation to the risk assessment of FAO and WHO.

As its mandate indicates, the Committee on Food Hygiene not only prepares its own standards but also reviews the standards or codes of practice prepared by other Codex

committees. Bearing in mind this working mechanism, countries need to consider the interaction between the commodities Committees and the Committee on Food Hygiene. It must also be remembered that this committee needs scientific advice from the Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment (JEMRA) to conduct specific risk assessments on combinations of pathogens and products, for example on *Campylobacter* in poultry and Enterohaemorrhagic *E. coli* in ground beef and fermented sausages.

If a country has conducted scientific studies on these issues and believes the data collected are reliable, it should submit that information to FAO/WHO so that it can be taken into account by the expert meetings. Information sent to FAO/WHO in these circumstances is treated as confidential, unless it has already been published.

Codex Members should be proactive in this respect, as FAO/WHO needs case studies on the various issues it deals with, conducted in various countries, in which local production conditions are taken into account, to allow a broad view of the issues and ensure that all aspects are duly considered when drafting the conclusions of the expert group, remembering that it is on these conclusions that the Committee on Food Hygiene will base its recommendation for a Codex standard. Advanced knowledge of any study conducted in the country on any matter dealt with in this committee can also help the country prepare and submit comments.

## Codex Committee on Food Import and Export Certification and Inspection Systems (CCFICS) - active



**Host government:**  
Australia

Its functions are to develop principles and guidelines for food import and export inspection and certification systems with a view to harmonizing methods and procedures which protect the health of consumers, ensure fair trading practice and facilitate international trade in foodstuffs; to develop principles and guidelines for the application of measures by the competent authorities of exporting and importing countries to provide assurance, where necessary, that foodstuffs comply with requirements, especially statutory health requirements; to develop guidelines for the utilization, as and when appropriate, of the application of quality assurance systems<sup>6</sup>, to ensure that foodstuffs conform with requirements and to promote the recognition of these systems in facilitating trade in food products under bilateral/multilateral arrangements by countries; to develop guidelines and criteria with respect to format, declarations and language of such official certificates as countries may require, with a view towards international harmonization; to make recommendations for information exchange in relation to food import/export control; to consult as necessary with other international groups working on matters

related to food inspection and certification systems; to consider other matters assigned to it by the Commission in relation to food inspection and certification systems.

This committee's work is very important in relation to food exports and imports and many countries take the recommendations of this committee into account when establishing their national regulations or establish their national food control and inspection systems. This committee also addresses questions that are directly related to the SPS and TBT Agreements of the WTO, including the negotiations on the equivalence of sanitary measures. Hence the importance for WTO member countries, particularly developing ones, to examine Codex documents alongside the SPS Agreement and the decisions taken in that forum and to consider the discussion of this Codex committee that can be found in the committee reports.

## Codex Committee on Food Labeling (CCFL) - active



**Host government:**  
Canada

Its functions include the drafting of provisions on labeling applicable to all foods; to consider, amend if necessary, and endorse draft specific provisions on labeling prepared by Codex committees in charge of drafting standards, codes of practice and guidelines;

<sup>6</sup> Quality assurance means all those planned and systematic actions necessary to provide adequate confidence that a product or service will satisfy given requirements for quality (ISO 9000:2000)

to study specific labeling problems assigned to it by the Commission; and to study problems associated with the advertisement of food with particular reference to claims and misleading descriptions.

This committee performs a very important service in favor of consumers, as food labeling is the most important and direct source of information for consumers. However, the information carried on the label offers no guarantee that the food is safe (it is assumed that the health authorities have established food safety requirements before the product is placed on the market). The label's purpose is to inform the consumer about the identity of the product, its characteristics (composition, nutritional value, manner of use, expiration date, the presence of allergens, etc.). Therefore, information on the label must be clear and concise, it must not lead to error or fraud, it must be truthful and readily understandable (bearing in mind that not all consumers are equally well-informed about nutritional or health issues) and it must be verifiable.

When dealing with negotiation documents related to labeling, these must be viewed in light of the interaction with other Codex committees, such as the commodity committees and the Committee on Nutrition and Food for Special Dietary Uses.

The Committee is also responsible for the substances permitted in organic food production.

### Codex Committee on Methods of Analysis and Sampling (CCMAS) - active



Host government:  
Hungary

Its functions are to define the criteria applicable to Codex methods of analysis and sampling; to serve as a coordinating body with other international groups working on methods of analysis and sampling and quality assurance systems for laboratories; to specify—taking into account the final recommendations submitted to it by other bodies referred to previously—reference methods of analysis and sampling appropriate for Codex standards which are generally applicable to a number of foods; to consider, amend if necessary, and endorse, as appropriate, methods of analysis and sampling proposed by Codex commodity committees, except the methods of analysis and sampling for pesticide residues or veterinary drug residues in food, the assessment of microbiological quality and safety in foods, and the assessment of specifications for food additives do not fall within the mandate of this committee; to elaborate sampling plans and procedures, as may be required; to consider specific sampling and analysis problems entrusted to it by the Commission or any of its committees; to define procedures, protocols, guidelines or related texts for the assessment of food laboratory proficiency, as well as to define quality assurance systems for laboratories.

The work of this committee is very important because it discusses appropriate methods of analysis for foods and also considers validation and sampling plans and procedures. The committee may be very important for food exporting countries, as issues related to sampling plans and analytical methods are usually difficult to resolve when negotiating protocols with importing countries. It is also important to consider the technical and economic feasibility of proposed new methods.

### Codex Committee on Nutrition and Food for Special Dietary Uses (CCNFSDU) - active



**Host government:**  
Germany

Its functions are to study specific nutritional problems assigned to it by the Commission and advise the Commission on general nutrition issues; to draft general provisions, as appropriate, concerning the nutritional aspects of foods; to develop standards, guidelines or related texts applicable to foods for special dietary uses, in cooperation with other committees where necessary; to consider, amend if necessary, and to examine and endorse provisions on nutritional aspects for inclusion in Codex standards, guidelines and related texts.

### Codex Committee on Pesticide Residues (CCPR) - active



**Host government:**  
China

Its functions are to establish maximum limits for pesticide residues in specific food items or in groups of food; to establish maximum limits for pesticide residues in certain animal feeding moving in international trade when this is justified or 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 determination of pesticide residues in food and feeds; 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 or groups of food.

The negotiation process to establish maximum residue limits (MRLs) for pesticides is a very complex one, especially for those countries that do not have all the information needed to propose or defend a specific MRL.

Although many countries do not have their own studies, they could certainly provide

the committee with any information they have on the use of specific pesticides and ask it to consider their priorities for pesticide regulations in specific food products. The essential thing is to understand, in depth, how the limits are established and thus be in a position to submit properly formulated requests and substantiated observations.

An aspect of particular importance for developing countries is the process of withdrawing Codex MRLs, for it is sure to involve the generic or so-called “low use” pesticides that are used mainly in developing countries for minor crops. Given the fact that the current Codex process for reviewing MRLs calls for reevaluating substances that have not had a significant review of their MRLs for 15 years, and once the pesticide is placed on the list of priorities for reevaluation countries have four years to decide whether to submit the data requested by the committee and by the JMPR for reevaluation—otherwise, the MRL will be withdrawn—it is very important to review the lists of existing MRLs and the length of time they have been in effect, in order to advise producers and pesticide suppliers or manufacturers as to what will happen within a period of time determined in the Codex. In this way, if a country, a group of producers of some food product, or the manufacturers of agrochemicals consider it essential to keep the MRL, they can begin to develop the information required to support it.

### Codex Committee on Residues of Veterinary Drugs in Food (CCRDVDF)-active



Host government:  
USA

Its functions are to determine priorities for consideration of residues of veterinary drugs in foods; to recommend maximum residue levels of such substances; to develop codes of practice as may be required; and to consider methods of sampling and analysis for the determination of veterinary drug residues in foods.

The Committee on Residues of Veterinary Drugs in Foods should base its recommendations concerning residues of veterinary drugs in food on the risk assessments carried out by the Joint FAO/WHO Expert Committee on Food Additives (JECFA).

#### 1.5.4.2. Commodity Committees or “vertical committees”

The vertical or commodity committees are tasked with preparing standards on the identity and quality of products, but they also take decisions on the essential quality of foods, which helps to ensure their safety.

In the commodity committees, countries have an opportunity to find regulatory solutions for products of interest to them,



provided they can meet the criteria required by the Commission for initiating new work (see section 6.4.2.3).

The lack of a Codex standard on identity and quality for certain local products such as fruits and vegetables can often be an obstacle to their export, or can force producing countries to comply with provisions that are not considering the local agro-ecological environment of production, but instead reflect the requirements of importing countries that are not concerned with production constraints. In these cases, producing countries must strive for the establishment of standards for economically important commodities that are already traded internationally, or are just

entering the market, or have the potential to do so.

### Codex Committee on Fresh Fruits and Vegetables (CCFFV) - active



**Host government:**

Mexico

Its function is to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables; and to consult, as necessary, with other international organizations in the standards development process to avoid duplication.

**Codex Committee on Processed Fruits and Vegetables (CCPFV) - adjourned *sine die* by the 43<sup>rd</sup> Session of the Commission in 2020**



**Host government:**  
USA

Its function is to elaborate worldwide standards and related texts for all types of processed fruits and vegetables, including but not limited to canned, dried and frozen products as well fruit and vegetable juices. The Commission has also entrusted to this committee the revision of standards for quick frozen fruits and vegetables.

After its 28th Session (2016) the Committee has worked by correspondence. The report of the 29th Session (REP20/PFV) reflects the work of the Committee carried out by correspondence between September 2019 and June 2020.

The 43rd session of the Codex Alimentarius Commission considered the recommendation of the 79<sup>th</sup> Session of the Executive Committee (July 2020) to adjourn *sine die* the Committee on Processed Fruits and Vegetables, with the understanding that it may be reactivated in the future based on the needs identified by members and sufficient workload.



**Codex Committee on Fats and Oils (CCFO) - active**



**Host government:**  
Malaysia

Its function is to elaborate worldwide standards for fats and oils of animal, vegetable and marine origin, including margarine and olive oil.

**Codex Committee on Cereals, Pulses and Legumes (CCCPL) - adjourned *sine die* by the 43<sup>rd</sup> Session of the Commission in 2020**



**Host government:**  
USA

Its function is to prepare worldwide standards and/or codes of practice for cereals, pulses, legumes and their products.

This Committee was reactivated by the 35th session of the Commission to work by correspondence on the development of the standard for quinoa. The 43rd session of the Commission considered the recommendation of the 79th Session of the Executive Committee to adjourn *sine die* the Committee on Cereals, Pulses and Legumes, which has finalized its work.

### Codex Committee on Spices and Culinary Herbs (CCSCH) – active



**Host government:** India

Its function is to prepare worldwide standards for spices and culinary herbs in their dried and dehydrated states in whole, ground, and cracked or crushed form; and to consult, as necessary, with other international organizations in the standards development process to avoid duplication.

This Committee is the last commodity committee established by the Commission at its 36th Session (July 2013).

### Codex Committee on Meat Hygiene (CCMH) – adjourned *sine die* by the 28<sup>th</sup> Session of the Commission in 2005



**Host government:**  
New Zealand

Its function is to elaborate worldwide standards and/ or codes of practice as it may seem appropriate for meat hygiene.

### Codex Committee on Milk and Milk Products (CCMMP) adjourned *sine die* by the 33<sup>rd</sup> Session of the Commission in 2010

Its function is to elaborate international codes and standards for milk and milk products.

### Codex Committee on Fish and Fishery Products (CCFFP) - adjourned *sine die* by the 39<sup>th</sup> Session of the Commission in 2016



**Host government:** Norway

Its function is to elaborate worldwide standards for fresh, frozen (including quick frozen) or otherwise processed fish, crustaceans, and mollusks.

The 43rd session of the Commission (2020) will consider a recommendation of the 79th Session of the Executive Committee to reactivate the Committee on Fish and Fishery Products to work by correspondence to evaluate if the Standard for Canned Sardines-Type Products (CXS 94-1981) can be amended with a view to include *S. lemeru*.



**Codex Committee on Vegetable Proteins (CCVP) - adjourned *sine die* by the 18<sup>th</sup> Session of the Commission in 1989**



**Host government:** Canada

Its function is to prepare definitions and worldwide standards for vegetable protein products—deriving from any plant species—used for human consumption, and to develop guidelines on utilization of such vegetable protein products in the food supply system, on nutritional requirements and safety, on labeling and on other aspects that are deemed appropriate.

**Codex Committee on Cocoa Products and Chocolate (CCCPC) - adjourned *sine die* by the 25<sup>th</sup> Session of the Commission in 2003**



**Host government:** Switzerland

Its function is to elaborate worldwide standards for cocoa products and chocolate.

**Codex Committee on Natural Mineral Waters (CCNMW) - adjourned *sine die* by the 31<sup>st</sup> Session of the Commission in 2008**



**Host government:** Switzerland

Its function is to develop regional standards for natural mineral waters.

**Codex Committee on Sugars (CCS) - adjourned *sine die* by the 42<sup>nd</sup> session of the Commission in 2019**



**Host government:** Colombia (working by correspondence since 2011); United Kingdom from 1964 to 2011.

Its function is to elaborate worldwide standards for all types of sugars and sugar products. It also develops standards for honey.



### 1.5.4.3. Ad hoc Intergovernmental task forces

These groups of subsidiary bodies were created so that the Commission could address new safety issues emerging, as well as issues relating to specific products that are not included in the mandate of any committee or issues covered by the mandate of several committees, which required a multidisciplinary approach.

The Task Forces fulfill the same function as a Codex committee, the only difference is that their mandate is established for a fixed period of time and they are dissolved once they have completed their work.

A number of task forces have been created in recent years and have been dissolved. As 2020, there is only one Task Force:

#### Codex Ad Hoc Intergovernmental Task Force on Antimicrobial Resistance



**Host government:**  
Republic of Korea

Its mandate is to develop guidance on methodology and processes for risk assessment on and their application to antimicrobials used in human and veterinary medicine through the Joint FAO/WHO Meeting on Antimicrobial Resistance (JEMRA), and in close cooperation with OIE, with subsequent consideration of risk management options.

In this process work undertaken in this field at national, regional and international levels should be taken into account.

Its main/principal objective is to develop science-based guidance, taking full account of the corresponding risk analysis principles and the work and standards of other relevant organizations such as FAO, WHO and OIE. The intent of this guidance is to assess the risks to human health associated with the presence in food and feed— including aquaculture— and the transmission through food and feed of antimicrobial resistant microorganisms and antimicrobial resistance genes and to provide appropriate risk management advice based on that assessment to reduce such risks.

The timeframe to complete its work is three years (max four sessions) starting in 2017.

This is the second Task Force on Antimicrobial Resistance and has been established by the 42nd Session of the Commission in 2015. The first Task Force on Antimicrobial Resistance, established in 2006 and hosted by the Republic of Korea, was dissolved by the 34th session of the Commission in 2011 having completed its mandate to elaborate Guidelines for Risk Analysis of Foodborne Antimicrobial Resistance (CXG 77-2011).

#### Dissolved Codex Task Forces:

- Codex Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology (1999-2003; 2004-2008)

- Host Government:** Japan

  - Codex Ad Hoc Intergovernmental Task Force on Food and Vegetable Juices (1999-2004)
- Host Government:** Brazil

  - Codex Ad Hoc Intergovernmental Task Force on Processing and Handling of Quick Frozen Foods (2008)
- Host Government:** Thailand

  - Codex Ad Hoc Intergovernmental Task Force on Animal Feeding (2000-2004; 2011-2013)
- Host Government:** Denmark and Switzerland

#### 1.5.4.4. FAO/WHO Coordinating Committees (regional coordinating committees)

There are six FAO/WHO Coordinating Committees, one each for the following regions: Africa, Asia, Europe, Latin America and the Caribbean, Near East, and North America and the Southwest Pacific.

Each committee is responsible for defining the problems and needs of the region concerning food standards and food control; promotes within the Committee contact for 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 worldwide 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; 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 of particular significance to the region; promotes coordination of all regional food standards work undertaken by international governmental and non-governmental organizations within the region; exercises a general coordinating role for the region and such other functions as may be entrusted to it by the Commission; promotes the use of Codex standards and related texts by members.

In 2014, the Commission, jointly with FAO and WHO, started a process, referred to as revitalization process, to make the FAO/WHO coordinating committees more strategic forward-thinking fora on food safety and quality issues related to the region. As part of this process, different initiatives have been launched across all six coordinating committees, such as the inclusion of keynote speech in their agenda, the use of mechanism to identify critical and emerging issues in food safety and quality, the use of online platform to exchange information of national food control system, the collection of data, and information on the use of Codex standards and relevant texts at the national level.

Regional coordinating committees play an important role in coordinating and promoting Codex work in the region and respond to the requests by the Commission.

**Host government:** is the regional coordinator, which is nominated by Members of the region at each meeting of the coordinating committee and appointed by the following session of the Commission. The regional Coordinator may serve for a maximum of two consecutive terms, which means that any one country can chair a maximum of two FAO/WHO coordinating committee meetings.

The conclusions reached in the FAO/WHO coordinating committee meetings should be respected by the delegates of all countries participating in that meeting, since these decisions are based on consensus. It is desirable that those who participate in the Coordinating Committee for Latin America and the Caribbean (CCLAC) distribute the report of the meeting to their national committees. Similarly, the regional coordinator should always be aware of the topics that have been dealt with in the CCLAC and instruct the delegate to any meeting where CCLAC issues are discussed to mention the decision or opinion of the regional committee on those issues. CCLAC has 33 member countries, representing 20 percent of all Codex Members, this is a critical mass of Members that have the potential to secure favorable outcomes when they act in a concerted manner.

### 1.5.5. Working groups

As the workload of the Codex subsidiary bodies has increased significantly in recent years, another working approach has come

into which involves the establishment of electronic and physical working groups intended to move discussion forward on a given issue and draft the respective document. At meetings of the committees—which usually have only three days to discuss all the topics on their agenda—lack of time can make it difficult to reach agreement on the texts under negotiation, especially when the issues are new or highly controversial. For this reason, a committee may establish a working group. Working groups may also be established by the Commission to carry out a specific task.

Working groups have terms of reference defined by the committee and a time limit for completing their work, they may be led by a different Member than the one hosting the committee, they may even be led by more than one Member, in which case a Chair is usually established while other Members act as co-chairs. Working groups are open to all Codex Members and Observers, which notify their interest to participate to the lead country(ies). Working groups are not required to work in all Codex official languages, it is up to the committee to decide the working languages, usually based on the willingness of its members to take on the task of translating documents. Once their work is completed, and before the next meeting of the committee, they must forward their report and conclusions to the host country and Codex Secretariats, which compile and circulate it as a working document for the next session of the committee. It is important



to note that working groups are not making decisions but formulate recommendations for consideration by the committee, which has established them.

When the topic to be addressed by the working group is important for a country, it will be best for it to participate, as this will give it yet another opportunity to issue an opinion and to learn the opinion of other Codex Members before it arrives at the committee meeting. Information is an essential factor in any negotiation.

#### 1.5.5.1 Electronic working groups

Committees may create electronic working groups to deal with a topic on their agenda, establish the mandate for the group and determine what country will lead its work. Generally speaking, countries will volunteer

to lead the working groups. During the meeting, a list of members and observers interested in joining the group may be prepared. However, this practice is no longer used and the country(ies) leading the working group prepare(s) letter, distributed by the Codex Secretariat, inviting all Codex members and Observers to notify their interest to participate in the working group by a specific deadline.

During the last few years, electronic working groups have migrated from an e-mail based system, to work on a platform hosted by the Codex Secretariat, called Forum. This has enabled a more transparent, inclusive way to follow the development of the documents and the process to reach consensus implemented by chairs. Slowly but steadily, Members are starting to agree on common practices to operate electronic working groups, based

on the guidelines provided in the *Procedural Manual*<sup>7</sup>.

#### 1.5.5.2 Physical working groups

Physical working groups are created to examine a topic under discussion for inclusion as a Codex negotiating item, or to advance work on negotiating documents that need additional time and face-to-face meetings for proper discussion. A physical working group is created only when there is consensus in the committee to do so, taking into account the problems of developing country participation. Participation in the working groups is open to all Members and observers which notify their interest. The rules of procedure and the operating guidelines of the Codex committees are applicable to the working groups as well.

Physical working group does not necessarily

have to be managed by the country chairing the committee, and the meetings do not have to be held in the same place.

The groups are dissolved when they have completed their work, or their time frame has expired. They are supposed to present their report well in advance so that the committee members can comment.

Physical working groups can be held between committee's sessions and immediately before the meeting of the committee. In this case, the letter of invitation to the committee meeting also contains a note informing of the venue and time of the working group meeting and the report of the physical working group is usually distributed during the committee's session as a Conference Room Document.

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<sup>7</sup> Section III: Guidelines for Subsidiary Bodies, Codex Alimentarius Commission *Procedural Manual* twenty-seventh edition.



## 2. Functioning of the Codex Committees

Each of the Codex committees and task forces is hosted by a Member State of the Commission, which is responsible for its efficient operation and for appointing its Chairperson. A country interested in taking on this function must declare its willingness and be approved by the Commission in plenary session. The host country, which chairs the committee, must bear all the support and administrative costs of the committee, all conference services, including the secretariat.

At each of its meetings, the Commission must change or ratify the list of host countries of committees, as this is a permanent item on its agenda. However, the question only comes up in detail when changes are announced. Generally speaking, there is a “gentlemen’s agreement” that unless the host country expresses a desire to give up the chair no other country will put itself forward as a candidate. Consequently, some countries consider themselves the “owners” of these committees. Currently, as a result of the

creation of the World Trade Organization, the number of countries interested in hosting Codex committees has increased.

Hosting a Codex committee can be a useful way of keeping national official attention focused on the Codex program. However, a potential host must recognize that it will have to bear the costs of the committee’s ongoing work and its meetings, and it should calculate those costs before offering to chair a committee. Generally speaking, because the costs of hosting a committee can be high, the host countries tend to be developed countries. A few developing countries (e.g. China, Malaysia and Mexico) have realized, however, that hosting a Codex committee is not an expenditure but an investment.

In recent years, given the interest in Codex activities that developing countries have shown, there has been an interest in promoting associations between host countries and developing countries to hold



some of the committee meetings outside of the host country. Not all of the committees have yet engaged in this co-hosting exercise. It can be a useful experience for developing countries, however, which will thereby have the opportunity to host meetings of some key committees in their own country and region and thus gain an “inside view” of the dynamics and logistics involved in holding an international meeting of the Codex Alimentarius.

Co-hosting a Codex committee is not the same as chairing it. In addition to the work of preparing the meeting, the co-host country will have to conduct multiple tasks along the year to coordinate the ongoing work and negotiations within the committee, together with the host country and the Codex Secretariats.

When a host country agrees with another

Member to hold a meeting in a second country, it will sometimes offer to share the chairing of the meeting. While this is an interesting alternative, the truth is that to manage or co-chair a meeting takes a good deal of experience, not only with the issues of the meeting but also with the previous work of the committee and its functional dynamics.

The Latin America and Caribbean region currently is hosting two active committees, the Committee on Fresh Fruits and Vegetables, hosted by Mexico, the Committee on Sugars, hosted by Colombia, and the Intergovernmental Task Force on Fruit Juices by Brazil. Several countries in the region have offered to host other Codex committees in order to bring meetings to the region, but they have not rounded up enough votes for their candidacy. Brazil, Argentina and Guatemala have however co-hosted several meetings, e.g. the 37<sup>th</sup>, 40<sup>th</sup> and 46<sup>th</sup> Session of the Committee on Food Hygiene (Argentina, Guatemala and Peru, respectively), the 32<sup>nd</sup> Session on Nutrition and Food for Special Dietary Uses (Chile).

When it comes to financing, the Joint FAO/WHO Coordinating Committees are an exception, especially in the case of coordination in developing countries. In these cases it is the Codex Alimentarius Commission, rather than the host government, that will cover such costs as translation of documents and interpretation during the meeting into the committee’s working languages.



## 3. Internal Procedures

The operating rules of the Codex Alimentarius and the regular sessions and meeting periods of its subsidiary bodies are found in the *Codex Procedural Manual*, which contains all the necessary information on rules of procedure, statutes, principles of the organization, and rights and duties of Members. Certain FAO rules of procedure also apply to the work of the Codex Alimentarius.<sup>8</sup>

### 3.1. Regular Sessions

There are four types of meetings, relating respectively to the Codex Alimentarius Commission, the Executive Committee, the Codex Committees or Intergovernmental Task Forces, and the FAO/WHO Coordinating Committees.

The Codex Alimentarius Commission meets annually, in the first week of July, alternating its sessions between Rome and Geneva, where FAO headquarters and WHO headquarters are located. However, and

although it is unusual, the Commission—that is, the Members constituting the plenary—has the power to change the frequency of its meetings as it deems necessary (for example, because of the workload).

The Executive Committee usually meets before the Commission's regular sessions and between the Commission's sessions. However, depending on the volume of work underway, the FAO/WHO Directors-General may decide to convene it at other times during the year in order to move pending issues forward. The meetings of the Executive Committee preceding the Commission are held in the same place where the Commission holds its annual session.

The Codex Committees and Intergovernmental Task Forces generally meet annually. However, some committees, in particular commodity committees, meet every two years or 18 months. The place of the meeting of Codex subsidiary bodies is determined by the Directors-General of

<sup>8</sup> When a serious problem arose in the 29th session of the Codex Alimentarius Commission, articles of the FAO rules of procedure were invoked and decisions affecting the Codex were taken in that light, requiring the Secretariat to distribute those rules of procedure to Codex members.

FAO and WHO in consultation with the host country. In recent years some committee meetings were held outside the host country (see Section 2).

It is important to recall that the committees and task forces may create physical working groups and assign them tasks to be performed during the interval between regular committee meetings. Meetings of the working groups will not appear on the official schedule of Codex meetings but will be communicated separately to the Codex Members and observers.

The FAO/WHO Coordinating Committees, commonly known as the Codex Regional

Committees (such as the FAO/WHO Coordinating Committee for Latin America and the Caribbean, CCLAC) meet every two years. Meetings are held in the country of the Regional Coordinator.

The listing of the meetings scheduled, including the venue and dates of the meeting, are published on the Codex website (<https://www.fao.org/fao-who-codexalimentarius/es/>).



## 3.2. Invitations

The letter of invitations should be sent out at least four months before the date of the meeting in the languages of the Commission.

The invitation letter will advise the date and place of the meeting (not only the country but the physical location, e.g. conference center, hotel etc.). The invitation includes information on registration and starting times, as well as any security requirements with which delegates must comply (for example, presenting a passport or an official letter of accreditation).

The invitation will also indicate the working language of the meeting (a very important point, as the delegate may have to be changed if he or she cannot understand and speak the language in which the meeting is to be conducted), and it will establish a deadline for Members and observers to notify who will participate, and contact data for accrediting delegates to the committee Secretariat. Observing that deadline for sending information to the host country is a gesture of respect and consideration: the more detailed information available to the host country on the number of delegates attending the meeting, the more efficiently it can make arrangements including for the seating in plenary, number of copies of documents needed, arrangements for coffee breaks, the welcoming dinner, etc. It is important to remember that hosting these meetings takes a lot of money, and no one wants to spend more than necessary.

An important point contained in all invitations to Codex meetings is a reminder for those planning to participate to consult the embassy of the host country to see whether a visa is required. It is essential to determine this as early as possible. Visas are normally processed in the consulates of the host country. On occasion, however, in the case of very small countries there may be no consulate of the host country and so the visa cannot be processed locally. In these cases, the visa will normally be processed by an embassy in another country, or it will be delivered in transit to the host country or at the point of entry. Whichever route is used to handle the visa, it is essential to begin the process early. The host country also provides information on hotel accommodation and the venue. This information is uploaded on the webpage of the committee's meeting on the Codex website.

The invitation will be accompanied by the Provisional Agenda for the meeting.

### 3.3. Provisional and Final Agendas

The provisional agenda for a Codex meeting is prepared by the Codex Secretariat in consultation with the committee's chairperson, and it retains that status until the beginning of the meeting, when the approval of the provisional agenda will be the first piece of business.

Codex meeting agendas generally follow the same order. First come the standard items (approval of the agenda, questions referred by the Codex Alimentarius Commission and other Codex subsidiary bodies, questions referred by FAO/WHO, etc.). Next is a listing of the documents under negotiation. Those that are at the most advanced step of preparation will be listed first, unless there is a decision to the contrary. Documents

addressing food safety and public health issues will always come first. This is followed by discussion papers and "other business". The final items on the agenda will be the date and place of the next meeting, and adoption of the draft report.

### 3.4. Participation in Meetings

Each Member is entitled to send as many delegates as it deems appropriate. When there is more than one delegate, the country must indicate the head of delegation on the registration form.

The following may participate in Codex meetings:

- a. **Codex Members**, may be represented by delegates from any sector that

country chooses. Generally speaking, Codex does not establish the number of delegates by country, except for the physical working groups, where it is normal to limit the delegation to two or three representatives per country. However, there may not be room for all the delegates of the country to sit at the country's designated place. In these cases, delegates will take turns in accompanying the head of delegation, depending on their areas of expertise. In the case of large delegations, it is essential to warn the host country's Secretariat in advance.

**b. Codex observers.** They are international governmental and nongovernmental organizations that have acquired observer status in Codex; a complete list of Codex observers can be found in the Codex website.

### 3.5. Registration

Delegates attending a meeting must be registered to participate. This can only be done by official Codex Contact Points and Observers, by logging into the ORS - Online Registration System (to Codex meetings) using the password provided by the Codex Secretariat to Codex Contact Points and Observers. The Codex Contact Point has access to all meetings open for registration, and to a vast archive of the country's attendance to past meetings.

Once registered, the delegate should get in touch with the Regional Coordinator and get information about the informal meetings scheduled and plan the travel accordingly.

Upon arrival at the meeting site, usually one day before the plenary session starts, delegates must pick up their meeting pass and any other materials that the Secretariat



or the host country distributes. In some cases, delegates will be asked to confirm that the data the Secretariat has is correct. The pass must be worn in a visible manner at all times: this will facilitate making contacts and also ensure security at the event. For some meetings of the subsidiary bodies, a workshop for first-time delegates is organized by the host country; it is advisable to attend such workshops, even if it is not the first meeting a delegate attends, as it will be a good opportunity to meet the chairperson and other delegates before the action starts.

### 3.6. Chairperson

With the exception of the Codex Chairperson and the Vice-Chairpersons, who are elected by direct vote of the Members at every other session of the Commission, and the Regional Coordinators who serve as chairpersons of the FAO/WHO Coordinating committees, who are elected by Members from the region, the chairpersons of the Codex committees and task forces are named by the host governments and retain their responsibilities until the government in question decides otherwise.

If the Commission Chairperson cannot preside, for substantiated reasons, one of the Vice-Chairpersons will step in. When this happens in one of the subsidiary bodies, the host government will decide who should replace the chairperson. The chairperson may not act as a representative of the host country

during the debates, as this would undermine its independence.

### 3.7. Quorum

A simple majority of Members attending the meeting will constitute a quorum, provided that such a majority shall be not less than the 20 percent of the total membership of the Commission. For purposes of making recommendations for amendments to the Statutes of the Commission and of adopting amendments to the Rules of Procedures, the majority of the Members of the Commission shall constitute the quorum.

### 3.8. Management of Proceedings

The Chairperson runs the meeting and gives the floor to delegates.

The Chairperson is responsible for enforcing the Codex rules of procedure during the meeting and for observing Article XII of the FAO General Rules<sup>9</sup>, which applies to the Codex. That article contains complete instructions on the procedure to be followed with respect to voting, points of order, adjournment and suspension of meetings, adjournment and closure of debate on a particular issue, reconsideration of a matter on which a decision has already been taken, and the order in which amendments must be handled.

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<sup>9</sup> As of October 2020, it is available at: [www.fao.org/3/a-mp046s.pdf](http://www.fao.org/3/a-mp046s.pdf), pages 24 to 30.

It is very important that country delegates participating in a Codex meeting carry with them a copy of this FAO article, as it may not be available at the meeting.

### 3.9. Good Offices

In general terms, the Chairperson and the Vice-Chairpersons of the Commission, as well as the elected geographic representatives and chairpersons of the Commission's subsidiary bodies, are expected to help achieve the objectives of the Codex. The section of this Manual that deals with the adoption of decisions covers the "measures to facilitate consensus", which require the chairpersons to make their best efforts to achieve outcomes through consensus.

### 3.10. Presentation of Proposals

Section 4 of this Manual describes the various types of Codex documents and provides details on the presentation of proposals. It is important to bear in mind that proposals can be presented right up to the opening day of the Codex meeting. If there are several proposals on the same topic, the committee will have to evaluate all of them.

### 3.11. Adoption of Decisions

Decisions in the Codex Alimentarius are taken by consensus, as a general rule. However,

there is no definition of "consensus", unlike in many other international organizations where the unwritten rule would seem to be that "consensus is the absence of opposition".

The *Procedural Manual* contains an Appendix titled "measures to facilitate consensus"<sup>10</sup>, and the Codex Chairpersons' Handbook also contains a chapter exclusively dedicated to bring some guidance for Chairpersons on how to reach consensus. But no definition for consensus can be found. This can be confusing if it is understood that Codex, for the approval of its standards, repeatedly emphasizes the need for them to be developed based on consensus. Attempts were made to define what consensus is, when it is reached and how everyone can identify it, however, it was not possible to reach a general agreement on the subject and it was decided that the *Procedures Manual* would only provide recommendations to facilitate consensus among its members.

What happens in practice is that the consensus is defined by the Chairperson of a Codex meeting based on his/her criteria. In Codex, a Chairperson should do everything within his power to reach consensus, this includes the options given in the *Procedures Manual*, such as refraining from submitting proposals in the step process where the scientific basis is not well established, organizing informal meetings of the parties concerned where disagreements arise and facilitating the increased involvement and participation of developing countries, among others.

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<sup>10</sup> *Procedural Manual*, Twenty-seventh edition Appendix: General Decisions of the Commission.

In those rare occasions when consensus cannot be reached, any Member may decide to exercise their right to vote to adopt a decision, according to Rule VIII, contained in Section I of the *Procedural Manual*. Members have sought to avoid formal votes for deciding the future of draft standards, recognizing that there is no certainty about the outcome of such a vote and that it could generate a precedent that would be difficult to reverse.

It is important to remember that a Chairperson should do everything it can to reach consensus, and thus prevent the adoption of a decision by voting, so a delegate, when preparing to attend a meeting, should read the Appendix on “measures to facilitate consensus” and invite the plenary session to strive for consensus.

### 3.12. Languages

The official languages of the Commission are Arabic, Chinese, English, French, Russian and Spanish, but its working languages are English, French, and Spanish.

The official languages are used at Commission sessions and at the Executive Committee, depending on the countries attending the session. Working languages are the ones in which the Codex committees conduct their work, with the exception of those regional committees where one working language prevails. For example, while there are three working languages for the Codex, the FAO/WHO Coordinating Committee for Latin America and the Caribbean conducts its meetings and work in English and Spanish, even though the language of Haiti is French—that country recognizes the enormous expense that translation and interpretation into French would entail.

The FAO/WHO Coordinating Committee for Africa included Portuguese among its working languages, as this is the official language of seven countries in the region. However, this applies only to the Committee for Africa and does not make Portuguese an official language of Codex.

Although Spanish and French are working languages of the Commission, Spanish- and French-speaking countries still have many problems caused by the delay in translating Codex texts, which frequently means that they have less time to examine the documents for discussion and negotiation. There have even been cases where Codex documents in one language or another did not arrive in time before the meetings.

Experience suggests that the proportion of bilingual technicians and specialists in the Latin America and Caribbean region is still low, and this may affect the ability to provide timely and properly formulated opinions on the texts. However, this should not be an impediment to analyzing topics of interest.

When inexistence or late availability of translations prevent Members to submit their comments, they should contact the Codex Secretariat asking when the translation will be distributed (in the case of working groups, it may have been agreed to work in only one or two languages, which means that another solution will have to be sought) and noting that since this refers to an official working language of Codex, it hopes to receive the translation in time to present comments.

The next step is to consult the Regional Coordinator and the regional Members that speak the same language. It may well be that another country is interested in the same topic and has translated the document so that its own technical staff and private sector can comment on it.

Finally, if the topic is sufficiently important, the country may have to send the document for translation or seek the help of someone on the National Codex Committee who is prepared to translate it. Sometimes, if the private sector is sufficiently interested in the issue it may arrange for a translation and make it available to the government.

In any case, if the lack of translation of Codex documents into the Commission's working languages is interfering significantly with its work, it is a good idea to raise the question in the respective committee, at the Commission session, at the regional committee, and in a note to the Codex Secretariat.



### 3.13. Reports

The Codex Secretariat, which participates in meetings of the Commission, the Executive Committee, the committees and the intergovernmental task forces (but not normally in the working groups), is responsible for preparing the draft report with the support of the host country secretariat. That draft report, which is available in the language of the meeting, must be read before the meeting concludes so that delegations have the opportunity to confirm that it accurately reflects the conclusions and decisions of the meeting.

The Codex Secretariat normally begins preparing the draft report, item by item, at the end of each day of discussion in order to expedite its completion and translation. On the day free of formal meetings (usually the fourth day) the Codex Secretariat reviews and completes the draft report and reviews it with the assistance of FAO and WHO, where applicable. The draft report is then submitted for final translation and made available to delegates in advance of the last session of the committee, i.e. adoption of the report.

The adoption of the report typically takes place in the morning of the final day of the session. Hard copies of the draft report in the working languages of the committee (usually English, French and Spanish) are normally made available one hour before the scheduled adoption to allow delegations time to review it and prepare. With the growing availability of internet in the committee venues, in

recent years draft reports have been made available on the committee's page of the Codex website when ready in all language versions; appendices (except Appendix I "List of participants", which is available earlier) are made available in English only as soon as available to allow delegations to check their accuracy.

The report should never be approved unless it is available in all three official languages: if delegates have no command of the other two languages, they would be approving the report "blind," and would be unable to verify the points that interest them.

The report should clearly record the committee's conclusions and provide a brief summary of the discussion, focusing on the main substantive contributions and recording divergent views, leading up to clearly articulated conclusions, including the details of any next steps. Reports no longer attribute contributions to particular delegations unless so required — as when a Member requests that their reservation be explicitly recorded — or for the purposes of clarity. Therefore, delegates should not expect to find a verbatim record of everything that was said and attribution of statement or name of delegations unless necessary for clarity or such a request was made — for instance, to record a reservation.

If a delegate wants to make sure that the report will reflect his/her opinion on a topic, or his/her reservation to having the committee recommend approval of a text

or approve a standard, then he/she should tell the chairperson expressly, when he/she takes the floor during the meeting or before discussion moves on to the next topic, explaining that his/her delegation wants the minutes to record that position or reservation. Whenever possible, it is best to do this in writing and to give the Secretariat a copy of the opinion or reservation (since it is the delegation's opinion, the Codex Secretariat should not change anything in it), which should be read by the Chairperson in plenary. The text should be concise and to the point and reflect the intervention made by the delegation.

Sometimes, when there is a topic of great interest for one country, its delegation will succeed in rallying support from like-minded countries. The delegations, which would like their support to a certain opinion or reservation reflected in the report, should make this request to the Chairperson in plenary session.

The report is normally adopted paragraph by paragraph (or by group of paragraphs), while appendices are usually adopted page by page. It is good practice not to return to a paragraph once adopted. During the adoption of the report, the text of the draft report is usually projected on-screen, displaying each paragraph as it is up for adoption. Amendments to the draft report can be made directly on-screen; however, this requires dedicated Codex Secretariat resources planned in advance and may prolong the duration of the adoption.

After closing the session, the Codex Secretariat will finalize the report by adding a table of content, the summary and status of work, a list of acronyms (when necessary), the adopted report and appendices, which include the list of participants (Appendix 1) and the texts of the draft standards, indicating the procedural step at which each of them stands, and other documents, such as project documents for new work, priority list of substances to be evaluated by FAO/WHO Expert Meetings, etc.



## 4. Codex Documents

In attempting to comprehend the work of the Codex, it is essential to understand what the different types of documents deal with. The following is a description of the types of documents used in the Codex, how to differentiate them based on the reference coding, and what their characteristics are.

Codex documents are divided into the following main categories:

- *Procedural Manual*: this has no specific reference code.
- Reports of the Codex Alimentarius Commission, Executive Committee,

Codex Committees and Task Forces and FAO/WHO Coordinating Committees (REP).

- Codex working documents (CX)
- Circular Letters (CL)
- Conference Room Documents (CRD)
- Information documents (INF)
- Codex Texts (CX)

Before explaining the function of each of these documents have in the organization of the Codex' work, Table 1 shows the reference code that corresponds to each committee, so that the examples may be readily understood.

**Table 1. Codex Committees: Acronyms<sup>11</sup>**

CODEx BODY	ACRONYM
Codex Alimentarius Commission	CAC
Executive Committee	EXEC
<b>General Subject / Horizontal Committees</b>	
Committee on Contaminants in Food	FC
Codex Committee on Food Additives	FA
Codex Committee on Food Hygiene	FH
Codex Committee on Food Import and Export Certification and Inspection Systems	FICS

<sup>11</sup> The acronym corresponds to the name of the body in English. For example, FA is "Food Additives".

<b>CODEX BODY</b>	<b>ACRONYM</b>
Codex Committee on Food Labeling	FL
Codex Committee on General Principles	GP
Codex Committee on Methods of Analysis and Sampling	MAS
Codex Committee on Nutrition and Food for Special Dietary Uses	NFSDU
Codex Committee on Pesticide Residues	PR
Codex Committee on Residues of Veterinary Drugs in Food	RVDF
<b>Commodity / Vertical Committees</b>	
Codex Committee on Cereals, Pulses and Legumes	CPL
Codex Committee on Cocoa Products and Chocolate	CPC
Codex Committee on Fish and Fishery Products	FFP
Codex Committee on Fresh Fruits and Vegetables	FFV
Codex Committee on Fats and Oils	FO
Codex Committee on Meat Hygiene	MH
Codex Committee on Milk and Milk Products	MMP
Codex Committee on Natural Mineral Waters	NMW
Codex Committee on Processed Fruits and Vegetables	PFV
Codex Committee on Sugars	CCS
Codex Committee on Spices and Culinary Herbs	CCSCH
Codex Committee on Vegetable Protein	VP
<b>Ad hoc Intergovernmental Task Forces</b>	
Intergovernmental Task Force on Animal Feeding	AF
Intergovernmental Task Force on Antimicrobial Resistance	AMR
Intergovernmental Task Force on Foods Derived from Biotechnology	FBT
Intergovernmental Task Force on Fruit and Vegetable Juices	FJ
Intergovernmental Task Force on the Processing and Handling of Quick Frozen Foods	PHQFF
<b>FAO/WHO Coordinating Committees</b>	
FAO/WHO Coordinating Committee for Asia	ASIA
FAO/WHO Coordinating Committee for Europe	EURO
FAO/WHO Coordinating Committee for Africa	AFRICA
FAO/WHO Coordinating Committee for Latin America and the Caribbean	LAC
FAO/WHO Coordinating Committee for North America and the Southwest Pacific	NASWP
FAO/WHO Coordinating Committee for the Near East Codex	NEA



Generally speaking, the reference code for each committee is usually preceded by the letters CC (Codex Committee). Thus, the CCGP is the Codex Committee on General Principles, for example, and the CCFC is the Codex Committee on Contaminants in Foods. In the case of the Task Forces, the acronyms will be preceded by TF: for example, the Ad Hoc Intergovernmental Task Force on Antimicrobial Resistance will be TFAMR.

#### 4.1 Reports (REP)

The acronym REP is used for the reports of the meetings of the Commission, the Executive Committee and the subsidiary bodies (Committees, Ad Hoc Intergovernmental Task Forces and FAO/WHO Coordinating Committees). Before 2010, all Codex reports were identified by the term ALINORM.

Because all the reports have the same acronym, a coding system had to be devised to differentiate them. The system works as follows: REP is followed by two digits indicating the year the Commission session was held, followed by the acronym of the Codex body. For example, REP19/FH is the report of the Committee on Food Hygiene that has been presented at the 42nd session of the Commission held in 2019. If the same body holds more than one meeting between sessions of the Commission, the coding system is followed by the number 1, 2, etc. For example, REP18/EXEC1 and REP18/EXEC2 are the reports of the 74th and 75th Session of the Executive Committee, that have been presented at the 41st Session of the Commission in 2018.

## 4.2. Committee Working Documents (CX)

CX is the abbreviation for the Codex and is usually followed by the acronym identifying the body where the working document would be presented, followed by a set of supplementary numbers. The first corresponds to the year the meeting was held, followed by the session number, and finally the number allocated to the document for discussion in the agenda.

This code is normally placed in the left-hand side margin of the front page and on the heading of the other pages of the working document. For example, CX/FICS 18/24/3 refers to a working document of the Committee on Food Import and Export inspection and Certification Systems related to item 3 of the agenda of the 24th Session of the committee, held in 2018.

Additional documents for the same agenda item are usually identified by the same reference followed by Add.1, 2 ... as appropriate (e.g. CX/FICS 18/24/3-Add.1).

## 4.3. Circular Letters (CL)

Circular letters are the documents whereby the Codex Secretariat communicates with Members and observers when it must consult them on texts under negotiation, on issues outstanding in a report, or on topics under discussion. The circular letters are sent out by the Codex Secretariat and their coding is very simple. First comes the indicator of the

type of document, in this case CL, followed by the year it was distributed, and then the number of the circular letter (this is a serial number indicating how many circular letters the Codex Secretariat has sent to date), and finally the committee acronym. For example, CL 2020/42-RVDF is Circular Letter number 42 of 2020, related to the Committee on Residues of Veterinary Drugs in Foods.

Circular letters also include information on the subject addressed, the deadline for submitting comments/information, and the contact point for sending the comments. Usually, all comments should be copied to the Codex Secretariat.

The circular letters normally provide a brief summary of the background to the issue (or a reference to the relevant document) and the specific request for comments/information.

In mid 2010, the Codex Secretariat introduced a new system for requesting and submitting comments/information: the Online Commenting System (OCS), which is a web-based system for defined stakeholders to insert, share and submit comments in an easy and efficient manner and to provide data for analysis.

The Codex website has an updated archive of all Circular Letters that can be accessed.

Circular letters which use the OCS, can be identified by the same coding of the traditional ones, with the serial number identifying the circular letter, followed by "OCS" and the acronym of the Committee. For example, CL

2020/50/OCS-CF is Circular Letter number 50 of 2020 related to the Committee on Contaminants in Food issued through the OCS.

#### 4.4. Conference Room Documents (CRD)

These documents have limited distribution. They are used to convey last-minute comments received from a country or organization dealing with an item on the agenda of a Codex meeting and to compile reports of physical working groups held immediately prior or during the meeting. Conference room documents are distributed only at the meeting and published on the Committee website (the use of hard copies is progressively disappearing in Codex meetings) and in the original language in which they were submitted. Conference room documents will not be sent out by e-mail either before or after the meeting, unless a member expressly requests in plenary session that the Committee Report record the fact that it will be distributed for consideration in future work, or unless the committee's secretariat decides to distribute it for the sake of transparency.

Conference room documents are also used by the Secretariats (host country and Codex) to compile and make available very late comments. However, this practice is becoming obsolete with the introduction of the On-Line Commenting System (OCS) and should not be considered by Codex Members and observers as an incentive for

not respecting the deadlines indicated in the circular letters.

Conference room documents are distributed only in their original language, which makes it difficult to ensure that they are read by all Members, including the chairpersons and the secretariat, thus diminishing the likelihood that other countries will back the positions expressed therein. If the issue is very important, it would be advisable that Members present their comments in at least in two of the Codex languages: English and Spanish.

The identification code for these documents is CRD, and they will be serially numbered beginning with 1, in the order they are received. Documents to be made available as conference room documents must be sent to the host country secretariat and to the Codex secretariat in Rome. However, it is advisable for the delegate who will be attending the meeting, or the head of delegation, to bring a copy of the document in electronic format, for if it is sent by e-mail it may not arrive at its destination, or it may be lost. In this case, on the first day of the meeting, as soon as it has completed its registration formalities, the delegate should review all the documents that have been put out for consideration by the participants and pick out the ones that were not available before he/she left home, and the CRDs. In all cases, the delegation must verify that the comments and information submitted by its country have been published. If they have not, the delegation will have to approach the Secretariat, give it the electronic file, and ask that it be published as a CRD.

It is also a practice of the host country Secretariat during the housekeeping announcements on the first day of the meeting to announce the deadline for the submission of late documents (usually before the beginning of the first day afternoon session).

## 4.5. INF Documents

These are used in Commission sessions to publish information on activities of other international organizations.

## 4.6. Codex Texts

The purpose of the Codex Alimentarius. They may be standards (general and commodity), codes of practice, or guidelines and other recommendations.

Codex general standards, guidelines and codes of practice apply horizontally to a variety of areas, food types and processes, while Codex commodity standards refer to specific products (e.g. Codex Standard for Quinoa - CXS 333-2019) or food groups (e.g. Codex Standard for Fish Oils - CXS 329-2017).

Codex guidelines falls into two main categories: (i) principles which set out policy in certain key areas (e.g. Principles for Traceability /Product Tracing as a Tool within a Food Inspection and Certification System - CXG/60-2006) and (ii) guidelines for interpretation of principles or for the interpretation and extension of provisions of Codex general standards (e.g. Guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites - CXG 88-2016).

Codex codes of practice also fall into two major categories: (i) codes of hygienic practices which define the production, processing, manufacturing, transport and storage practices for individual foods or groups of foods that are considered essential to ensure the safety and suitability of food for consumption (e.g. Code of Hygienic Practices for Low-Moisture Foods - CXC 75-2015) and codes which aim at the prevention and reduction of chemical contamination (e.g. Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Cocoa - CXC 72-2013).

Once the texts have been drafted and negotiated (at the Committee level), they are forwarded to the Commission for the last time, where they are adopted and, at that point, become part of the Codex Alimentarius.

- Standards are identified by the code CXS. For example, CXS 66/1981 is the Standard for Table Olives, approved in 1981. The year (1981) refers to the year of the first publication as Codex text. Information on subsequent amendments and/or revisions are presented on the cover page of the standard.
- Codes of Practice are identified with the code CXC. For example, CXC 46-1999 is the Code of Hygienic Practice for Refrigerated Packaged Foods with Extended Shelf Life.
- Guidelines or Principles or procedures and criteria carry the code CXG. For example, CXG 32-1999 refers to the Guidelines for the Production, Processing, Labeling and Marketing of Organically Produced Foods.
- Maximum Residue Limits (MRLs) are identified with the code CXM. For example, CXM 2 refers to the Maximum Residue Limits (MRLs) and Risk Management Recommendations (RMRs) for Residues of Veterinary Drugs in Foods.
- Miscellaneous texts are identified with the code CXA. For example, CXA 6-2019 refers to the List of Codex Specifications for Food Additives.

All Codex standards and other texts are published on the Codex website in the six official languages (i.e. Arabic, Chinese, English, French, Russian and Spanish). Numerical standards can also be accessed via online databases that facilitate their use. Codex online databases are: Pesticides Residues in Food Online Database; Veterinary Drug Residues in Food Online Database; and General Standard for Food Additives (GSFA) Online Database.





VANUATU

THE FORMER YUGOSLAV  
REPUBLIC OF MACEDONIA

UGANDA

TURKMENISTAN

THAILAND

TAJIKISTAN

SERBIA

SENEGAL

SIERRA LEONE

NEW ZEALAND

SLOVAKIA

RUSSIA

CHINA

INDONESIA

INDIA

UNITED STATES

UNITED KINGDOM

FRANCE

GERMANY

EUROPEAN UNION

AFRICA

ASIA

AMERICAS



## 5. The Process of Approving Documents in the Codex Alimentarius

The Uniform Procedure for the Elaboration of Codex Standards and Related Texts consists of eight steps that must be followed to get a text adopted as a Codex standard or related text.

Usually, the process to develop/review a Codex text starts at the committee level, where a Member or an observer (or a group) prepares a discussion paper describing the issue that the new work intends to address, explains the problem and the need identified. The discussion paper is not mandatory but facilitates the discussion, the decision of the committee and the preparation of a good project document.

Codex subsidiary bodies do not have a harmonized process for submission of proposals of new work; for example, in some committees, proposals for new work are submitted in response to a Circular Letter and all proposals submitted are reviewed and prioritized by the committee, while in other proposals for new work are considered when discussing “Other business and future work” item.

If the proposal to start new work is supported by the committee, a “project document” should be prepared, reviewed and approved by the committee for transmission to the Executive Committee for the critical review and to the Commission for approval.

The preparation of the “project document” is mandatory for all proposals for new work, except for new work or revision of individual maximum residue limits for pesticides or veterinary drugs, or the maintenance of the General Standard on Food Additives, the General Standard on Contaminants and Toxins in Food and Feed, the Food Categorization including related methods of analysis and sampling plans, and the International Numbering System. The submission of these proposals follows the procedures established by the Committees concerned and endorsed by the Commission.

The project document should follow a specified structure, which includes the following sections:

- Purpose and scope of the standard
- Relevance and timelines
- Main aspects to be covered
- Criteria for the establishment of work priorities
- Relevance to the Codex strategic objectives
- Information on the relation between the proposal and other existing Codex documents
- Expert scientific advice and its availability
- Identification of any need for technical input to the standard from external bodies
- Proposed timeline for completion of the new work

In conducting the critical review of the proposals for new work, the Executive Committee examines the proposals taking into account the “Criteria for the Establishment of Work Priorities”, the Strategic Plan of the Commission and the required supporting work of independent risk assessment of FAO/WHO expert bodies. More information on the criteria for the establishment of “work priorities” for general subjects and for commodity standards can be found in points 6.15.4 and 6.15.5.

New work will not be approved without a good project document. Therefore, Members and observers should dedicate time and attention to its preparation.



## 5.1. Uniform Procedure for the Elaboration of Codex Standards and Related Texts

**Step 1:** The Commission, on the basis of a recommendation from the Executive Committee or a subsidiary body, decides to undertake new work or to revise an existing standard. In the case of proposals from the regional committees, the Commission will base its decision on the proposal of the majority of Members of the region. Members can submit proposals for new work directly to the Commission (not through Codex subsidiary bodies), e.g. when proposals for new work are not falling within the mandate of active subsidiary bodies.

The list of approved new work is appended to the report of the Commission. New work is identified by a Job Number, which allows for monitoring its progress in the step procedure. For example, Job Number N07-2019 refers to the proposal on the development of a code of practice for the prevention and reduction of cadmium contamination in cocoa beans approved by the Commission in 2019 at its 42nd Session. The Job Number will identify a text under elaboration until its adoption as a Codex text (or until a Commission decision to discontinue work).

**Step 2: (Drafting)** The Codex Secretariat arranges for the preparation of a proposed draft standard. This is normally done by a working group, established by the Committee (see point 1.5.4.5) which has proposed the new work (in this case the establishment of the working group is subject to the approval of the new work). The report of the Working Group provides the background of the work carried out and includes the proposed draft document to be circulated for comments at Step 3.

In the case of Maximum Limits for Residues of Pesticides or Veterinary Drugs, the Secretariat distributes the recommendations made by the Joint FAO/WHO Meetings on Pesticide Residues (JMPR), or the Joint FAO/WHO Expert Committee on Food Additives (JECFA) related residues of veterinary drugs.

The Codex procedures also allows for the circulation at Step 3 of texts (in whole or in part) formulated by an international intergovernmental organization, subject to the concurrence of the cooperating organization.

**Step 3:** The proposed draft standard is distributed through a Circular Letter to the Codex Contact Points and Observers for comments on all aspects of the document, including the possible implications for their economic interest.

Despite its importance, developing countries take little advantage of this step, because their level of development poses countless questions that can be an impediment to effective application of a series of new measures established in a Codex standard. Those problems may relate to lack of infrastructure, equipment and available laboratories, a shortage of trained human resources, and an inadequate technological base in the productive sector. Obviously, it is always important in these cases to consider whether there is a proven health risk to consumers and to assess carefully whether the proposed measures are proportionate to that risk. The proportionality of the measure, in fact, will often make the difference between whether a proposed draft is well-intentioned or merely a pretext to shut competitors out of a market.

Comments should be forwarded by all Codex members through their Codex Contact Point and international organizations through their official contact to the subsidiary body and Codex secretariats by a set deadline. It is important that comments are submitted on time, are clear, focused and concise and do not unnecessarily repeat the document (Circular letters provide some guidance for the submission of written comments).

**Step 4:** The host country and Codex secretariats compile all comments submitted by Members and Observers. The comments will be reviewed by the committee responsible for the topic, which will amend the text as it sees fit and submit it to the Commission for adoption at the subsequent step.

The Uniform Procedure allows for a text at Step 4 to be redrafted and recirculated for comments at Step 3 and reconsidered at its following session.

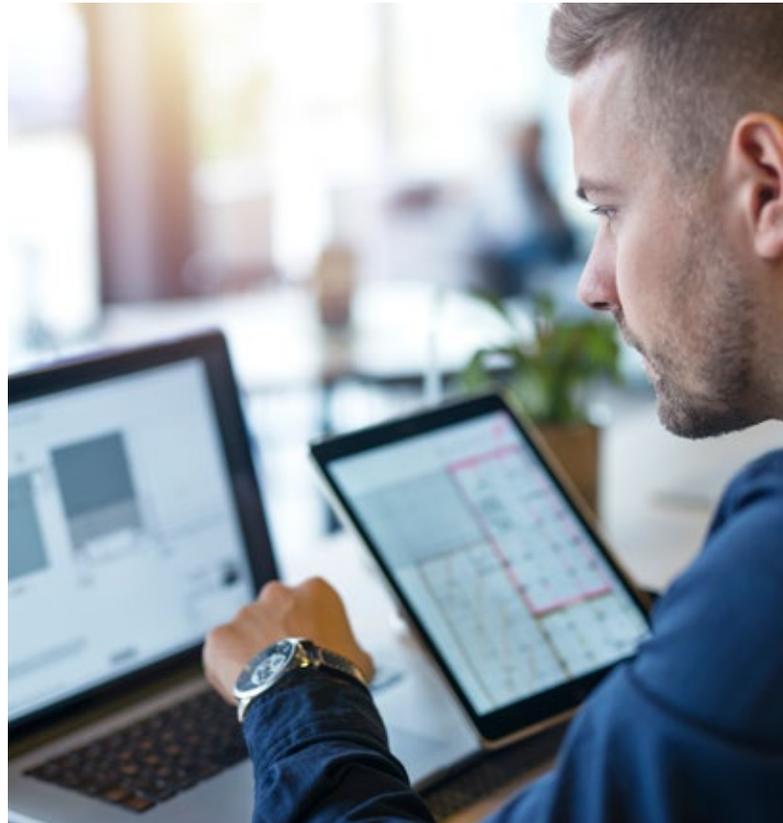


**Step 5:** The proposed draft standard is submitted through the Codex secretariat to the Executive Committee for critical review and to the Commission with a view to its adoption as a “draft standard.” Naturally, for the Commission to adopt the proposal as a draft standard, it would have to be circulated to all Members for consultation (remembering that the Commission is the Members).

In the case of regional Standards, all Members of the Commission may present their comments and propose amendments, but only a majority of the Members of the region can decide to amend or adopt the draft.

The Commission may authorize, on the basis of two-third majority of votes, the omission of Step 6 and 7, where such an omission is recommended by the Committee responsible with the elaboration of the draft. In this case, the text is adopted at Step 5/8.

**Step 6:** The draft standard is sent out to all Codex Contact Points and observers for another round of comments. At this step it is again possible to comment on the economic implications that the draft standard could have if it were adopted without amendments.



**Step 7:** The host country and Codex secretariats compile all comments submitted by Members and observers. The comments will be reviewed by the corresponding subsidiary body, which amend the draft standard accordingly and, if it fits, submit it to the Commission for adoption at the subsequent step.

The Uniform Procedure allows for a text at Step 7 to be recirculated for comments at Step 6 and reconsidered at its following session.

**Step 8:** The draft standard is submitted through the Codex secretariat to the Executive Committee for critical review and to the Commission, with a view to its adoption as a Codex standard. The Secretariat will also send the comments on the draft standard presented by Members and Observers for amendments at Step 8. However, very few amendments are expected at this step of the procedure and the Commission may return a text to the relevant subsidiary body for further consideration when comments are of substantial nature.

Many developing countries tend to be criticized when they wait until at step 8 to voice their opposition to the approval of a draft standard, but in fact this may well be the only meeting a developing country attends, and it may not have been following the work of the committee as closely as

it should. In these situations, when the country decides to oppose a text at such an advanced stage, it will need to have very well-founded arguments to put forward, as well as a convincing argument if there were instances for participation that did not require traveling, such as electronic working groups or submission of written comments. Whenever possible, countries should follow the work of the committees that interest them, even if they do not participate in the meetings, because in this way they will have the chance to submit written comments in earlier steps, warning on the nature of their concerns. Similarly, if a developing country keeps track of the issue over the years it will be able to raise it at some point in the regional committee meeting and line up support from other countries, and this may help it win a reversal in the Commission.

To summarize the Uniform Procedure for the Elaboration of Codex standards and related texts, the “Eight-Step Procedure” includes two rounds of discussion at the Committee level (Step 4 and 7), two rounds of written comments at the country level (Step 3 and 6), two discussions at the Codex Alimentarius Commission for adoption at Step 5 and Step 8. Written comments are also requested on texts forwarded to the Commission for adoption for adoption at Step 5 and Step 8.





## 5.2. Uniform Accelerated Procedure for the Elaboration of Codex Standards and Related Texts

The Commission or any subsidiary body, subject to the confirmation of the Commission may decide that the urgency of elaborating a Codex standard is such that an accelerated elaboration procedure should be followed. While taking this decision, all appropriate matters shall be taken into consideration, including the likelihood of new scientific information becoming available in the immediate future.

This streamlined procedure allows a draft to move through to approval in only five steps when there are no objections. Everything depends on the ease with which the topic

can be addressed and on the consensus that has been achieved. Essentially, to obtain approval via this procedure the concerns of all parties, and not just some, must be taken into account.

The Commission can in fact revert to the lengthier process if it considers that the accelerated proceedings have failed to take account of all the concerns of Members. It may even designate a different committee from the one that prepared the draft to finalize the procedure.

The Accelerated procedure should not be confused with the adoption at Step 5/8. The Accelerated procedure, which only includes five steps (i.e. a text is adopted as Codex Standard at Step 5), should be approved by the Commission when approving the new work.





## 6. How to Prepare for the Meetings

Preparing for meetings involves a long organization process. Preparing for a Codex meeting is not something a delegate can start worrying about when he/ she is told he/ she is going to participate—it must be an ongoing process. There will be stages of greater intensity, which take place prior to the meetings and we will look at them in this section. We assume that the interested country has made it a point to follow the Codex documents throughout the year, participate in electronic working groups if established, participate or be informed about the outcomes of physical working groups that may have met, and to respect the deadlines established in the Circular Letters.

### 6.1. National Codex Structures

Codex has benefited from different multilateral organizations, such as FAO and WHO, which have been constantly striving to assist Codex Members organize themselves structurally and equip themselves with a

network or structure for coping with Codex work (see section 8 on Codex Trust Fund). During the last ten years, IICA has promoted several initiatives that have strengthened the capacity of its members to be develop national structures and get more involved in Codex; activities like regional colloquiums have allowed IICA members to get together and analyze the agenda of upcoming meetings, inter regional colloquiums have given an opportunity to exchange views between members from diverse regions, and the IICA twinning program has sponsored South-South cooperation to exchange knowledge and good practices for an enhanced participation in Codex. The IICA scholarships program, has financed the attendance of delegates to participate in Codex meetings, providing at the same time, on the ground training for an effective participation in plenary sessions.

While international organizations can provide guidance to governments and offer them cooperation in creating their national structures, the process will never be complete

without intervention and commitment at the political level. Such conviction has to be supported by advice from technical staff, who must be very clear in conveying to the political level the importance that Codex negotiations hold for the country. The fact is that political officials—who may have no previous governmental experience with Codex issues—will have no reason to treat them as particularly important. We may say, then, that this is a two-track process: decisions must be taken at the political level as to what role the country will play, and how it will play it, and the technical staff must call the politicians' attention to the issue so that they will define a policy to be followed. The political commitment is often stronger when there are written procedures (laws, decrees, mandates, etc.) to assign resources and personnel to work on Codex.

Some years ago it may have seemed quite natural that only a few stakeholders would be involved in certain issues. Many functions of government were not shared either with other members of the executive branch or with the private sector, especially when it came to international negotiations. The immediate consequence of that approach is that there is no consistency in national policies or in the positions taken in international

negotiations. A point that is fervently pursued by the country in negotiations within one organization may be compulsively rejected when it comes to the same issue in another organization.

Today transparency in decision-making also extends to the positions a country adopts in international negotiations. Greater transparency has forced interdisciplinary work, for when the issues dealt with in international organizations are made visible to all we will inevitably find that some stakeholders have common interests and others have opposing interests. If managed well, this variety of stakeholders and views, leads to more representative country positions.

A number of Latin American and Caribbean countries have created their own structures, in some cases merely to respond to the work of the Codex and in other cases to give answers in all the related international negotiations, such as the WTO SPS and TBT Committees, the World Organization for Animal Health (OIE), the International Plant Protection Convention (IPPC) and, of course, the Codex Alimentarius Commission. A structure along the following lines is recommended to organize Codex work:

### **1. A Codex contact point**

This is mandatory to participate in Codex; a country becoming a Codex member must designate a counterpart that will be the official channel of communications between the country and the Codex Secretariat. It is advisable to designate a person that is able to dedicate the necessary time to work on Codex issues and network with national and international stakeholders. High level authorities are designated as focal points, do not

usually have the time to dedicate to periodically review Codex information and talk to the national stakeholders that might be interested. a description of the core functions of Codex Contact Points is available at the *Procedural Manual*<sup>12</sup>.

## 2. A national Codex committee or commission

This committee should be integrated by relevant national authorities involved in food safety, representatives from the industry, the academia, and the industry. It should have an annual working plan and meet periodically to agree on high level decisions to address Codex work.

This establishment of a national Codex committee is not mandatory, and it may be substituted by an equivalent coordinating mechanism.

## 3. Technical groups or committees to consider topics of interest

These national committees are set up to mirror the Codex subsidiary bodies and prepare national positions and comments to be considered by the national Codex committee (or equivalent mechanism); they should be managed by a government institution and strive to have an inclusive and transparent process to analyze Codex documents.

As mentioned above, the national Codex structure should comprise representatives of the public sector—typically the ministries of economy, production, agriculture, health, trade, foreign relations and industry—the private sector through business chambers such as associations of primary producers, manufacturers' associations, suppliers of agricultural inputs, food industry chambers, certification organizations, private laboratory associations, NGOs interested in Codex issues, consumers associations and the academic world and research institutes, which can assist in analyzing Codex issues and help to reflect the national position in the form of a document. The inclusion of a broad range of stakeholders ensures transparency

in management and objectivity or balance when it comes to taking a decision— even when the decision is extreme—as it will assuredly be the result of consultation with all interested parties.

Delegates that will participate in a Codex meeting must take part in the discussions organized in the context of the national structure that the country has set up to manage Codex.

When establishing national structures, it is important to ensure the long-term continuity, at the national level, of the negotiation processes that take place in Codex. This can be a tough challenge, for several reasons:

<sup>12</sup> Section VII Membership, *Procedural Manual*, version 27.

- Codex negotiations are long. There is no such thing as immediate success.
- There may be shifting priorities and changes in policies and authorities that can frustrate national structures that are not thoroughly consolidated. In these cases, it will depend on the determination of stakeholders and the public sector, private sector, the academic and scientific worlds to demand that the authorities regularize the activities of the National Codex Committee. As it was already mentioned, this is a process that provides its own feedback, and in which all stakeholders have a responsibility.
- The National Codex Committee will have many members who may never have the chance to attend an international Codex meeting, yet they are invited to dedicate time and resources to Codex. They need to feel they are part of the process and identify with the successes and frustrations experienced by the national delegate during meetings, so they will regard the continuity of the process as part of their professional challenge and their commitment to their country.

To give continuity to the process it is advisable that the internal rules of the National Codex Committee require the delegate to submit a written report when he/she comes back from the meeting, and to debrief the committee on his/ her experience, so that the outcomes

and also the perceptions emerging from the meeting can be examined jointly. In other words, the delegate's report should focus not only on the concrete outcomes on specific issues (these can be read in the report from the meeting, which reports "decisions adopted") but also on the discussions that took place.

In addition, in the report to the National Committee, the delegate should also attempt to convey information about other aspects of international negotiation—historical knowledge of cultural affinities that surface in meetings, the natural alignment between delegations and government representatives, their ways of legislating internally, discussions on similar issues in other committees, the performance of the chairperson and vice-chairpersons, and the strategies that certain countries may pursue.

The delegate should not only present a report to the National Codex Committee but should also deliver a back-to-office report to the authorities, so as to maintain interest in the issues the delegate was involved in, and also to raise other questions that may have emerged during the meeting. That report should also inform the authorities about any contacts made with FAO/WHO, and any offers the country may have received to participate in other meetings to pursue joint projects, etc. We must not forget that the standards produced by Codex are intended to provide tools to improve national legislation and regulation, so it is key that national

authorities remain aware of the ongoing processes in Codex, so as to be sensitized to harmonize national standards with Codex, as recommended by the WTO.

The motivation that a delegate generally feels when he comes back from a meeting should serve as a starting point for considering future actions so as to be better prepared to respond to new proposals on topics emerging from the meeting. If the issues can be given continuity it is not impossible to wrap up Codex work on schedule.

The National Codex Committee should draw up a schedule of activities for the short, medium and long terms, relating to committee issues. Keep in mind that, depending on the outcome of the meeting's handling of the issues, some will remain on the agenda without moving on to the Commission, while others will require scientific input from the Codex working groups, which will give the country an opportunity to present data (in these cases consultations with the country's research centers and universities are essential to know whether the country has produced studies or has data on the topic in question). Still other documents will be passed to the Commission for discussion or approval, in which case a future meeting should be proposed to assess the final texts and define the national position to be taken at the Commission. The work of analyzing the new topics proposed by the subsidiary bodies can begin on the basis of countries' presentations, so that arguments can be prepared to support

the country position for the Commission meeting that will have to decide whether or not to undertake new work.

If the authorities intend to continue the process, when it comes time to prioritize activities for the coming year, be sure the schedule includes a provision for travels listed in the Codex calendar, which is available in the Codex website.

## 6.2. Documents to review

Ensuring preparedness for a Codex meeting will depend on the operational effectiveness of the Codex National Committee, which should have available the following:

- The provisional agenda for the meeting.
- The documents for the meeting, also known as Working documents. These documents have an introduction that normally explains all the steps the document has been through and the decisions that have been taken on it. For this reason, they will also indicate what other documents should be consulted. Documents listed in the agenda are not the only ones that will be dealt with at the meeting, for all interested parties (Members, observers, the Secretariat, FAO and WHO, etc.) can submit conference room documents that will be circulated only at the meeting. Sometimes

countries do not pay attention to these documents, and that is a mistake. Conference room documents may contain proposals that have

already been agreed by different blocs of countries during informal meetings held to move the proposals forward.

- The comment papers submitted.

Valuable information can also be sourced from:

- **Report from the last committee meeting.** That report will give a clearer and broader view of what happened with documents that are still under consideration. In particular, review it to see if there were any discussions that could point to potential allies or adversaries once the country's position has been defined.
- **Report from the last Commission session.** The Commission session reviews the reports from the committees and adopts the decisions it deems appropriate. It also gives guidance to the committee on any controversial topics under consideration so that a decision can be reached.
- **Report from the last meeting of the Executive Committee.** The Executive Committee often makes recommendations that may strengthen or weaken a position. Knowing beforehand the arguments given by the Executive Committee, is no doubt, valuable information for the elaboration of a national position.
- **Report from the last FAO/WHO Coordinating Committee meeting.** Coordinating Committee meetings usually agree on regional positions for specific topics, it is important to include that information in the country position, and assess if it is still pertinent. Regional agreements should be respected, but there is also a need to consider that Coordinating Committees meet every two years, and new information may be available that makes it necessary to review what was agreed at the regional level. It is a good practice to let the regional coordinator know if there is any change in the national position in respect to what was agreed by the region.

All the documents a delegation needs to prepare for a Codex meeting are available at the Codex website.

Before the national delegation leaves home, a final wrap-up meeting should be held to go over the issues and take last-minute decisions, in light of the latest information

received. Sometimes there will be "Add" documents (containing country comments, for example, which may have arrived late) and it is important to review them together with other members of the national committee, because they might change the position, or the strategy adopted on certain issues.

### 6.3. What should be discussed and agreed at the national level?

At the meeting of the National Codex Committee or technical committee, you will review the documents for the meeting's agenda, the comments circulated from other countries and the comments that your own country has already submitted to Codex. You should always have the *Procedural Manual* and the Codex strategic plan for the current period at hand.

In this case you, as the head or member of the national delegation, should participate actively with the national committee or the corresponding technical committee in:

- The selection of the national delegation
- The preparation of the country position
- The strategy to forge alliances and engage with other delegations or regions.
- The establishment of a communication mechanism in case the delegate needs to contact the capital (more on this matter in section 7.4).

#### 6.3.1 SELECTION OF THE NATIONAL DELEGATION

As noted above, the Codex Alimentarius Commission has two basic objectives: to protect consumers by ensuring food safety

and to promote fair trade practices so as to facilitate international trade.

The first thing to bear in mind is that the Codex is an international negotiating forum, not a conference or technical congress. Consequently, the measures adopted there have implications for all countries.

In contrast to WTO negotiations—which always take place in Geneva—the scattered distribution of Codex subsidiary bodies requires in some countries, that the corresponding Foreign Ministry officials try to familiarize themselves with the issues and the dynamics of Codex meetings so that they can represent their governments at the sessions.

To the extent possible, the delegates attending the meeting should have a thorough command of the issues and some expertise in international negotiation. Countries with the resources to do so generally send representatives from each of the ministries concerned with the items on the agenda.

In choosing delegates, it is important to remember that the negotiations are technical, but they are also bound to have trade implications and therefore to impact on several sectors. Designation of the national delegation must also be carried out through a transparent and inclusive process; when this does not happen, national stakeholders involved in Codex might become unmotivated and lose interest in continuing to work on Codex issues.

Because the National Codex Committee involves several ministries, the choice of delegate will depend on which of those ministries has the available funds and sufficient interest in the topic to approve the mission. Thus, representatives of the agriculture, health or foreign ministries or consumer protection agencies might attend. The ideal would be for the delegation to have a professional negotiator or diplomat or to make sure that the ministries prepare themselves for international negotiations.

In professional terms, the list is very broad: agronomists, veterinarians, food technologists, chemists, microbiologists,

mathematicians, statisticians, physicians, biochemists, nutritionists, and lawyers are trained in different disciplines that will be useful in the Codex negotiations. However, it is best to have adequate specialization in international negotiations and to have a delegation with specialists in all the areas of negotiation. The main point is to have a person with knowledge on the topics and negotiating skills.

We frequently see country delegates who carry a written national position and say nothing during the meeting. If your country has submitted comments and you do not speak out, no one will do it for you. This



situation can reflect three factors: the delegate may find that the written comments were poorly drafted or that the issues was not fully understood when drafting the position; there may be a personality problem (not everyone is comfortable speaking in public); or the delegate may be under firm instructions from his government not to intervene. If there are no such instructions, and if your government—cash- strapped but deeply interested in the Codex issue—has made the effort to send you to the meeting, you should put aside your fears and speak up.

Delegates who are participating for the first time in a Codex meeting would do well to read this Manual, brief themselves on some of the practical questions, and read the section with the information for new delegates available on the Codex webpage<sup>13</sup>.

In many Codex Committees it has become common practice to hold a seminar for first-time delegates to give them a practical understanding of what to expect in terms of the sequence of events, established working methods and formal procedural conventions used in the conduct of Codex sessions. These seminars, usually conducted by the Chairperson and held the day preceding the formal session, are useful for all delegates (not just for the first-time delegates) as they provide useful insights on the working modalities of the committee and on the agenda and allow meeting with other delegations.

In selecting a delegate for the meeting, it is important to consider the languages that will be used. This does not mean excluding anyone, but if it is known that the physical working group is going to conduct itself only in English, it makes no sense to send someone who speaks only Spanish. In this case, the delegate must be prepared to look for support from other delegates who can assist him in participating in meetings, translation of documents, etc. Usually, there are many delegates from Latin American countries that are able to speak both English and Spanish and are willing to provide assistance if asked to do so.

### 6.3.2 PREPARING A COUNTRY POSITION

A country position is made up of the opinions and contributions a country wishes to make to the ongoing discussions in Codex. A country position is established to participate in plenary sessions, in which case it could also contain a description of the strategy to be followed and context on the positions other delegations have. Your instructions from capital should offer you alternatives. Very rigid positions usually leave delegates without anything to say after their first intervention. The idea is to offer the delegate a set of options if case things change during the negotiation process (and they usually do).

There should be a mechanism in place to validate the national position, it could either be the signature of a high level authority, or

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13 <https://www.fao.org/fao-who-codexalimentarius/es/>

the report of the National Codex Committee that endorsed the document.

Country positions are also a valuable source to participate in physical and electronic working groups, responses to circular letters, and when engaging in negotiations with other delegations etc.

It is also a good idea to have additional information about delegations that have positions that are opposite to yours. You should know their opinion, as you should have examined the meeting documents with the positions of other Members and should have scheduled meetings to talk to them. For example, if your country has lined up support for not approving a topic as new work, and half of the committee wants to move forward, one alternative is to suggest that the issue is not yet sufficiently clear and that you need further clarification or more information, for which purpose a discussion paper could be helpful. In this way, you may not get the item off the agenda, but you can postpone the decision to the next meeting. Another example: assume that your country commented that a certain portion of a document could compromise its exports because the inspection systems are not up to controlling some aspect, or to handling electronic certifications; the discussion is getting highly complex; and you realize that the position from headquarters will not prevail. In this case, you might suggest that an electronic or physical working group should discuss the matter in greater depth.

Another possibility is to offer alternative wording, converting sentences that impose actions into wording that merely suggests action, so as to take account of the diversity of existing situations.

In order to be accessible to everyone at the national level, the country's position should be written down in a document. Some countries have harmonized formats to make country positions, this facilitates the archiving of documents and their management, it also enhances transparency and inclusivity as it is easier for national stakeholders to understand what the country is proposing and comment on it. The country position document should be a confidential document, it will be the basis that will guide oral interventions and the elaboration of written opinions.

Country positions should be elaborated through an inclusive and transparent process to incorporate the different views from diverse national stakeholders and accurately represent the complex needs and desires of a country. Some countries have established, as we have seen in point 6.1, national structures to manage Codex at the national level. This has impacted positively the country positions:

- On the one hand, it has addressed the issue that Members were offering totally different opinions on the same issue at different meetings, highlighting the fact that, deliberately or not, there was a lack of communication and coordination at

the national level between ministries which, even if their mandates were different, might have to address the same issues from different angles—for example, approving pesticides for environmental reasons and MRLs to protect consumer health—as if each ministry were a separate, closed entity.

- On the other hand, it has enabled the inclusion of more national stakeholders such as the private sector and academia in the deliberations of national positions to be taken to Codex, which ends up strengthening the technical aspect of opinions taken to Codex meetings, and allowing Codex to be known more widely at the national level.

When a compartmentalized vision of international negotiations persists, there is the possibility that the lack of transparency in taking decisions to adopt a country's position causes contradictions in what a country expresses in different spheres of the international negotiation context, which can be used by other countries to their own advantage.

As an example, the FAO Conferences often touch on issues relating to food safety or quality. In many countries there is no consultation on this point with the National Codex Commission to see whether all the relevant ministries are included, on the grounds that the FAO concerns itself—or should concern itself—only with the ministries

of agriculture and that, therefore, FAO issues are their exclusive reserve, which is not the case. Delegates to FAO Conferences—who do not generally follow the Codex process—will thus often accept recommendations that their fellow national delegates would not accept in Codex.

It is important to mention that the scientific work needed to draft many of Codex standards, is given by FAO and WHO through the joint FAO/WHO meetings of experts already discussed in point 1.5. There is a need to have constant communication with delegates that participate in FAO and WHO governing bodies, to make sure these organizations, -which are member driven- dedicate resources to keep the much necessary scientific input for Codex.

The same thing happens with decisions adopted in the Assembly of the World Health Organization (WHO). In many developing countries, the only opinion heard is that of the health ministry, even though the decisions taken will have an impact on all the ministries involved in the Codex Alimentarius Commission.

It is quite natural to assume that there will be contrasting interests at play in establishing a national position. New certification requirements that may appear fairly reasonable to the public sector will impose a new burden on the private sector. New conditions for establishing MRLs could seem quite reasonable from the health,

environmental and consumer viewpoints, whereas farmers and the sector grouping basic food processors, or agrochemical producers, may reject them outright. Special care must be taken to ensure that the national position addresses arguments within the Codex mandate, and leave out other arguments that while very valid, will not be pertinent in Codex's discussions.

The objectives of individual sectors will often differ, as in many cases international standards, such as the ones developed in Codex, might impose new requirements on producers. For this reason, the first level of negotiation has to be internal—to achieve a consensus in order to establish the country position.

As already mentioned, there has to be a clear understanding at the national level, that the position expressed in an international negotiation meeting is not the personal opinion of the delegate expressing it, or that of the ministry he/she represents, for neither the delegate nor the ministry is a Member of the Codex Alimentarius. It is countries that are Members of the Codex, and therefore, any oral or written presentation on a Codex topic will be the COUNTRY opinion.

For this reason, if the delegation is to act transparently and coherently it will always need to consult other interested parties at the national level when seeking to establish a country's position.

In Codex various situations can arise where the information available must be sent in writing,

and still others where it is advisable to do so anyway. Yet the decision will depend on each country's strategy. While transparency should be the rule, it is not by chance that countries that have many delegates at the meetings and more people back home working on the issues will spring proposals at the last minute. Sometimes the element of surprise can be a decisive factor. When the stakes are very high, consult your "natural allies" and the most experienced countries from the region to help you assess your alternatives.

Recommended actions, subject to strategy:

- Send comments on agenda items, submit only CRDs on issues for which you did not send comments before the deadline in the circular letter.
- Propose issues for inclusion under agenda item "Other business and future work".

### 6.3.3 FORGING ALLIANCES

It is virtually impossible to achieve the desired results if you do not recognize that negotiation is teamwork. In fact, the word "negotiation" itself indicates that it is not a solitary undertaking, where one person can make decisions, but involves interaction between at least two persons. Negotiation does not mean imposing a position but rather recognizing when and how to give something to get something, to look for the solution that might be in the interest of all parties interested and in doing so, achieve the best possible outcome.

If you are going to negotiate you must know the ground—the world of the Codex and its dynamics—and the actors. Unfortunately, with constant changes in the national delegations of CCLAC countries to the Codex meetings, what you learn one year may not be applicable in the next.

If the meeting agenda has topics of real importance for your country, the best way to build coalitions is to start work early. This Manual does not suggest any single route, but reflects practical experience in achieving the desired results.

Within the same way of country position or the negotiation strategy, identifying the issues of importance on the agenda will depend on the decisions taken in the National Codex Committee. Therefore, if the agenda contains topics of importance to your country, then it is up to your country, through its representatives, to take the initiative in seeking alliances. To this end, you should try to have English and Spanish versions of specific points you may want to negotiate to gain some many allies.

Your country, as well as the coordinator or a representative who attends Codex meetings frequently, is bound to have some “quasi-unconditional” partners in those negotiations. It is common to see countries from the same region—which may be members of other regulatory bodies as well—acting in unison. Let them know that your country intends to present comments on certain key issues.

During negotiations, it is quite common for exporting countries—often developing countries—to issue joint comments, even if they have not worked out a position in advance, and for the industrialized countries to often coincide in their views as well. Nevertheless, when you have to find allies you should not think only of countries that have the same profile as yours, because sometimes, for very different reasons, two countries with totally different profiles may adopt the same stance in a negotiation.

Many times a developed country will be wrestling internally with an issue of food safety and quality, and will present it to the Codex for approval as new work. Because this is a new issue, and one that may involve very advanced food control systems, it will likely be questioned by developing countries, but it may also be opposed by another developed country, simply because the new approach proposed runs counter to its practice and its current legislation. This is to point out that you need to try to win over converts from all quarters to your country’s positions.

One set of potentially interesting allies are in fact those that have nothing in common with the issue you are proposing, and have not considered it. This is quite common in the negotiation of commodity standards, as there are countries that are not even aware of the food in question: they neither consume it nor import it. In this case, supporting your position not only costs them nothing but will be seen as earning them some future bargaining chips.

Therefore, once the country position papers have been prepared, the first thing to do is to approach the Codex Contact Points of your region directly or more recommended, through the Regional Coordinator.

You might also consider sending your country's position to countries in other regions. In all cases, when seeking support, you should accompany your country position with an explanation that you are looking for support on a given issue, that you are sending your comments on document XXX, that you would be delighted to have their opinion before the meeting, and that you are ready to answer any questions or doubts they may have. Make sure you do this prior to the meeting, it will enhance the chances a country can deliberate to support your position. Keep in mind that you need not only to align views but also to have information on:

- Which countries might sympathize with your national position;
- Whether some of them could send written comments similar to yours;
- Which countries might not be in agreement with you and why; and
- Which countries are planning to attend the meeting (this information can also be obtained from the Regional Coordinator).

When laying the plans to forge alliances, it is advisable to make contact with the Regional Coordinator. The Regional Coordinator has access to the database of all delegates from its region attending a meeting and might know which other countries may be

interested in the same topics as you. The Regional Coordinator might also have other information that could be helpful for making useful contacts. He/she can also consult with the region and other regions, delegations or observers to find information for you, and they can sometimes include your topic of interest on the agendas of other Members.

**Moreover, in Latin America and the Caribbean there are virtual preparatory meetings, pre-plenary face to face meetings during which things as strategies to follow and channels to communicate during the meeting are established.**

Many countries have only limited resources for dealing with Codex issues. In particular, they may be short of specialized human resources available for preparing comments on the texts. For this reason, if your comments reach another country sufficiently in advance so that your contact can put them forward in the National Codex Committee, this may serve as a “heads-up” on a topic that they had not considered, and your paper may be taken as a guide for preparing an identical or similar national position. In this way, you will have won an ally.

The Codex takes decisions by consensus. Therefore, if you are hoping to convert your position into a Codex decision, this will depend on the number of allies you can line up. Consensus is built on shared views, and if a country can win enough allies it may well achieve its goal or at least be able to block adoption of a hostile position, and thereby gain more time to seek other allies.

Sometimes the embassy in the host country can help achieve a critical mass of Members that will support your country's position. This means asking your foreign office to intervene and have its diplomats call on their "natural partners" who may be attending the meeting, and ask for their support. Remember that those "natural partners" must also ask their capitals if they can lend their support to another country. Time is of the essence here, for when a diplomat consults his home office and through it the Codex Contact Point, the latter should already be aware of the request and should have a position on it.

Be clear, concise and persuasive whenever you want to win over a new ally for your position.

## 6.4. How to Present the Country Position?

The opinion of a country can be expressed in different forms, which form to use will depend on the context:

### 6.4.1 Oral interventions

These are comments made at plenary sessions. It must be noted that in Codex final decisions are taken at plenary sessions and recorded on the report of those plenary sessions. In order to be taken into consideration, a delegate attending a Codex meeting will have to ask for the floor and present the position orally. We will review some guidance on how to make oral interventions in section 7.1

### 6.4.2 Written interventions

Written comments are used to participate in electronic working groups, reply to circular letters, or share an opinion on a conference room document. If translation of the comments submitted by a country is not available, then it is important to consider sending comments translated into other languages, this may facilitate negotiations to get support for the national position.

Key considerations when submitting written comments:

- Be familiar with the *Codex Procedural Manual*, follow the rules and procedures and use them to your advantage.
- Have available the Codex Alimentarius Strategic Plan for the current period and consider whether the document to be presented is in line with the



objectives of the strategic plan (this is particularly important when your country is submitting a proposal to prepare a new or revised Codex standard).

- Keep information on the mandate of the committees(s) of interest, the procedures established for handling the issues they address, the committee texts previously approved by the Commission, and the Codex documents of general scope that may have an impact on the work of those committees. This will require prior study, perhaps with outside guidance, to help identify the documents that deserve special attention.
- Pay particular attention to the Criteria for the Establishment of Work Priorities. This is especially important when a country intends to propose new work, because if those criteria are not followed the proposal may be delayed or derailed by a simple procedural question.
- If your interest is to secure approval of new work to prepare a standard on a given product, you must be familiar with the Format for Codex Commodity Standards, which is found in the *Procedural Manual*.
- If your interest is to seek changes to an existing standard, you must analyze the nature of those changes to see whether they involve a complete revision of the standard or simply an amendment to one of its provisions. According to the *Procedural Manual*,

an amendment is any addition, change or deletion of text or numerical values in a Codex standard or related text, may be editorial or substantive, and concerns one or a limited number of articles in the Codex text. In particular, amendments of an editorial nature may include but are not limited to:

- correction of an error;
- insertion of an explanatory footnote; and
- updating of references resulting from the adoption, amendment or revision of Codex standards and other texts of general applicability” (further details on this point can be found in the *Procedural Manual*).

In the end, it will be the Commission—with assistance from the Codex Secretariat—that decides whether an amendment or revision is involved. Nevertheless, if we are initiating a proposal, we need to understand this point clearly.

As noted earlier, written interventions in Codex negotiations can give rise to different types of documents. Remember that any text presented by a Member is a negotiation text, which must reflect the country position.

#### 6.4.2.1. Comments in response to circular letters or agenda items of the Commission or of a codex committee

Circular letters are a resource used by Codex to keep work going on between sessions of

the Commission or of the subsidiary bodies; they are also a way used by the Codex Secretariat to communicate with Members and observers when there are important issues to address. The information collected via the Circular Letter will most likely be used to prepare working documents for Codex meetings. Working documents that incorporate information from Circular Letters offer a unique opportunity to have a closer look into the opinions of Members and observers. This opportunity must be seized by the delegation to enrich its national position. A repository of all Circular Letter is available on the Codex website.

Nowadays most of the replies to Circular Letters are done through the On-Line Commenting System, OCS. The OCS can be accessed using the username and password given by the Codex Secretariat to the Codex Contact Point, so it is up to the Contact Point to create a mechanism to manage responses to Circular Letters. A delegate attending a Codex meeting should be familiar with Circular Letters, and have information about previous or upcoming replies concerning the meeting he/she will participate in.

The process of preparing a reply for a Circular Letter is a good exercise to start the process to prepare for a Codex meeting, as it will require to do some research, analyze how the country will address the issue and reach out to relevant stakeholders both at the national level and abroad. As there is ample time between the distribution of the Circular Letter

and the deadline for reply, there is a chance to consult at the national level and engage with other delegations to look for support and get information about alternative views.

A delegate should always bear in mind that comments sent in response to a Circular Letter are not binding, a lot can happen between the moment in which the reply was drafted and sent, and the moment he/she is sitting at the plenary session. It will be his or her performance at the plenary session, his or her interventions that will represent the national position.

#### 6.4.2.2. Documents for requesting inclusion of an item on the agenda

If your country wants to see an item included on the agenda, you must perform the same type of analysis as that described above, i.e., seek out the background on the issue so as to be well-informed about it. Next, you need to draft a clear and concise text, with an introduction and a proposal for presentation to the committee (whenever possible, requests for new work should be made to the competent committees, as neither the Commission nor the Executive Committee will take a decision on preparing a new standard without the opinion of the committee that normally deals with the issue.)

The cover page of this document will look like this:

CRD

Item XX Other Business and Future Work

XX<sup>th</sup> Meeting of the Codex Committee on General Principles

Name of Country

### **Introduction (by way of example)**

The Principles of Risk Analysis constitute one of the pillars of the post-WTO-launch era, for the Codex Alimentarius and its Members.

For this reason, we view with concern the fact that, apart from the document on Working Principles of Risk Analysis applied by the Codex Alimentarius Commission and those addressed to governments, the remaining texts list as principles the functions of the subsidiary bodies, the criteria for evaluating a food safety problem or the procedures for conducting the assessment or managing the risk, which poses subtle differences.

We also consider that it would be sound legislative practice to define clearly the difference between principles, criteria and procedures, and to separate them from functions, mandates, interaction, etc.

The Codex Alimentarius, together with the OIE and the CIPF, have been recognized by the WTO as international agencies of reference in sanitary matters. Indeed, article 5 of the Agreement on the Application of Sanitary and Phytosanitary Measures provides that sanitary measures must be based on a scientific assessment of risks, taking into account risk assessment techniques developed by the relevant international organizations.

The Codex was not foreign to the process of negotiating the Agreement on the Application of Sanitary and Phytosanitary Measures, and that is one of the reasons why it was decided to begin to define the principles of risk analysis, which must constitute not only a guide for governments but the reference texts for the WTO, which also demands clarity.

### **Proposal**

Country X requests that this committee recommend to the Commission that new work be undertaken to define clearly what is a principle, a procedure, and a criterion within Codex, before conducting a thorough review of the Principles of Risk Analysis prepared by the Codex committees.

Similarly, our country recommends that, once defined and approved by the Commission, these terms be applied to reorder the texts of principles of all the committees, jointly with the work that this committee must pursue to revise the consistency of the texts.

The above is very brief and merely an example, although on occasions it does not take much text to justify the need for work.

Good practice dictates that you must indicate the coding of the documents mentioned in the proposal, but you can also give examples to substantiate what we are proposing.

It is advisable to send the proposals in advance to the Chairperson and Members and to ask the host country and Codex secretariats to make the proposal available as CRD before the meeting. This would allow other delegations to evaluate the proposal before attending the meeting. Proposals made available at the meeting are likely not to be considered or to be considered at the following meeting on the grounds of the late availability of the documents and the need to consult experts in the capital cities. or because that they have not had enough time to consider it, or that their delegation does not include experts on the topic.

#### 6.4.2.3. Drafts for presenting a proposal to undertake new work

As noted earlier, if the topic you want to introduce is a proposal to undertake new work, you will have to demonstrate, with an argument based on the “Criteria for the Establishment of Work Priorities”, why is necessary. As will be seen from the *Procedural Manual*, in addition to these criteria there are others that are applicable by certain Codex committees, such as those for prioritizing compounds for evaluation by the JMPR and

by JECFA the criteria for the inclusion of new methods of analysis, procedures for the entry and review of food additive provisions, etc.

Generally speaking, developing countries are more inclined to seek new Codex standards on commodities, often because these commodities are indigenous products, not internally regulated, and countries may not know how to regulate them. Another reason may be that there is an emerging trade issues for these products, or that national studies identify an export potential. There may also be situations where a country exporting the product is having trouble complying with the requirements of the importing country.

The Criteria for the Establishment of Work Priorities contain three sections:

- **General criterion:** if the proposal is related to the Codex objective of consumer protection from the point of view of health, food safety, and ensuring fair trade practices.
- **Criteria applicable to general subjects:**
  - a. *Diversification of national legislations and apparent resultant or potential impediments to international trade.* If the country is exporting to various markets and legislative diversification is producing trade complications, this should be indicated. Remember that, in general, we will be dealing with questions of product identity and quality, not product safety, although these may also arise. For example, a

variety of sardine that in one country's view should not bear the common or generic name "sardine", because the importer does not consider it an equivalent variety. Or there may be provisions relating to the sizing of fruits or vegetables that use a different method or different categories, or the composition of fatty acids in oils, which may result in differing interpretations as to their identity or quality. In these cases, we must explain the existing differences, mention the countries where they have been detected, through what legislation, etc.

- b. *Scope of work and establishment of priorities between the various sections of the work.* Suppose we are dealing with provisions on Salmonella in poultry. In this case we will need scientific advice from JEMRA (the expert meeting that considers microbiological risk assessments), and some of the work will have to wait until we have that information.
- c. *Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental bodies.* For example, when the topic of product traceability was addressed, some countries raised the need to consider the definition adopted by the International Organization for Standardization (ISO). Similarly, when regulating questions related to analytical methods, those of the AOAC International should be considered.

- **Criteria applicable to commodities:**

- a. *Volume of production and consumption in individual countries and volume and pattern of trade between countries (for the product in question).* In this case we need to provide recent statistics showing that there is international trade in the product we are presenting. Generally, these are indigenous products for which trade is just reaching an interesting volume. Normally proposals of this kind come from developing countries. On occasion they may concern products in which there is already regional trade and a major potential for international trade. In this case, the proponent will likely be advised to present it to the regional committee to develop a standard of regional scope.
- b. *Diversification of national legislations and apparent resultant or potential impediments to international trade.* It may be that there is no international standard for the product, and that each producing country has regulated it differently. The same happens with importing countries, which may have established conditions that the producing country finds it difficult to meet. In this case it is very useful to demonstrate the degree of regulatory diversity, how the requirements differ, and why the lack of a world standard is affecting trade.
- c. *International or regional market*

*potential.* It may be that trade in the product for which regulation is proposed has been growing significantly in recent years. In this case, we will want to demonstrate that growth in demand, and how markets are diversifying.

- d. *Amenability of the commodity to standardization.* We may identify which aspects could be standardized, or even present a draft standard of product identity and quality.
- e. *Regulation of the main consumer protection and trade issues by existing*

*or proposed general standards.* If there are trade problems or great diversity among the regulations applied by different countries, the proponent must be clear as to which aspects should be regulated to guarantee consumer protection and fair trade practices that will facilitate international trade. On this basis, criteria issues should be dealt with.

- f. *Number of commodities which would need separate standards indicating whether raw, semi-processed or processed.* This point requires us to



define clearly the scope of application the standard will have: what kinds of products it will cover, whether all the proposed aspects can be included in a single standard, or whether different committees will have to deal with the topic. Suppose we intend to regulate chilies and chili sauces. In this case, chilies are covered by the Committee on Fresh Fruits and Vegetables, while chili sauces are dealt with in the Committee on Processed Fruits and Vegetables.

g. *Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental bodies.* It may be that the ISO is preparing a standard, and a non-ISO country might want the Codex to regulate it so that it can participate in the decisions. Or perhaps there is a specialized intergovernmental agency for this product where the regulatory trend for product identity and quality runs counter to our interests, and so we would prefer to have the standard established in the Codex. There may also be situations where the work underway in another organization does not cover all the aspects that we think should be included in such a standard, and we would like the Codex to come up with something more complete. In any case, if we know of a standard on the topic and the aspect that interests us, we should mention it.

To sum up: if you want to propose new work you must address all the criteria mentioned above, with proper substantiation, in the appropriate section of the projects document (see Section 5.1).

#### 6.4.2.4. Proposal for a draft commodity standard

A country proposing new work on the development of a commodity standard, will frequently submit an initial draft of a standard for the commodity in question.

When preparing the initial draft of the commodity standard you must bear in mind the "Format for Codex Commodity Standards" set out in the *Procedural Manual*, which provides a guide to Codex commodity committees in presenting their standards.

A commodity standard should include provisions compiled under the following headings as appropriate:

- Name of the Standard
- Scope
- Description
- Essential Composition and Quality Factors
- Food Additives
- Contaminants
- Hygiene
- Weights and Measures
- Labeling
- Methods of Analysis and Sampling



Provisions of general standards (“horizontal provisions”) should be only incorporated by reference. The “Format for Codex Commodity Standards” provides for standardized statements which should be included under appropriate headings of the standards, such as Food Additives, Contaminants, Hygiene. Draft standards do not necessarily have to address all headings, as they may involve either a raw or processed commodity. However, they will always follow the same order.

Where commodity committees are of the opinion that the general provisions developed by general subject committees are

not applicable to one or more commodity standards, they may request the responsible subject committee to endorse deviations from the general provisions. Sections on food additives, contaminants, hygiene, labelling and methods of analysis and sampling, which contain specific provisions should be referred to the responsible general subject committees at the most suitable and earliest time. Such referral should not delay the progress of the standard. The Codex Committees on Processed Fruits and Vegetables and on Spices and Culinary Herbs have developed standard layout/template to facilitate development and discussion of standards and to provide a harmonized presentation

and consistency among the texts developed by the Committees.

#### 6.4.2.5. Key factors in preparing a document of any nature

- While the explanations provided on the documents that can be prepared and submitted in the Codex has been extensive, the documents themselves should not be, because what you want to do is to call attention to concrete questions. Therefore, documents should be brief, concise and clear, to draw the attention of the Secretariats, the chairperson and other Members and observers. Be clear on what you want to achieve or ask with your document.
- When you make a proposal or a comment, justify it. Don't fall back on excuses - "we are a developing country", "we have no data" – because if you don't properly explain the implications that approval of a text or some provisions could have for your country's industry, it will do little good to claim the status of a developing country that lacks information. On the contrary, you will draw your attention on the deficiency of your document giving a good argument to those delegations not supporting your proposal.
- Remember that Codex has adopted many definitions. Therefore, you should be careful in your use of terms, because otherwise you could just cause confusion. It is not your overall perception of the meaning of a given term that is important, but rather the meaning that the Codex has assigned to it in the framework of its objectives. For example, the definition of risk or hazard will not be the same for the OIE, for the Codex or for the IPPC, since their scope of work and objectives are different.
- Learn how to handle the WTO Agreements on the Application of Sanitary and Phytosanitary Measures and on Technical Barriers to Trade. This will give you a broader understanding that you can use in your country's comments on Codex documents.
- Seek out opinions and interact with all those involved in the issue under negotiation in the Codex. Having in hand different viewpoints, different angles of experience and different interpretations of documents will help you put together a solid national position.
- Work with and support your Codex Contact Point. He/she is the interface of your country with other Codex Members, Observers and the Codex Secretariat.
- Start early, if you can and if Codex allows. Consultations take a lot of time and your final comments may also have to be translated into another language. Before submitting your final comments, it is also very useful to share information with countries of the region to see if you will have

allies in the debate, and to find out the concerns of your closest partners.

- Within your region, the coordinator for Latin America and the Caribbean can give you guidance and assistance in resolving any doubts. If not, they may be able to suggest another country that can do so. Don't hesitate to ask for help from people who are ready to give it.
- In every Codex region there are countries that, because of their agro-ecological, cultural or economic conditions or level of development, will be natural allies. Identify them. You may be able to form a multiple partnership—remember that there is strength in numbers.

## 6.5. What Materials Should I Bring with Me?

Nowadays, all the documents needed for a meeting are on-line, and hosting countries do provide internet access to all delegates at the place in which the meeting takes place. Therefore, it is important that delegates attending Codex meetings bring with them a laptop or a tablet, where they can store all documents and useful references, as there is always the possibility that internet fails, it is advisable to have a backup of the documents stored in the laptop/tablet, in a pendrive or an external memory.

The most important documents to have at hand are:

- The invitation to the meeting.
- Information on the venue of the meeting, starting times, etc. (this is provided by the host country in the document called "information for delegates").
- The agenda for the meeting and the documents that were circulated.
- The *Codex Procedural Manual* and the relevant portion of the FAO General Rules which apply, mutatis mutandis, to Codex meetings. In particular Rule XII of the General Rules of FAO<sup>14</sup>, which provisions apply mutatis mutandis to all matters which are not specifically dealt with under Rule VIII "Voting and Procedures" of the Rules of Procedure of the Codex Alimentarius Commission.
- At times it may be useful to have in hand the WTO Agreements on the Application of Sanitary and Phytosanitary Measures and on Technical Barriers to Trade, since the safe and sure approach on certain issues is generally to avoid straying from the letter of those agreements.
- The country position

14 It is very important to be familiar with Rule XII of the Basic Texts of the Food and Agriculture Organization. A delegate should be able to find this document in case it is needed. As of October 2020, it is available at: [www.fao.org/3/a-mp046e.pdf](http://www.fao.org/3/a-mp046e.pdf), pages 24 to 30.

- If this is a Codex session in which several informal meetings are expected, it is well to prepare an agenda for those meetings, with contact data on the organizer and the date, time and place planned for the meeting.
- Contact information of the delegate that will be serving on behalf of the Coordinating Committee for Latin America and the Caribbean (CCLAC), as it is a regular practice that the CCLAC holds informal coordinating meetings among themselves, and with other delegations, regions or observers.
- At the time of registration to attend a Codex meeting, it is a good idea that the foreign office informs the embassy in the host country that a delegate will be participating in the meeting and, if possible, ask them to get involved.

### Additional information:

- Contact data for the embassy, officials, telephone numbers, address, how to get there.
- Information on the place of accommodation.
- The “information for delegates” document prepared by the host country Secretariat for the meeting of Codex subsidiary bodies and by the Codex Secretariat for the meetings of the Commission. This document has all the relevant information a delegate will need to know regarding the country he/she is traveling to, the venue where the meeting will take place, accommodations, etc.

### Please do not forget to check:

- **Visas.** When preparing internal documentation to request travel authorization as a representative to a Codex meeting, it is important

to inform the authorities if there is urgency in the matter, so that steps can be taken to obtain visas if these are required for citizens of your country to enter the country hosting the meeting. When preparing the travel authorization, you should have full information on the procedure, which in some countries can take several days.

- **Vaccinations.** Find out sufficiently in advance whether you will need vaccinations to enter the country, as immunization may take several days to become effective before the trip.
- **Passport.** This might sound obvious, but make sure your passport is valid and meets the requirements of the country you will travel to and the countries you might be passing through on transit, as some countries require a validity of at least six months prior to the expiration date to allow entry.

## 6.6. Do I Need to Make Appointments in Advance?

As mentioned earlier, it is normal practice for different interest groups to hold informal meetings in advance of the session to address agenda topics and see whether they can reach consensus on some of them, or to deal with a hotly disputed topic. However, if the National Codex Committee is not well organized or is short of staff, the Codex Contact Point in the country may not be able to transmit the information about those meetings to the delegates who will be attending an international meeting. Consequently, it is a good idea to communicate with the Codex Contact Point a few days before traveling to ask for such information or to request that the Regional Coordinator be consulted to see if there are any informal meetings planned.

Regional coordinators have come to be very good at organizing informal meetings in the margins of official meetings. The Regional Coordinator will typically schedule some meetings based on the general information he/she has about controversial issues, or agenda items that require alliance with other Members. Regional coordinators have access to and periodically check the delegates from their region that have been registered on the On-line Registration System (ORL) and will contact them to share information about the person that will be acting on behalf of the Regional Coordinator to facilitate regional coordinating meetings, and meetings with other stakeholders. If there is a specific issue a country would like to include for the agenda

**It is normal practice for different interest groups to hold informal meetings in advance of the session to address agenda topics and see whether they can reach consensus on some of them, or to deal with a hotly disputed topic.**

of the informal meetings, it is a good idea to let the Regional Coordinator know so he/she can assist with the planning.

A country may also initiate other meetings it is interested in. If there is a small group of countries that share your country position, you may seek a meeting with the delegates of those countries. To do so, you will have to ask your official Codex Contact Point to contact them by e-mail. It is best to hold such meetings during the opening day of the formal session when usually there is space available in the convention center for talking with your peers. If the issue is really important, the embassy might also be a good place to meet. In this case, you will have to make arrangements in advance and send out the invitations.

## 6.7. What Happens if no one from the country can attend the meeting?

This complicates things a bit, but the situation can still be salvaged, and a whole year's efforts will not be completely wasted if a mission cannot be authorized. It is common for developing countries to skip many Codex meetings, in some cases because the implications of the Codex standards are not well understood, and in other cases because there are more pressing budgetary priorities. If the agenda topics are important, the authorities may consider asking the Foreign Affairs Ministry to represent the national position through the embassy in the host country. Such a request may catch the embassy by surprise, and it should be made sufficiently in advance so that the necessary arrangements and contacts can be made, not only with the Foreign Affairs Ministry but also with the embassy representative designated to attend the meeting, if the complexity of the issues so requires.

Embassy personnel are not experts in Codex issues, and so you should send them not only the position papers but also an explanation

of the topics of interest and maneuvering "tips." Nowadays there are diverse technical possibilities to schedule meetings to help the person from the embassy that will attend the meeting, spare no efforts to make sure he or she understands the importance of Codex and how to be effective on it, if we fail on this, the person from the embassy representing the country will not be able to "negotiate" and we may lose a chance to include our view on a Codex standard.

Another important aspect on such occasions (and also when delegates travel from capitals) is to ask the embassy representative who will participate in the meeting to make contact, immediately upon arrival at the meeting site, with the Regional Coordinator, or with a country from the region that is thought to have a position of some leadership, in order to exchange comments on the agenda topics and reach consensus. As noted earlier, we know who our natural allies are, and which countries can give backing to our national position and help us create a "critical mass." If we are not going to be present, then, the embassy representative must have this information.

Possible forward

- CAC38
- Secretariat with FAO and WHO create a new document based on discussion and comments submitted to finish PHASE 0 and scope PHASE 1
- Distribute document for comments by October
- [special CCEXEC session December/January]
- CCGP30 (2016)
- CAC39 (2016)
- Start PHASE 1 – August 2016





## 7. At the Meeting

Throughout this Manual we have provided guidance that will help delegates prepare their interventions for each item on the agenda, but we can also offer some recommendations for using your speaking time efficiently. This section deals with oral presentations, because you will already have a national position set down in writing and written instructions with additional orientation.

In the course of this Manual we have seen how to prepare a document and how to prepare for the items on the agenda. Now we shall see what to do once you are in the meeting room and sitting in our country's chair.

Codex meetings can be a daunting experience, for they may have more than 300 participants. This can be upsetting to someone not accustomed to such a crowd and can make him/her nervous. Don't worry, this is a normal reaction, but don't let it paralyze you.

### 7.1. Making an intervention

As mentioned previously, this is the opportunity for you to present your country position and seek to influence the course of the discussions.

To intervene in a Codex meeting you have to ask for the floor. The Chairperson will generally explain the process to ask for the floor before each meeting.

When the Chairperson gives you the floor, you should first thank him/her. This is a formality, but you will see immediately that all countries respect it. If you are speaking in support of other delegations that preceded you, it is good to mention those delegations. Speak up, speak clearly, and speak slowly—remember that the interpreters have to hear and understand what you're saying and translate it simultaneously. Give them time: if they can't hear you properly, they will cut off the ends of your sentences and no one will understand what you're talking about.

If the comments have been compiled in working documents for the meeting, you should not read it in their entirety (you have a limited time to speak) but only mention the relevant point(s) you want to make and refer to the working document where your comments can be found.



**Suggestion:** prepare a written text for your statement, which should be clear and concise, and should go right to the heart of the matter. If there were previous interventions that you would like to support or not, make a note of them and address them when it is your turn to speak. If the topic under debate is hotly disputed and if you subsequently ask that your statement be recorded in the report, or if you know that others will support your statement, then you will need to have a written text to give to the Chairperson. This is the only way to make sure that the report reflects what you actually said. For transparency, the statement intended to be included in the report, must be voiced at the plenary session. Keep a copy of your statement, in case there are any doubts, for on the last day of the meeting you will have to check if it is in the report.

Keep in mind that not all interventions will flow from the documents a delegate has prepared and brought along. At times, the delegate will have to respond to other countries' reactions, offering counterarguments that may not have been considered back in the capital.

If it is not possible to prepare a full written text for your statement, you should at least jot down on paper the key points you want to make sure to mention them. Remember that a delegation will not normally be given the floor more than twice on any topic, and so you should use your floor time to the best advantage. Some committees even have a timer bell that will cut off a delegate who has used up his/her time.

Some other useful tips to intervene are:

- Always address the Chairperson of the meeting in your interventions, never address directly other delegations or delegates.
- Consider listening to other delegations before making your intervention, as they could provide information that could help you improve your proposal.
- Pay attention to questions and instructions posed by the Chairperson.
- Check with other delegates if interpretation of your intervention was correct.

The Codex Secretariat has also shared a recommended structure to make successful interventions:

- a. Opening — this is the bottom line, the statement you want everyone to hear and remember.
- b. 2-3 supporting points — the strongest arguments adding a little detail to the opening.
- c. The close — your chance to share a conclusion.
- d. Call to action — how can the audience further engage (this could be through your paper, a CRD or just by making yourself available).

While as a delegate you must strive for one hundred percent satisfaction with the outcome of the meeting, not all your comments will be taken into consideration,

nor will the conclusions fully reflect what you proposed. There are many interests at play, but negotiating means winning some ground and yielding some ground, and then winning and yielding again, until you conclude that a certain balance has been struck, which is not likely to be perfect.

### 7.1.1 When to intervene?

In any meeting, and especially in negotiation meetings, it is important to “size up” the people in front of us. Observe how the Chairperson runs things, see whether he/she follows any order in giving the floor to others, and how long he/she gives them. This will help you manage your own interventions.

Once the topic is introduced, the Chairperson will open the floor to debate. He/she may first ask if there are any general comments, and then go on to discuss each article, each section of the text, and so on.

You will see that in the general discussion many countries will state whether they agree with the text in general or not, and with the procedure it was followed to prepare it, or they will thank the country that accepted the task and then indicate briefly which parts of the document they will have further comments on.

If your position is to reject a text completely, this is the time to say so and explain to the plenary, the reasons you have to do so.

**Deciding on the right time to ask for the floor is up to you or your delegation.** It will depend both on your country's interest in the topic and on the strategy adopted, as well as your own perception. Choosing the right moment is part of the art of negotiation. There are no perfect formulas.

If your position is to be constructive in moving the text forward, you may ask for the floor and advise the Chairperson of the articles on which you have proposals. The chair will tell you if you should put forward all your proposals at once, or in what order. If, on the other hand, your position is firmly against the proposal, and you expect other countries to support you on the basis of a prior agreement, the alternatives are to raise your flag and be the first to speak, trusting that all those who promised to support you will do so, or to wait until some others have spoken on the issue and then present your position of rejection and start reaping support.

If the issue under discussion turns out to be highly controversial, remember that your opinion is absolutely necessary to define the situation. It is best, then, for you to ask for the floor and take a stand.

You should be insistent if you believe that Codex principles have not been respected, if you think that your position had the support of many countries but was not considered, or when the Chairperson draws conclusions that in your judgment do not reflect what happened at the meeting.

Even if discussion of the item has been closed, you should also ask for the floor before moving on to the next item. If you want your statement or your reservation to a committee decision to be recorded in the report, you must say so explicitly.

There have been frequent occasions where several countries have agreed to support one work proposal or oppose another, with all the "like-minded" raising their hand before debate is even opened. If we fail to judge correctly what is happening in the rest of the room, i.e., which delegations have asked for the floor among the countries we know will oppose our position, we may well find that our group's interventions are all concentrated at the beginning and that subsequent discussion will be dominated by members taking the opposite stand. If we misjudge this aspect of "when to ask for the floor," the Chairperson may be left with the perception that our position has lost support during the debate. If this happens, and if there is a great deal at stake, you will have to be persistent to demonstrate, at least, that there is no consensus on the issue; it is very useful to take notes of the number of countries making interventions and the nature of their interventions, it will help you make the case.

If, having made a proposal, you start to receive comments, do not ask for the floor immediately. Wait a while to see if other Members will also address your suggestions, so that when you intervene again you can respond in substance.

If your delegation did not originate a proposal, or if your National Codex Committee, for example, has said it is concerned over the issue but is not in a position to make comments, you will likely have been advised to note what country X says, and to support its comments. In this case, take note of the interventions of that country and of others with similar positions and prepare yours in support of them.

Oftentimes the intervention strategy will be part of the decisions adopted in the informal meeting(s) of your Coordinating Committee. Be sure to participate in these meetings, for this will give more assurances when the time to act comes.

Always remember that a delegation will not be given the floor more than two or three times except on particularly controversial or complicated issues.

As indicated in the section on the agenda (see section 3.2), the topics on the Codex agenda follow a pre-established order:

1. Adoption of the agenda.
2. Questions referred by the Codex Alimentarius Commission and other Subsidiary Bodies.
3. Questions referred by FAO/WHO, etc.
4. Negotiating documents and those at the furthest steps of the approval process.
5. Remaining topics.

6. Other business and future work.
7. Date and place of the next meeting.
8. Adoption of the Report.

When the meeting is opened, the Chairperson will give the floor to the Codex Secretariat to explain the preliminary agenda and any suggestions that the Secretariat wishes to introduce to it. Sometimes, the Chairperson or the Secretariat may suggest changes in the order of addressing the agenda items. For example, the Chairperson may propose to discuss a document at Step 3 before others at a more advanced step, because based on the comments received, he/she assume that the debate will be brief and he/she may want to conclude on this item before dealing with the other items that may require a sizable part of the meeting time.

Members should make proposals for inclusion of new items in the agenda during the adoption of the Agenda (Item 1). These proposals are normally discussed under "Other business and future work"; alternatively, they may be discussed under a relevant item already on the agenda, should there be one. The discussion of these additional items is subject to time availability and should not justify a prolongment of the meeting. Once the agenda is approved, it cannot be changed.

This Manual is designed to help you discover the art of negotiation in Codex. If you see an approach being imposed in a Codex meeting, pay attention, because it may well be that

the recommendations of the Commission on Measures to Facilitate Consensus<sup>15</sup>, included in the final section of the *Procedural Manual*, are being disregarded. If after reading those measures you feel that the chairperson is not applying them, you should ask for the floor and make a suggestion.

## 7.2. Should I Improvise at the Meeting?

In the previous sections we dealt with the organization and preparation of your actions, the documents submitted from capital, and interventions for presenting those positions during the meeting. Yet international negotiations require something more, for not everything is predictable. When negotiating, as when playing a game, there is no single path to the goal. This is because we cannot foresee all the reactions and actions that others may come up with during the debates. However extensive your National Codex Committee's strategies may be, the committee and the authorities must recognize that they will have to grant the delegate some leeway to maneuver around the national position, so that he/she can remain a party to the negotiation. To assume that everything will go as planned is to believe that negotiations always advance on solid ground, but this is not the case—a single country's intervention can change everything in the negotiating process that will throw our position into disarray.

For this reason, and without belittling anyone's abilities, the delegate needs to have an in-depth knowledge of the issue so as to respond to questions and challenges that go beyond the assessment conducted back home. He/she also needs sound reflexes, a capacity for strategic analysis and the ability to “work the room”, and to time his/her reentry on the scene by requesting the floor again. Negotiators typically develop these skills, and it is in fact a very interesting exercise to see which delegates are successful in applying these tools. For some people, the art of negotiation is an innate component of their personality, while others will have absorbed it from experience and still others will have made a deliberate effort to acquire it. Improvising is nothing more than setting aside our formal instructions and bringing into play all our skills and knowledge to achieve our objective.

## 7.3. When and Why Should I Communicate with Headquarters?

Delegates do not usually have to communicate with their capital to seek instructions. However, this is an option that must be considered, as in some meetings the situation may reach such a point that the official position must be reviewed with the competent authority. Make sure you have agreed at the national level who you would contact and through which channel,

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<sup>15</sup> Decision adopted at the 26th Session of the Codex Alimentarius Commission in 2003.

consider that in some Codex meetings the difference in time zones may make it impossible to get an immediate answer to a request. If you decide it is imperative to communicate with headquarters, make sure you provide sufficient context and signal when the meeting will return to the issue. In an emergency situation, one option to consider is to ask the committee to postpone the decision until the next day so that you can seek new instructions from the capital or have time to examine the topic more closely.

Although uncommon, there are examples of bad play in any negotiating forum. There are delegates who have received threats against their country's exports. Others have been offered an increase in export quotas, and in a few cases, there were threats to go over a delegate's head with calls to their authorities at the embassy. In any case, these are exceptional situations that will test the delegate's courage. If you find yourself in one of these situations, remember that it is not you but the other person who was acting dishonestly. Stay calm, stand by your position, and show no fear. You must remember you are representing a sovereign country with a position that has been endorsed by national authorities. Your position will change only if you receive instructions from your authorities.

In critical circumstances and if the time differential is a hindrance, it can be useful to contact your country's local embassy, where professional diplomats may be able

to help defuse a situation that to a technical person seems alarming. The mere presence of your embassy's representative may cause a belligerent expert or negotiator to back down.

In case of doubt and if you cannot get through to headquarters, you will have to take a decision on the alternatives presented to the committee, trusting your own judgment and experience. Remember that other countries may be in the same boat, and if time and the meeting schedule so allow, you should consult with them.

It is also a good practice to discuss, at the national level with the national committee, alternatives to take if things get difficult, this is why it is so important to engage with delegations that have opposite arguments, so as to be able to know them in detail and be prepared to react to them.

Finally, it is paramount to have clear instructions on where the red line is that the country cannot accept, and if the topic moves forward, explicit instructions as to what a reservation should look like.

#### 7.4. Should I involve the Mission or Embassy?

In contrast to what happens in the SPS committee of the WTO, a country's mission to the WTO in Geneva or to the FAO in Rome

plays no or limited part in Codex activities. This is probably due to the fact that the Commission meets every other year in Rome and Geneva, and all other Codex meetings take place in different parts of the world.

Missions become proactive on special occasions, such as when political issues are being handled in the Commission. This is what happened when the European Union wanted to join the Codex Alimentarius Commission as a full Member. Another example is the election of the Chairperson, vice-Chairpersons and other officers of the Commission.

If you are attending sessions of the Commission, it is important and advisable to ask your country's FAO or WHO mission in Rome or Geneva respectively, or the embassy if there is one in the country where the subsidiary body meeting will take place, to get involved. Missions and embassies have natural allies among Member Countries and they can be useful in fulfilling your function. This is also a very practical method to get Codex to be known at the political level, as the mission or embassy will surely make an intern report of the meeting and send it to the capital. When the foreign affairs office informs the missions or embassies about your participation it should also send them the country position and meeting documents and the instructions you will be taking to the meeting.

## 7.5. General negotiation tips

Negotiating is an art, you must never forget that in Codex you are negotiating to develop standards that are applicable worldwide and that should protect the health of consumers and ensuring fair practice in the food trade.

Here are some general negotiating tips that a delegate might want to learn to improve his/her performance as a negotiator during plenary sessions and informal meetings:

- Knowing when to talk and when not to talk, silence can be a great resource if used well.
- Aim high, never underestimate your country position because you see everyone else is disagreeing or you think it lacks support at the plenary session. Your national position represents the contribution from your country, and if suggested constructively, it is the kind of input Codex Standards need to be representative.
- Learn to distinguish negotiating techniques from proposals. Focus on the proposal a country is making and do not react to arguments or negotiating techniques that are intended to play you, such as aggressive wording and body language or authority impositions.
- When necessary, learn to use conditional language, this means you will have to be willing to give something to get something.



**In Codex you are negotiating to develop standards that are applicable worldwide and that should protect the health of consumers and ensuring fair practice in the food trade.**

- Get familiar with the Codex culture, learn what is negotiable and what is considered non-negotiable in the Codex context, this will avoid making mistakes and might also serve as a tool to expose inappropriate interventions.
- Look for ways to create value for all interested parties. Remember you are not negotiating standards that will apply only for your country, seek to meet the interests of everyone in Codex, as long as your national interests are not ignored.
- Think long-term. In Codex negotiations take years, so be prepared to build relations and trust, get to know other delegates. Be patient and be constant but flexible, things change, and we need to adapt.
- Be prepared to work with difficult negotiators, do not take things personally, break connection between their behavior and the outcome by not rewarding difficult behavior giving in to it. This implies a preparation of character rather than the technical preparation needed to draft interventions.
- Prepare, for both formal and informal meetings, be prepared to have answers for difficult questions, be prepared to ask questions that will help you improve your interventions, propose alternatives for expected and unexpected scenarios.
- Never attend a meeting without knowing the red lines your country has decided are not to be passed, be prepared to make interventions in case they are passed, have a plan.
- Do not think of other delegations as enemies, all delegates are representing their respective countries, and as you, want what is best for their nations and the world as a whole.





## 8. The Codex Trust Fund

The FAO/WHO Project and Fund for Enhanced Participation in Codex, known as the Codex Trust Fund or CTF, was launched in 2003 by the Directors-General of FAO and WHO to help developing countries and those with economies in transition to enhance their level of effective participation in the Codex Alimentarius Commission.

Between 2004 and 2015, during what has got to be known as its phase 1 (CTF1), the CTF supported 2.359 participants from developing and transition economy countries to participate in Codex meetings, most commonly of the Commission, but also committee meetings, and provided FAO/WHO Codex training to over 1.100 officials to boost the effectiveness of their participation in the work of the Commission.

The second phase of the CTF (CTF2), was established in 2015, at the 38th session of the Commission and began operations in January 2016. The CTF2 shifted its primary

focus from supporting physical participation in Codex meetings, to assisting countries in their process of building structures and developing processes for managing Codex work at the national level. This has caused a severe decrease in the number of countries that receive funding to participate in Codex meetings, and should, at some point in time, be reviewed to see if this approach is actually enabling developing countries to participate more actively in Codex.

The CTF does not receive funding from FAO or WHO, its functioning solely depends on

**The CTF supported 2.359 participants from developing and transition economy countries to participate in Codex meetings.**

the direct contributions from countries to keep it running, so the capacity of the CTF to support countries at any given year, varies depending on the amount of resources made available by donor countries.

The CTF Secretariat, hosted at WHO headquarters, prepares annual reports on the work of CTF for consideration by the Commission. This is an important report and developing countries should pay close attention to the work of the CTF, as it is a mechanism established by the Codex Alimentarius Commission to address the issue of inclusiveness in Codex.

When thinking of applying to the CTF, it is important to follow the work of the CTF and actively engage with the CTF Secretariat



and with FAO and WHO regional officers to prepare submissions. This should be done in advance and not when the deadline to submit applications is close.

Not all countries are eligible to benefit from the CTF. As of 2020, there were 104 countries eligible to receive support to participate on CTF2. The list includes countries from the six Codex regions, and includes all countries with low and medium human development index (HDI), countries with low or middle-income countries that have high HDI but fall under the category of small island developing state (SIDS), and – landlocked developing countries (LLDC), that have high HDI. The list of eligible countries is constantly updated and available at the CTF website (<https://www.who.int/initiatives/codex-trust-fund>).





## 9. The future of Codex work

As with all institutions, Codex is not oblivious to the changes happening around it. Lately, a series of technological developments in IT have provided opportunities that did not exist before and have the potential to change the way the Codex Alimentarius works.

As already mentioned, for some time now Codex has been slowly incorporating technology to its procedures. Here follow some examples:

- Meeting registration must be done digitally, the On-line Registration System (ORS).
- Electronic working groups that until recently operated by email, are increasingly being hosted on a digital platform that facilitates transparency; such platform is also starting to use automatic translation to facilitate and speed up the work.
- In 2017, a digital pilot experience was carried out for the first time

at CCFICS, where a meeting of a physical working group was held in Santiago de Chile. This meeting was attended by delegates in person, and also by delegates who connected remotely, via internet and were able to participate actively and to make interventions that were heard by the plenary and considered by the chair of the physical working group when drawing conclusions; that meeting was followed by a second meeting of the physical working group, in Dublin, Ireland, which made use of similar technology to allow remote participation.

But so far, rules in Codex have not been adapted or seriously modified to incorporate new ways of working. As we have seen, the Codex procedures included in the Procedures Manual, are mainly focused on rules guidance that apply mainly for face-to-face meetings. The pandemic known as COVID-19, forced



the suspension of physical Codex meetings throughout the year 2020. Because of this, much debate has been generated due to the stoppage of Codex work caused by the impossibility of having physical sessions and the slowness with which the Codex has adapted to new technologies, Members have realized that the *Procedures Manual* is not yet prepared to allow remote work.

After COVID-19, it is very likely that some Codex procedures will change to incorporate technological options that did not exist before the pandemic, and it is also likely that this will continue to evolve as technological development advances and ways of working adapt. The Codex Alimentarius Commission should continue working in the future to incorporate solutions, but close attention should be paid to make sure that transparency and inclusiveness remain core values of Codex work.

**It is very likely that some Codex procedures will change to incorporate technological options that did not exist before the pandemic.**





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