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WHAT IS CODEX ALIMENTARIUS?

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There are two goals of the Codex Alimentarius Commission: (1) to protect the health of consumers, and (2) to promote fair practices in the food trade. These goals are accomplished by development of food standards, food guidelines, codes of hygienic practices, and other actions. This paper primarily addresses the various actions that have been taken to achieve the latter goal, recognizing that harmonizing health protection itself results in improving trade opportunities.

Key words: Codex; safety; trade; harmonization.

In 1962, the Codex Alimentarius Commission (Codex Alimentarius or Codex) was formed under the joint sponsorship of two United Nations (UN) organizations: the World Health Organization (WHO) and the Food and Agriculture Organization (FAO). Today the 165 countries worldwide that comprise Codex hold two major food-related goals: (1) to protect the health of consumers, and (2) to assure fair practices in food trade. The two parent organizations (FAO and WHO) provide funding for a Secretariat and for organizational support services. The Food and Agriculture Organization is responsible for two-thirds of the funding, with WHO responsible for the other one-third of funds for the Codex Commission. In recent years, contributions by FAO have exceeded 80%.

Codex is a government-to-government organization that conducts its business through a network of committees. Each Codex committee is hosted by an agreed-to-government that is responsible for the operation costs of each committee. Funding for the Codex Commission itself, and its Executive Committee, is the responsibility of the Secretariat. Under this funding agreement, a very efficient system has been established to effectively control the number of meetings required by a committee, which further prevents Codex committees from continuing into perpetuity (unlike many other organizations in the UN system). Expert technical work of Codex and its committees is supported by Joint FAO/WHO Expert Committees (JECFA) and specifically established working groups (e.g., the Working Group on Pesticide Residues). There are identified permanent committees as well as others established on an ad hoc basis as needed.

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Organization Of The Codex Alimentarius

The organization of the Commission has changed somewhat over the years, but still consists of several different types of Codex committees that make recommendations to it. Committees include horizontal committees, commodity committees, and regional coordinating committees, all under the direction of the Commission. The Executive Committee, which serves as an arm of the Commission, also acts on its behalf in certain circumstances. For example, the Executive Committee can move standards in a sequential "step process" in order to advance work during those years when the Commission does not meet. The Executive Committee consists of 11 voting members, including an elected Chairman and three elected Vice-Chairmen plus seven representatives of the geographical regions of Codex.

The Horizontal Committees, or those whose mandate covers many commodities, especially the Codex committees on Food Additives and Contaminants, Veterinary Drugs, Food Hygiene, and Pesticide Residues, each meet at least every year owing to an extensive workload. The Codex Committee on Food Labeling also meets yearly, but at times may meet on a less frequent basis depending upon its program of work. A relatively new committee, the Codex Committee on Food Export and Import Control Systems, meets yearly. The Codex Committee on General Principles meets when issues demand its attention, which, in recent years, has been yearly.

The Commodity Committees, with a few exceptions, have completed their work and have adjourned *sine die*. The exceptions are the Codex Committee on Fish and Fish Products and the Codex Committee on Milk and Milk Products, which have continued over time with an expansion of their program of work. Other commodity committees have reconvened after adjournment in order to take on a new assignment, at the direction of the Commission. Most of the work of the commodity committees has impact on fair practices in food trade rather than on food safety, to be highlighted later.

The Codex Regional Coordinating Committees are novel; they offer opportunity for development of commodity standards that may be important regionally and also offer opportunities for members of regions to develop strategies that may benefit them in other Codex committees. Also, for developing countries, the regional meetings provide opportunities to participate and gather information about Codex activities in a local area when attendance at meetings in other regions of the world might be cost-prohibitive.

In 1999, the Commission established three working groups—Biotechnology, Animal Feeding, and Fruit Juices. The difference between a Codex committee and a working group is that working groups have a sunset provision, in this case four years, to get the work of the group accomplished. Each working group is hosted by an identified government and will likely meet one or more times each year in order to complete its agenda within its time mandate. In some cases, sub-groups of working groups may meet between sessions of the full working group.

The Commission presently meets every two years in Rome, Italy, or Geneva, Switzerland. There is a proposal before the Commission to meet once every year due to an increasing workload; the proposal will be considered at the next Commission meeting in 2001.

Government delegations may include members of the private sector, including consumer groups and industry representatives at their discretion. The private sector also may attend meetings as part of a Codex-approved International Non-Governmental Organization (INGO) and may offer comments during committee meetings at the discretion of the Chairman. The Codex Alimentarius Rules of Procedures mandate that attendance at Codex and the Commission meetings be at the expense of attendees. Working

procedures of Codex and an organizational chart of the Commission are illustrated in figure 1 (FAO, 1999).

What Is The Role Of Codex In International Trade?

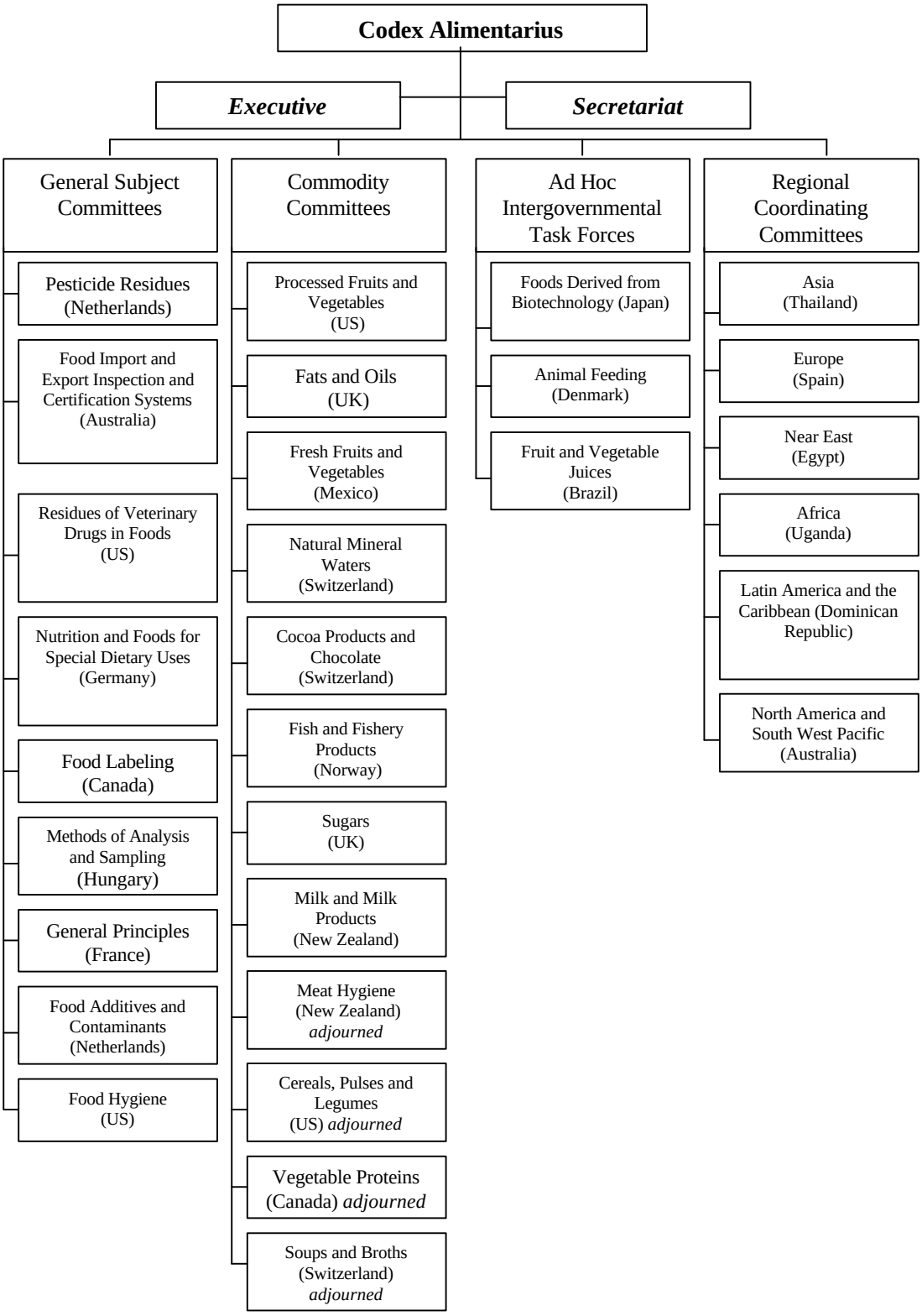
The significant contributions of Codex have historically centered on its effort to protect consumer health and safety; the Codex impact on international trade has been believed by many to be of secondary importance. While one of the major goals of Codex continues to be focused on consumer protection, recent events have brought new attention to the role of Codex in assuring fair practice in food trade. In 1995, establishment of the World Trade Organization (WTO) highlighted a place for Codex in the WTO Sanitary and Phytosanitary Committee (SPS) dispute settlement process. Codex was referenced by the SPS document as the international body to be used for scientific advice on food matters brought before the WTO under SPS. This action effectively showcased the excellent, scientifically sound standards and other recommendations of Codex. However, many believe that this action also brought in a political element that may be detrimental to Codex efforts to remain predominantly a scientific organization. In any case, Codex actions and recommendations in controversial areas will be under constant scrutiny so as to assure that the impact on trade is fully considered and debated before adoption within Codex.

Development and adoption of scientifically sound minimum standards of safety in Codex, referred to governments for adoption, offer the greatest potential for removing non-tariff trade barriers; thus, providing a groundwork for fair trade since minimum standards of safety vary greatly from country to country, and from region to region. Tolerances for pesticide residues, contaminants, and food additives developed by Codex offer an opportunity for countries to harmonize country requirements and, thus, improve international trade. Food hygiene requirements for many products are delineated by Codex. The food hygiene requirements offer member countries an opportunity to harmonize requirements with the international guidelines, which is one of the aims of WTO agreements.

Concern about safety of new technologies, like food irradiation, has been addressed and recommendations have been made by Codex. Biotechnology is currently being addressed by Codex and recommendations will be forthcoming and available to countries for adoption and implementation. Developing countries, in particular, can benefit from international guidelines, but harmonization of regulations by developed countries will be needed to enhance international trade.

A topic closely associated with variance in food safety regulations that impacts trade is food labeling. The issue has been before Codex since its inception; useful generic labeling guidelines have been provided to governments for adoption. Such issues as “country of origin,” “date of expiry,” and “name of product” all have been addressed by the Codex Committee on Food Labeling and guidelines established that have improved the ability of countries to participate in international trade. The Committee also is diligently working to adopt recommendations for labeling foods derived from biotechnology. Since countries advocate different positions on this issue, it may not be possible to develop recommendations to send to the Commission in the near future. Since most decisions taken in Codex are by consensus (with some notable exceptions),[1] Codex may have to decide whether it will resort to a vote on the issue or stop work until a consensus can be developed.

Figure 1: Joint FAO/WHO Food Standards Program.



Note. From "Codex Alimentarius Commission Procedural Manual (11th ed.)," by United Nations Food and Agriculture Organization (FAO), 1999. Rome, Italy: FAO.

Standards of identity for many food products have been developed through Codex committees and have been recommended to governments for acceptance. The standards were developed by the Commodity Committees and have proven to be very useful in international trade for products such as wheat flour, butter, margarine, cocoa products, fish and fish products, processed fruits and vegetables, and meat and meat products. Emphasis within Codex has shifted to development of horizontal standards, but some work continues because of the demand to improve international trade. At the same time, developed countries are aiming regulatory efforts toward use of labeling, in lieu of recipe standards.

Import requirements and certification systems, and impact on international trade, have been the theme of one Codex committees' deliberations for nearly 10 years. Also, owing to a requirement of the WTO, equivalence of inspection systems has become a hot topic in the Codex Committee on Food Import and Export Inspection and Certification Systems. Certification requirements for products being exported probably result in more non-productive costs to food companies than any other single issue. Establishment of a uniform certification system that can be implemented by governments will ease the export process and result in equal or greater protection of consumers, at less cost. Like-wise putting into place a system of determining equivalence of inspection systems could eliminate or greatly reduce existing overlap and duplication. With these discussions well underway, progress can be expected in the near future.

All of the efforts detailed above will only be accomplished when methods of analysis and sampling can be standardized; the Codex Committee on Methods of Analysis and Sampling has undertaken this effort. Further, the Committee will play a particularly important role in the development of accepted methods for detecting the presence of genetically modified organisms or use of genetic modification in development of foodstuffs. The full extent of labeling requirements cannot be determined until agreement is reached in this critical area, only now being explored by Codex. International trade will be enhanced with development of approved methods of analysis and detection.

Concluding Comments

In summary, practically all the work of Codex has had, and is having, a positive impact on safeguarding consumers and international trade. Harmonization of regulatory systems, including certification systems that promote increased competition in world trade while maintaining the highest level of protection for consumers, will result in a safer and less costly food supply throughout the world. Significant progress has been made in many of these areas through Codex Alimentarius but there is still much work to be done.

Endnotes

[1]A decision taken by Codex in 1995 establishing Maximum Residue Limits (MRLs) for growth promoting hormones was so controversial that a narrow decision determined by vote of eligible members resulted in adoption. Subsequently, a complaint of unfair trade practices was brought before the World Trade Organization. The Codex decision establishing these standards as the basis for contending that the hormones were scientifically proven safe for use for the intended purpose was used in this complaint. In addition, Codex adopted standards for "natural mineral waters" in 1997 based on an almost evenly divided vote, with two more member countries voting to adopt than voted to oppose adoption. To date there has been no official action taken internationally as a follow-up to this action, other than several countries urging Codex to go back to consensus as the preferred method of adoption based on this controversial decision.

References

United Nations Food and Agriculture Organization (FAO). (1999). Codex Alimentarius Commission procedural manual (11th ed.). Rome, Italy: FAO. (This book is available at FAO and WHO bookstores or by writing to the Codex Secretariat in Rome).