



**COUNCIL OF
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NOTE

from: Presidency
to: Council

Subject: Report on Codex Alimentarius negotiations progress and prospects at the next "Agriculture and Fisheries" Council on 16 December 2011

Delegations will find in the Annex a document drawn up by the Presidency with a view to report on Codex Alimentarius negotiations progress and prospects at the Council "Agriculture and Fisheries" session on 16 December 2011 (AOB point).

Codex Alimentarius negotiations progress and prospects

The Codex Alimentarius Commission (CAC), jointly established in 1962 by the UN Food and Agriculture Organization (FAO) and the World Health Organization (WHO) as the Joint Food Standards Programme, develops international food standards aimed to protect the health of consumers and to ensure fair practices in food trade. It also promotes the coordination of all work related to food standards undertaken by international governmental and non-governmental organisations. These standards are developed by subsidiary bodies of the CAC consisting of horizontal committees for general matters (e.g. food hygiene, food labelling) and vertical committees for specific commodities (e.g. fresh fruits and vegetables, foods for special dietary uses). At present the organisation has got 184 member countries and 1 member organisation - European Union (EU).

The Codex Alimentarius is directly relevant to the international food trade. The Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) and the Agreement on Technical Barriers to Trade (TBT Agreement), both agreements under the umbrella of the World Trade Organisation (WTO), encourage the international harmonisation of food standards and recognise Codex standards and related texts as a point of reference for food safety matters. Codex standards have therefore acquired a certain legal relevance in particular cases of trade disputes between WTO members.

In this global context, it is crucial to ensure a strong presence and influence of the European Union in the Codex Alimentarius Commission in order to promote the European regulatory framework. In the Codex Committees meetings the representation of the EU is performed by either the experts of the European Commission – when the subject under discussion is fully harmonized in the EU legislation – or by the Member States through the Presidency. It is critical that as many Member States as possible participate in the Codex Alimentarius sessions because the negotiation power of the EU is related to the support expressed by the Member States present, i.e. the EU has the number of potential votes corresponding to the number of Member States present at the meeting.

It is also important to note that in the preparation of the Codex Committees meetings intensive coordination¹ work is carried out in order to achieve success. The participation in the meeting signifies a considerable amount of work for the European Commission and the Presidency with full day plenary sessions, physical working groups, sometimes also in-session working groups and numerous “on-the-spot” coordination meetings with the EU Member States present.

Poland, as one of the founder countries, has been a member of the Codex Alimentarius organisation from the very beginning. It is worth mentioning that one of the first Vice Chairperson of the Codex Alimentarius Commission was the then Deputy Director of the Polish Committee for Standardisation.

Since 2009 Poland has the honour to be the Regional FAO/WHO Coordinator for Europe (second term of the function will end in 2013) and represents the interests of 49 countries of the region in Codex Alimentarius. Consequently, Poland has been the host country of one of the Regional Codex Committees, the FAO/WHO Coordinating Committee for Europe (CCEURO) and has got the pleasure to organise two last CCEURO sessions in Warsaw. Next session of the CCEURO will be co-hosted by Poland and Georgia and held in September next year.

Four different Codex Alimentarius Committees meetings were scheduled to take place during the Polish Presidency, and among them, the most important session, the Codex Alimentarius Commission session itself in July 2011. This required full involvement, diligent preparations and high commitment of the European Commission, the General Secretariat of the Council and the Presidency.

Having this opportunity, we would like to express our thanks to all the colleagues from the European Commission, the General Secretariat of the Council and the Member States for their support, important contribution to the Codex work and for the excellent cooperation during last six months.

¹ Following the rules established by Council Decision 2003/822/EC of 17 November 2003 on the accession of the European Community to the Codex Alimentarius Commission.

Major outcomes of the Codex Alimentarius Commission works during the PL PRES important for the EU interests

The Polish Presidency started its term during the 34th session of the Codex Alimentarius Commission.

In the course of five-day plenary session, Codex Member Countries discussed among other issues the final adoption of documents prepared by the Codex Committees within last year (i.e. during Belgian and Hungarian Presidencies). Despite the discrepancies between the EU and third countries, many Codex documents strategic for the EU were finalized and adopted.

The most significant success of the Polish Presidency was the mobilization of almost all of the 49 countries of the Codex European Region to vote against the adoption of the maximum residues limits (MRLs) for ractopamine - a chemical used for growth promotion in pigs and cattle in certain third countries. The EU strongly opposed to the adoption of the draft MRLs for ractopamine in line with the scientific advice provided by the European Food Safety Authority which identified several safety concerns and also for ethical reasons (e.g. consumer preferences). If the proposed MRLs were adopted this could possibly result in a trade dispute between the EU and other WTO members.

Another important event from the EU interests point of view was an election of Ms Awilo Ochieng Pernet from Switzerland for the post of Vice-Chair of the Codex Alimentarius Commission. Poland actively contributed to this process by encouraging all Codex European Region countries to vote for the abovementioned candidate. Thanks to this action the Codex board is expected to profit from greatly experienced and devoted Vice-Chairperson originating from Europe.

Other achievements of the Codex Alimentarius Commission works during the PL PRES important for the EU interests

- Adoption of the List of acceptable previous cargoes for transport of edible fats and oils in bulk
- Adoption of the Guidelines for the control of *Campylobacter* and *Salmonella* spp in chicken meat
- Endorsement of the Compilation of the Codex texts relevant to labelling of foods derived from modern biotechnology (GM food)
- Revision of the guidelines on formulated supplementary foods for older infants and young children

- Approval of the new work on the Guidelines for control of specific zoonotic parasites in meat: *Trichinella Spiralis* and *Cysticercus Bovis* and progress made in elaboration of the guidelines
- Progress in the elaboration of the Code of Hygienic Practices for Fresh Fruits and Vegetables
 - Annex for melons
- Progress in the elaboration of the Guidelines for the control of viruses in food
- Revision of the Principles for the establishment and application of microbiological criteria for foods.

Moreover in October, following the invitation of the European Commission, a working visit in Brussels of Mr Sanjay Dave (India) – the newly elected Chair of the Codex Alimentarius Commission took place. One of the points of the visit was a meeting of the CAC Chair with representatives of the European Commission, the Presidency, partners from the Presidency Trio and the General Secretariat of the Council in the premises of the Permanent Representation of the Republic of Poland to the EU. The meeting was aimed to present the rules for preparing and representing the EU and its Member States at the Codex sessions. The EU positions on crucial issues related to the food safety and quality were also discussed. Cooperation on training and capacity building activities were also encouraged, e.g. participation of the EU in the food safety programme of the University Indira Ghandi of New Delhi.

Prospects, future work

Elaboration of the Codex Strategic Plan for 2014-2019

The Draft Codex Strategic Plan for 2014-2019 is going to be discussed at the forthcoming 66th session of the Executive Committee of the Codex Alimentarius Commission to be held in February 2012 in Geneva. A particular issue related to the elaboration of the document is the discussion on the role of science and other important factors in Codex works. The European Commission and the Member States are now in the course of preparation of comments on the Draft Strategic Plan. European input to this document should contribute to the protection of the EU interests and will serve facilitation of Codex works and its fruitful outcomes.

At the end of the year we are going to pass the dossier to the Danish Presidency looking forward to the future work within Codex focusing on the benefit of the European values related to food safety and quality.

We would like to highlight again the serious need for active participation of the Member States in order to represent and defend the EU's strategically important interests at a worldwide Codex level.