

ALINORM 69/67
April 1969

REPORT OF THE SIXTH SESSION
OF THE
JOINT FAO/WHO CODEX ALIMENTARIUS COMMISSION
Geneva, 4-14 March 1969

TABLE OF CONTENTS

	<u>Page</u>	<u>Paragraph</u>
<u>PART I</u>		
Participants and Officers of the Commission	1	1-5
Adoption of Agenda	2	6
<u>PART II</u>		
Executive Committee - Reports on the Twelfth and Thirteenth Sessions	2	7
<u>PART III</u>		
Membership of the Codex Alimentarius Commission	2	8
<u>PART IV</u>		
General Principles	3	9-17
- Codes of Practice	3	9,10
- Amendment of the Purpose of the Codex Alimentarius	}	11
- Amendment of the Scope of the Codex Alimentarius		
- Amendment of the Nature of Codex Standards		
- Acceptance of Codex Commodity Standards	4	12-15
- Acceptance of Codex General Standards ...	5	16
- Withdrawal or Amendment of Acceptance ...	6	17
<u>PART V</u>		
Amendments to the Procedure for the Elaboration of Codex Standards	6	18-22
Procedure for consideration of Standards by the Commission at Step 8	7	23,24
Guide to the Procedure for the Revision and Amendment of Recommended Codex Standards ..	7	25,26
Amendments to the Procedure for the Elaboration of Milk and Milk Products Standards	8	27
<u>PART VI</u>		
Amendments to the Rules of Procedure of the Commission	8	28-42
- Amendment of Rule II.4(a)) Appointment of	8	28
- Amendment of Rule II.4(b)) Coordinator	9	29

	<u>Page</u>	<u>Paragraph</u>
- Proposal to amend Rule VI.3 (Regional or group of countries standards)	9	30-35
- Proposed Argentine amendment to Rule XII.3 (Languages)	11	36-42
 <u>PART VII</u>		
Guidelines for establishing future work priorities and new subsidiary bodies	13	43,44
 <u>PART VIII</u>		
Finance of the Joint FAO/WHO Food Standards Programme for 1968/69 and 1970/71	13	45
 <u>PART IX</u>		
Amendments to the Guidelines for Codex Committees	14	46-53
- Methods of Analysis and Sampling	14	46-50
- Normal practice	15	50(i)
- Methods of analysis and sampling of general application to foods	15	50(ii)
- Methods of analysis of food additives as such	15	50(iii)
- Methods of analysis of pesticide residues in food	16	50(iv)
- Microbiological methods of analysis and sampling	16	50(v)
- Food Labelling	16	51,52
- Codex Committee reports	17	53
 <u>PART X</u>		
Information on the activities of other international organizations working on the standardization of foods and related matters	17	54-66
- UN Economic Commission for Europe	17	55-57
- International Olive Oil Council	18	58-60
- International Organization for Standardization	19	61
- Commission of the European Economic Community	19	62
- Organization for Economic Cooperation and Development	19	63,64
- Council of Europe (Partial Agreement) ..	20	65
Future reports on related activities within FAO and WHO	20	66

	<u>Page</u>	<u>Paragraph</u>
<u>PART XI</u>		
Soups and Broths	21	67-70
<u>PART XII</u>		
Information on Food Standards Work in Asia, Africa and Latin America	22	71-75
<u>PART XIII</u>		
Codex General Subject Committees	23	76-94
Reports of the Codex Committees on		
- General Principles	23	76-78
- Food Labelling	23	79,80
- Food Hygiene	24	81,82
- Food Additives	24	83,84
- Pesticide Residues	24	85-89
- Methods of Analysis and Sampling ...	25	90-94
<u>PART XIV</u>		
Codex Commodity Committees	26	95-119
- Codex Committee on Meat and Meat Products and Sub-Committee I	26	95
- Codex Committee on Poultry Meat	26	96
Reports of the Codex Committees on		
- Cocoa Products and Chocolate	26	97-99
- Sugars	27	100,101
- Processed Fruits and Vegetables	27	102-104
- Fats and Oils	27	105,106
- Fish and Fishery Products	27	107,108
- Sub-Committee IV on Processed Meat Products and Consumer Packaged Meat	28	109,110
- Foods for Special Dietary Uses	28	111-114
- Natural Mineral Waters	29	115,116
Report of the Coordinating Committee for Europe	29	117
Reports of the Joint ECE/Codex Alimentarius Groups of Experts on		
- Standardization of Fruit Juices	29	118
- Standardization of Quick Frozen Foods	29	119
<u>PART XV</u>		
Code of Principles concerning Milk and Milk Products	29	120-126
- Report on the Eleventh Session of the Joint FAO/WHO Committee of Government Experts	29	120

	<u>Page</u>	<u>Paragraph</u>
- Relationship between the Commission and the Committee of Government Experts (governing paragraph 10)	30	121-124
- Edible Ices	32	125,126

PART XVI

Consideration of Standards at Step 8 of the Procedure for the Elaboration of Codex Standards	33	127-154
- General Standard for the Labelling of Prepackaged Foods	33	127-129
- Standard for Honey	36	130-136
- Standard for Margarine	37	137,138
- Standards for Lard and Rendered Pork Fat	39	139-142
- Standards for Premier Jus and Edible Tallow	40	143-145
- General Standard for Edible Fats and Oils not covered by individual standards ...	40	146,147
- Standards for Edible Oils (soya bean oil, arachis oil, cottonseed oil, sunflowerseed oil, rapeseed oil, maize oil, sesameseed oil, safflowerseed oil)	42	148-150
- Standards for Canned Pacific Salmon	43	151,152
- Standards for Sugars	43	153-157
- White Sugar	43	154
- Powdered Sugar (Icing Sugar)	44	155
- Soft Sugars	45	156
- General Standard for Quick Frozen Foods	45	158-161
- Tolerances for Pesticide Residues	46	162-164

PART XVII

Consideration of Standards at Step 5 of the Procedure for the Elaboration of Codex Standards	47	165-189
- Edible Fungi	47	166-170
- General Standard for Edible Fungi and Fungus Products	47	167
- Standard for Dried Edible Fungi	48	168
- European Regional Standard for Fresh Fungus Chanterelle	48	169
- European Regional Standard for Natural Mineral Waters	48	171-174
- Fats and Oils		
- Standard for Olive Oil	49	175-177
- Standard for Mustardseed Oil	49	178

	<u>Page</u>	<u>Paragraph</u>
- Fruit Juices		
- Standards for apricot, peach and pear nectars, apple, orange, grape, tomato, lemon and grapefruit juices, and concentrated apple, orange and grape juices	49	179
- Processed Fruits and Vegetables		
- Standards for canned green garden peas, canned mushrooms, canned strawberries, canned plums, canned raspberries, canned fruit cocktail	50	180
- Fish and Fishery Products		
- Standards for frozen gutted Pacific salmon, frozen fillets of cod and haddock, canned shrimps and prawns ...	50	181
- Sampling Plans for Prepackaged Foods ...	50	182,183
- Technical Procedure for Sampling Foods	51	184
- Codes of hygienic practice for dried fruits, desiccated coconut, dehydrated fruits and vegetables including edible fungi, quick frozen fruit and vegetable products	51	185
- Tolerances for Pesticide Residues	51	186-188
- Food Colours	52	189

PART XVIII

Amendments proposed to certain Step 9 Standards for Processed Fruits and Vegetables (canned green and wax beans, canned peaches, canned applesauce)	52	190-194
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PART XIX

Progress report on the work of the Joint FAO/WHO Food Standards Programme	53	195
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PART XX

Timetable of Codex sessions, 1969/70	53	196,197
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PART XXI

Future work	54	198-201
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<u>APPENDICES</u>		<u>Page</u>
Appendix I	- List of Participants	55
Appendix II	- Report of the Thirteenth Session of the Executive Committee	83
Appendix III	- Opinion of the Legal Counsels of FAO and WHO on codes of practice in relation to the Codex Alimentarius	89
Appendix IV	- General Principles of the Codex Alimentarius	91
Appendix V	- Procedure for the Elaboration of Codex Standards and Codes of Practice	95
Appendix VI	- Procedure for the Elaboration of Milk and Milk Product Standards	103
Appendix VII	- Guide to the Procedure for the revision and amendment of recommended Codex Standards	105
Appendix VIII	- Guide to the consideration of standards at Step 8 of the Procedure for the Elaboration of Codex Standards	107
Appendix IX	- Criteria for the Establishment of work priorities and for the Establishment of subsidiary bodies of the Codex Alimenta- rius Commission	109
Appendix X	- List of Food Colours which have been found acceptable for use in food and which have been given acceptable daily intakes for man by the Joint FAO/WHO Expert Committee on Food Additives	111

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REPORT OF THE SIXTH SESSION
OF THE
JOINT FAO/WHO CODEX ALIMENTARIUS COMMISSION
Geneva, 4-14 March 1969

PART I

PARTICIPANTS AND OFFICERS OF THE COMMISSION

1. The Sixth Session of the Joint FAO/WHO Codex Alimentarius Commission was held at the Palais des Nations, Geneva, from 4-14 March 1969. The session was attended by 225 participants including the representatives and observers of 47 countries, and observers from 30 international organizations (see Appendix I for List of Participants).
2. The Sixth Session of the Joint FAO/WHO Codex Alimentarius Commission was convened by the Directors-General of FAO and WHO, and the Deputy Director-General of WHO, Dr. P. Dorolle, addressed the meeting on behalf of both Directors-General with a speech of welcome.
3. The Deputy Director-General recalled the establishment of the Joint FAO/WHO Food Standards Programme and was pleased to see that the Codex Alimentarius Commission now had 63 Member Countries. He welcomed the new Members and underlined the importance which WHO attached to the work of the Programme, particularly in the public health field. He also stressed the excellent cooperation between WHO and FAO in the work of the Programme and other related activities.
4. The Commission was presided over by its Chairman, Mr. J.H.V. Davies (United Kingdom) and its three Vice-Chairmen, Mr. I.H. Smith (Australia), Mr. E. Mortensen (Denmark) and Prof. Dr. O. Högl (Switzerland). The Joint Secretaries were Mr. G.O. Kermode (FAO) and Dr. C. Agthe (WHO).
5. During the session, the Commission re-elected Mr. J.H.V. Davies (United Kingdom) as Chairman of the Commission to serve from the end of the Sixth Session until the end of the Seventh Session. The Commission also re-elected Mr. I.H. Smith (Australia), Mr. E. Mortensen (Denmark) and Professor Dr. O. Högl (Switzerland) as Vice-Chairmen of the Commission to serve from the end of the Sixth until the end of the Seventh Session of the Commission. The Commission also appointed Dr. R. Wildner (Austria) as Coordinator for Europe in accordance with Rules II.4(a) and II.4(b) to serve in that capacity for a further term until the end of the Ninth Session of the Commission.

Adoption of Agenda

6. Having agreed to amend Item 13 of the provisional agenda to delete reference to amendments to the Format of Codex Standards, since there were no amendments to the Format to consider, the Commission unanimously adopted the provisional agenda, as amended, without rearrangement of the items.

PART II

EXECUTIVE COMMITTEE
REPORTS ON THE TWELFTH AND THIRTEENTH SESSIONS

7. The Commission received reports concerning the 12th session of the Executive Committee held in Rome from 5 to 7 June 1968 and the 13th session held in Geneva on 3 March 1969. In introducing these reports the Chairman drew the attention of the Commission to the fact that all the substantive items discussed by the Executive Committee would be dealt with by the Commission under the agenda items dealing with the subject matters concerned. The report of the 13th Session of the Executive Committee is reproduced as Appendix II to this Report.

PART III

MEMBERSHIP
(as at 14 March 1969)

Membership of the Codex Alimentarius Commission

8. The Commission noted that membership of the Commission had increased from 52 countries at the last session of the Commission to 65 countries at the current session. An up-to-date list of Members is set out below:

Europe

- | | |
|-----------------------|--------------------|
| 1. Austria | 16. Norway |
| 2. Belgium | 17. Poland |
| 3. Bulgaria | 18. Portugal |
| 4. Denmark | 19. Roumania |
| 5. Finland | 20. Spain |
| 6. France | 21. Sweden |
| 7. Germany, Fed. Rep. | 22. Switzerland |
| 8. Greece | 23. Turkey |
| 9. Hungary | 24. United Kingdom |
| 10. Ireland | 25. Yugoslavia |
| 11. Israel | |
| 12. Italy | |
| 13. Luxembourg | |
| 14. Malta | |
| 15. Netherlands | |

North America

- | |
|------------|
| 26. Canada |
| 27. U.S.A. |

Latin America

- 28. Argentina
- 29. Brazil
- 30. Chile
- 31. Colombia
- 32. Cuba
- 33. Guatemala
- 34. Mexico
- 35. Paraguay
- 36. Perú
- 37. Trinidad and Tobago
- 38. Venezuela

- 49. Togo
- 50. Tunisia
- 51. Uganda
- 52. United Arab Republic

South West Pacific

- 53. Australia
- 54. New Zealand

Asia

Africa

- 39. Cameroun
- 40. Ethiopia
- 41. Ghana
- 42. Ivory Coast
- 43. Kenya
- 44. Madagascar
- 45. Morocco
- 46. Nigeria
- 47. Senegal
- 48. Sudan

- 55. China
- 56. India
- 57. Iran
- 58. Iraq
- 59. Japan
- 60. Jordan
- 61. Kuwait
- 62. Philippines
- 63. Saudi Arabia
- 64. Syrian Arab Republic
- 65. Thailand

PART IV

GENERAL PRINCIPLES

Codes of practice

9. The Commission took note of the opinion of the legal counsels of FAO and WHO that it had authority under the Statutes to elaborate and adopt advisory codes of practice. This opinion is reproduced as Appendix III to this Report.

10. The Commission noted that, according to the provisions of the Format for Codex commodity standards, any parts of codes of practice intended to be made mandatory in standards should be quoted in full in the standards. Codes of practice or parts of codes of practice referred to in standards and not intended to be mandatory should be stated to be non-mandatory and quoted by reference.

Amendments to Paragraphs 1, 2 and 3 of the General Principles of the Codex Alimentarius

11. The Commission considered the proposed amendments to the General Principles of the Codex Alimentarius which had been prepared by the Secretariat in the light of the discussions of the Codex Committee on General Principles on this subject at its third session. The text of the General Principles of the Codex Alimentarius on (i) Purpose of

the Codex Alimentarius, (ii) Scope of the Codex Alimentarius and (iii) Nature of Codex Standards, as agreed upon by the Commission appears as Appendix IV to this Report.

Acceptance of Codex Commodity Standards - Paragraph 4 of the General Principles

12. The Commission had before it the recommendations of the Third Session of the Codex Committee on General Principles regarding acceptance of Codex Commodity Standards. The text proposed by the Codex Committee on General Principles was contained in Appendix II to its report. The Commission noted that no change had been proposed by the Codex Committee on General Principles to the texts on 'full acceptance' and 'target acceptance' which had been agreed to by the Commission at its Fifth Session. The Commission also noted the contents of the revised text proposed by the Codex Committee on General Principles entitled 'acceptance with minor deviations'. The text of acceptance of Codex Commodity Standards agreed to by the Commission is set out in Appendix IV to this Report.

13. The delegation of the Federal Republic of Germany drew attention to the observations of their government with regard to the acceptance procedure contained in the reports of the Fifth Session of the Codex Alimentarius Commission and the Third Session of the Codex Committee on General Principles. The delegation pointed out that in their opinion the rules as now proposed by the Codex Committee on General Principles raised a number of difficult questions as to the legal implications and to the practicability of the procedure. This was due to the fact that the different types of acceptance as they had been developed over the course of a number of years would impose extensive obligations upon the accepting Member States; furthermore, the procedures lacked the principle of reciprocity which is generally recognized in the international field. The Federal Republic of Germany had envisaged from the very beginning a much more flexible procedure and was concerned that the provisions now under consideration would prevent many Member States from giving full acceptance. This would have a contrary result to the intentions of the Codex Alimentarius. The delegation of the Federal Republic of Germany therefore proposed that a group of legal experts should be set up in order to examine the various questions which still appeared to be unresolved, it being understood that this proposal should not in any way delay progress of work on standards. Several delegations supported this view. Other delegations considered that the procedure for the acceptance of standards had been carefully considered over a period of several years both by the Codex Committee on General Principles and the Commission itself. Moreover, the procedure for the acceptance of standards had not been tested in practice; it was important to accept the recommendations of the Codex Committee on General Principles that the acceptance procedure was provisional in nature and could be re-examined if necessary in the light of experience. The Commission agreed to adopt the acceptance procedure on a provisional basis and to see how it worked in practice when standards were sent to Governments for acceptance at Step 9.

14. The delegation of Ghana drew to the attention of the Commission some of the problems concerning the enforcement and control of food standards in developing countries. A number of these countries were not in a position to check fully on the standards of imported food, owing to limited technical facilities and trained personnel. The delegation of Ghana therefore proposed as a solution to these difficulties, and in order to prevent dumping of sub-standard foods, that foods moving in international trade which conformed to Codex standards should indicate this fact on the label. This matter had been examined by the Committee on General Principles, which was of the opinion that it would be premature to contemplate such an arrangement until a number of standards had been sent out to Governments for acceptance. It was noted that any country importing foodstuffs could require a certificate of guarantee from an acceptable source in the exporting country that the product was in conformity with the Codex standard.

15. It was emphasized that the provisions in paragraph B, in the second sentence of sub-paragraph C(i) and in sub-paragraph C(ii) were a request or exhortation to Governments and did not imply any binding obligation on Governments.

Acceptance of Codex General Standards - Paragraph 5 of the General Principles

16. The Commission noted that the Codex Committee on General Principles had recommended a procedure for the acceptance of general standards. This procedure like that for the acceptance of Codex Commodity Standards was a provisional one and had been drawn up so that if the Commission adopted any general standards at Step 8 there would be available to Governments a procedure under which they could consider the acceptance of general standards. The Commission agreed that it would be desirable to have available a procedure for the acceptance of general standards, but, in considering the provisions of full acceptance of general standards, considered that this should be brought more into line with the full acceptance provisions for Codex commodity standards. The Commission considered in particular that the full acceptance provision should clearly indicate that the distribution of sound products conforming with the requirements of a general Codex standard would not be hindered by any legal or administrative provisions in the country accepting the general standard which related to the health of the consumer or to other food standards matters and which were covered by the requirements of the general standard. The Commission adopted the revised text contained in Appendix IV to this Report. The Commission agreed to adopt the acceptance procedure on a provisional basis and to see how it worked in practice when general standards were sent to Governments for acceptance at Step 9.

Withdrawal or amendment of acceptance 1/

17. The Commission agreed to the text on withdrawal or amendment of acceptance, which had been proposed by the Codex Committee on General Principles at its Third Session. This text is reproduced in Appendix IV to this Report.

PART V

Amendments to the Procedure for the Elaboration of Codex Standards

18. The Codex Committee on General Principles, at its Third Session, had considered that there were difficulties in interpreting Steps 9 and 10 of the Procedure for the Elaboration of Codex Standards and that these difficulties would need to be dealt with before standards were sent out to Governments for acceptance. The main difficulties appeared to be:

- (i) how could a standard which had received the final approval of the Commission be properly described as "provisional";
- (ii) what is the implication of printing a standard in the Codex Alimentarius; and
- (iii) what would constitute "a sufficient number of countries".

19. The Commission considered a document which had been prepared by the Secretariat, and which contained proposed amendments to the Procedure for the Elaboration of Codex Standards together with the reasons therefor. The Commission also considered the recommendations of the Executive Committee with regard to the proposed amendment to Step 9 of the Procedure. The proposals for the amendment of the Procedure for the Elaboration of Codex Standards also took account of codes of practice and other texts of a non-mandatory nature.

20. The Procedure for the Elaboration of Codex Standards and Codes of Practice, as amended and adopted by the Commission, is set out in Appendix V to this Report.

21. The delegation of Perú was not in agreement with the amended versions of Step 10 of the Procedure for the Elaboration of World-wide Codex Standards and Steps 10 and 11 of the Procedure for the Elaboration of Regional Codex Standards, stating that there ought to be a statement

1/ Secretariat Note:

This paragraph was inadvertently omitted from the draft Report which was before the Commission for adoption. The Commission did, however, agree to the text on withdrawal or amendment of acceptance, as contained in paragraph 19 of ALINORM 69/9, and the Chairman of the Commission recalled this fact to the Commission during the adoption of Appendix IV to this Report.

of what was a specific number of countries whose acceptance was required before the recommended Codex standards were published in the Codex Alimentarius.

22. The Commission agreed that the Procedure for the Elaboration of Codex Standards applied to Codes of Practice developed by the Commission, but that in the case of Codes of Practice developed outside the Commission which the Commission would consider useful for incorporation in the Codex Alimentarius, the question of which steps would apply before incorporating such codes in the Codex Alimentarius would be determined by the Commission in each case.

Procedure for the consideration of standards by the Commission at Step 8

23. The Commission at its Fifth Session requested the Executive Committee to draw up a procedure to facilitate the consideration of amendments proposed to standards at Step 8 by the Commission and in particular to afford Members of the Commission a reasonable opportunity to consider such amendments in writing in advance of the Commission's sessions. The Commission examined the recommendations of the Executive Committee and agreed to incorporate them into the Procedural Manual (see Appendix VIII to this Report), to apply to the business at the seventh and subsequent sessions of the Commission.

24. Several delegations emphasized the desirability of receiving as much notice as possible of amendments proposed to Step 8 standards. It was noted that the effect of these recommendations would be that proposed amendments would have to be in the hands of Members of the Commission one month before the session, and that amendments received too late could not be considered as written amendments under the Procedure. The Secretariat undertook to arrange that the appropriate time limits for this procedure should be mentioned prominently in the reports or covering letters to reports of subsidiary bodies submitting standards at Step 8 to the Commission.

Guide to the Procedure for the Revision and Amendment of Recommended Codex Standards

25. The Commission considered the question whether Codex Committees which wished to propose amendments to standards which had been adopted by the Commission at Step 8 should be authorized, with a view to accelerating the adoption of amendments, to proceed with obtaining government comments on their proposed amendments without the prior approval of the Commission. The Commission decided not to so authorize Codex Committees, but agreed that, when a proposed amendment from a Codex Committee came before the Commission at Step 1, the Commission could proceed to send the proposed amendment out to governments for comments at Step 3, thus omitting Step 2. The Commission noted that this would involve a consequential amendment to paragraph 5 of the Introduction to the Procedure for the Elaboration of Codex Standards.

26. The Commission also agreed that, with a view to expediting the process of amending standards, proposed amendments either from Governments or Codex Committees could be placed by the Secretariat before the Executive Committee, depending on the time factor and the nature of the proposed amendment. It was agreed that all amendments proposed by Members of the Commission should be submitted to the Commission's Secretariat. The Guide to the Procedure for the Revision and Amendment of Recommended Codex Standards is set out in Appendix VII and it was agreed that this Guide should be published in the second edition of the Procedural Manual.

Procedure for the Elaboration of Milk and Milk Products Standards

27. The Commission agreed to amend the Procedure for the Elaboration of Milk and Milk Products Standards to bring it into line, as appropriate, with the amended version of the Procedure for the Elaboration of Codex Standards. The Procedure for the Elaboration of Milk and Milk Products Standards as amended and adopted by the Commission is contained in Appendix VI to this Report. The Commission, in accordance with its decision to postpone the question of the governing paragraph 10, decided, pending a decision on paragraph 10, to leave responsibility for the carrying out of Step 8 with the Committee of Government Experts on the Code of Principles concerning Milk and Milk Products (see also paragraphs 121-123 of this Report).

PART VI

AMENDMENTS TO THE RULES OF PROCEDURE OF THE COMMISSION

Amendment of Rule II.4(a)

28. The Commission noted that the expression "region or group of countries specifically enumerated by the Commission" or the expression "region or group of countries" occurred, apart from Rule VI.3, in Rules II.4(a), (b) and (c), IV.6, IX.1(b)(1) and (2) and IX.3, 6(b) and 7 and X.1. It had been pointed out at the Fifth Session of the Commission that the meaning of the word "region" was not made clear anywhere in the Rules. The Commission agreed with the recommendation of the 12th session of the Executive Committee (5-7 June 1968) that a clarifying amendment should be made in the first Rule in which either of these expressions is used, Rule II.4(a), and adopted the following revised version of the Rule:

"Rule II.4(a)

The Commission may appoint a Coordinator from among the delegates of the Members of the Commission for any of the geographic locations enumerated in Rule III.1 (hereinafter referred to as 'regions') or for any group of countries specifically enumerated

by the Commission (hereinafter referred to as 'groups of countries'), whenever it may find, on the basis of a proposal of a majority of the Members of the Commission which constitute the region or group, that work for the Codex Alimentarius in the countries concerned so requires."

Amendment of Rule II.4(b)

29. The Commission agreed with the recommendation of the 12th session of the Executive Committee that it would be desirable to place the terms of appointment for Coordinators on a similar basis to those of the officers of the Commission and Members of the Executive Committee. The Commission therefore adopted the following revised version of Rule II.4(b), as recommended by the Executive Committee:

"Rule II.4(b)

Appointments of Coordinators shall be made exclusively on the proposal of a majority of the Members of the Commission which constitute the region or group of countries concerned. Coordinators shall hold office from the end of the session of the Commission at which they were elected until not later than the end of the third succeeding regular session, the precise term being determined by the Commission in each instance. After having served two consecutive terms, the Coordinators shall be ineligible to hold such office for the next succeeding term."

Proposal to amend Rule VI.3

30. The Commission had before it for consideration two separate amendments to Rule VI.3, one prepared by the delegation of Canada and the other prepared by the Executive Committee at its Twelfth Session set out, respectively, in paragraph 6 of ALINORM 69/15 and paragraph 21 of ALINORM 69/3. The Canadian delegation informed the Commission that it had reconsidered the matter and had decided to support the proposal of the Executive Committee even though it did not go quite as far as Canada would have wished. Consequently the delegation of Canada withdrew its own proposed amendment to Rule VI.3.

31. Before proceeding to the substantive amendments to Rule VI.3 proposed by the Executive Committee which are indicated in paragraph 35 of this Report, the Commission adopted the following two amendments to the first sentence of the Rule: Substitute "Members of the Commission" for "Countries" in the expression "countries constituting a given region or a group of countries"; delete the words "specifically enumerated by the Commission" after the words "group of countries".

32. As regards the proposed substantive amendments, the Executive Committee had indicated that under the present Rules it was possible for a majority of countries of a region to embark on a regional standard even though a large majority of the Commission was in favour of a world-wide standard, and even if a world-wide standard was already in course of preparation. While the Executive Committee had agreed that it was reasonable that the amendment and adoption of a regional standard should be a matter for decision by the countries of the region concerned,

it considered that the question whether a regional standard ought to be elaborated in the first instance should be a matter for decision by the Commission. The purpose of the proposed Executive Committee amendment was therefore to enable the Commission to be fully master of its own programme of work within the limits of the budget.

33. While a number of countries were in favour of the proposed amendment of the Executive Committee, for the reasons given by the Executive Committee, others were opposed to the proposed amendment for various reasons. It was pointed out that the experience gained so far in the development of Codex regional standards had not given rise to any significant difficulties, that harmonization of national food legislations on a regional basis was justified for certain commodities which moved in trade principally within that region and which, in many cases, had certain common characteristics associated with the region, that the establishment of regional standards facilitated international trade in that the countries exporting to that region would only have to comply with one regional standard instead of a multiplicity of national standards, and that, if work was undertaken on food standards within a region, it was best for it to be carried out under the aegis of the Codex Alimentarius Commission.

34. The delegations of Cuba and Ghana considered that the proposed amendment of the Executive Committee was not fully satisfactory in that, unlike the proposed Canadian amendment, it did not stipulate any specific criteria on which the Commission would base its decisions on whether to authorize the elaboration of a regional or group of countries standard.

35. On 5th March the Commission proceeded to a decision on the amendment to Rule VI.3 proposed by the Executive Committee to add the words underlined and to delete the words in square brackets, as follows:

"At the request of a majority of the Members of the Commission constituting a given region or a group of countries that a standard be elaborated, the standard concerned shall, if the Commission so determines, be elaborated as a standard primarily intended for that region or group of countries. When a vote is taken on the [elaboration], amendment or adoption of a draft standard, primarily intended for a region or group of countries, only Members belonging to that region or group of countries may take part in the voting. The adoption of the standard may, however, take place only after submission of the draft text to all Members of the Commission for comments. The provisions of this paragraph shall not prejudice the elaboration or adoption of a corresponding standard with a different territorial scope."

At the request of the delegation of France the decision was made by roll-call vote. The Commission agreed that the names of the Members of the Commission be called in French alphabetical order starting with Venezuela, the letter V having been determined by lot. The result of the vote was as follows:

IN FAVOUR: Argentina, Australia, Bulgaria ^{1/}, Canada, China, Denmark, Spain, U.S.A., Ghana, Ireland, Israel, Japan, Malta, Mexico, Norway, New Zealand, Netherlands, United Kingdom, Sweden, Thailand, Trinidad and Tobago, Turkey.

AGAINST: Venezuela, Yugoslavia, Austria, Belgium, France, Hungary, Italy, Luxembourg, Perú, Poland, Portugal, Germany Fed. Rep., Switzerland, Tunisia.

ABSTAINING: Cuba.

ABSENT: Saudi Arabia, Brazil, Cameroun, Colombia, Ivory Coast, Ethiopia, Finland, Greece, Guatemala, India, Iraq, Iran, Jordan, Kenya, Kuwait, Madagascar, Morocco, Nigeria, Uganda, Philippines, United Arab Republic, Roumania, Senegal, Sudan, Syria, Togo.

The result of the voting was as follows: in favour, 22; against, 14; abstentions: 1; number of Members present and voting (that is Members voting for or against), 36; number of votes required for a two thirds majority in accordance with Rule XIII.1 of the Rules of Procedure of the Commission, 24. The amendment was therefore not carried.

Proposed Argentine amendment to Rule XII.3

36. The delegation of the Argentina formally proposed, on behalf of eight Spanish speaking countries, an amendment as set out in document ALINORM 69/57, to Rule XII.3 of the Rules of Procedure of the Commission, to make it mandatory for subsidiary bodies established under Rule IX.1(b) (Codex Committees and Coordinating Committees) to work in English, French and Spanish. The delegations of Cuba, Mexico, Perú, Spain and Venezuela supported the Argentine proposal.

37. In support of the proposed amendment, the delegation of Argentina drew the attention of the Commission to the following points:

- (a) this amendment had the full support of the Organization of American States.
- (b) Article 1 of the Statutes of the Codex Alimentarius Commission listed first, among the purposes of the Joint FAO/WHO Food Standards Programme, the protection of the health of the

^{1/} During the adoption of the Report, the delegation of Bulgaria indicated that it had reconsidered its position and wished it to be recorded that it was not in favour of the amendment to Rule VI.3 proposed by the Executive Committee.

consumer and the ensuring of fair practices in the food trade. The aim of protecting the health of the consumer was impaired by the failure to provide in the work of the Programme full facilities in the matter of interpretation and documentation in the Spanish language.

- (c) Three hundred million consumers throughout the world from some 20 Member States of the United Nations and its specialized agencies, were Spanish-speaking.
- (d) There was an increasing interest on the part of Spanish-speaking countries in the work of the Commission, and a growing number of Spanish-speaking countries were sending delegations to meetings of various Codex Committees. The failure to provide Spanish as a working language at sessions of Codex Committees was a considerable handicap which prevented delegations from Spanish-speaking countries from participating fully in the work.
- (e) Working documents for Codex Committee sessions were not provided in Spanish and considerable difficulties arose in translating the technical terminology in these documents, and this gave rise to delays in making the comments of the Spanish-speaking countries available in good time.
- (f) Spanish was an official language of the United Nations and of many of its specialized agencies.

The Argentine delegation also drew attention to the World Health Assembly Resolution WHA 20.21, relating to the adoption of Spanish and Russian as working languages of the World Health Assembly and the WHO Executive Board, and its implementation in progressive stages.

38. The Argentine delegation indicated that it was not the intention that the cost of providing the required facilities in Spanish should fall on countries chairing Codex Committees but that the cost might be met from the budget of the Commission under Article 10 of the Statutes of the Commission.

39. Several delegations from countries chairing Codex Committees expressed their appreciation of the difficulties facing the Spanish-speaking delegations attending meetings of Codex Committees, but thought that before considering any amendment to the Rule it would be advisable to have the views of the governments responsible for chairing Codex Committees.

40. The Secretariat pointed out that there were some differences between FAO and WHO so far as official and working languages were concerned and that the subject of working and official languages for the Commission was under study by the Directors-General of both Organizations.

41. It was agreed that countries responsible for chairing Codex Committees should be asked for their views as to the possibility of their Committees working in English, French and Spanish and that the Directors-General of FAO and WHO should be asked to lay before the Commission at its Seventh Session a report on Rule XII as a whole. In the light of this information, it would be possible to give further consideration to the Argentine proposal.

42. In view of this agreement, the delegation of Argentina agreed that its amendment should not be proceeded with at this session of the Commission.

PART VII

GUIDELINES FOR ESTABLISHING FUTURE WORK PRIORITIES AND NEW SUBSIDIARY BODIES

43. The Commission had before it the Report of the Twelfth Session of the Executive Committee (ALINORM 69/3, paragraph 45 and Appendix), and a working paper prepared by the Secretariat (ALINORM 69/47 and Appendix), containing the recommendations of the Executive Committee as to criteria to be met for the establishment of work priorities and for the establishment of subsidiary bodies of the Codex Alimentarius Commission.

44. During the discussion it was noted that these criteria were necessary to assist the Commission in establishing its priorities. These criteria were adopted with the following modifications:

- (a) Criterion No. 2 dealing with consumer protection in paragraph (A) "Criteria applicable to commodities", will become criterion No. 1;
- (b) Criterion No. 1, dealing with the volume of production and pattern of trade, will become criterion No. 2 and include a reference to volume of consumption in individual countries.

The amended version of the Guidelines is contained in Appendix IX to this Report and it was agreed that these guidelines should be published in the second edition of the Procedural Manual.

PART VIII

INFORMATION ON FINANCE FOR 1968/69 AND 1970/71

45. The Commission considered the document ALINORM 69/8 containing information on the 1968/69 budget of the Joint FAO/WHO Food Standards Programme and the proposed budget for 1970/71. The Commission noted the view of the Executive Committee that the budget proposals for 1970/71 reflected the needs of the Programme for that period. The Commission was informed that the Directors-General of FAO and WHO would be submitting their budget proposals for 1970/71 shortly to the

governing bodies of both Organizations. The decisions taken by the governing bodies of both Organizations would be communicated to the Executive Committee and the Commission in due course. The Commission agreed with the view of the Executive Committee that the existing arrangements, whereby countries accepting the chairmanships of Codex Committees assumed responsibility for (a) translation, printing and distribution of working documents of Codex Committees, and (b) translation, printing and distribution of reports of Codex Committees, were the most practical way of dealing with the volume of documentation and that there was no need to propose any change in the existing procedure (see Appendix II to this Report). The Commission further noted that the existing arrangements were also the most economical, and that estimates of the costs which would be involved if FAO and WHO were to assume responsibility for this work had indicated that they would be very considerable.

PART IX

AMENDMENTS TO THE GUIDELINES FOR CODEX COMMITTEES

Paragraph 13(c) - Methods of Analysis and Sampling

46. In view of the complexity of the work concerning the elaboration of methods of analysis and sampling and in view of the work-load falling on the Codex Committee on Methods of Analysis and Sampling, the Executive Committee at its Twelfth Session agreed to recommend to the Commission that methods of analysis and sampling for the determination of pesticide residues in food and methods of analysis for the verification of the criteria of purity and identity contained in Codex food additive specifications should not be referred to the Codex Committee on Methods of Analysis and Sampling for endorsement. It also recommended that microbiological methods for the verification of hygiene provisions in Codex Standards should be the responsibility of the Codex Committee on Food Hygiene.

47. The Executive Committee at its Thirteenth Session examined a proposal for the amendment of the Guidelines drawn up by the Secretariat on the basis of the above recommendations and also on the basis of the views expressed by the Codex Committee on Pesticide Residues (paragraph 90 of ALINORM 69/24) and the Codex Committee on Methods of Analysis and Sampling (paragraphs 90-94 of ALINORM 69/23) in this regard, and made certain amendments to it shown in paragraphs 3-6 of its report (see Appendix II to this Report).

48. The Executive Committee considered that the proposal relating to methods of analysis and sampling for microbiological purposes needed to be clarified. It was agreed that the criterion for determining whether the Codex Committee on Food Hygiene or the Codex Committee on Methods of Analysis and Sampling would be responsible for the endorsement or the elaboration of the method should be the intended purpose of the method.

49. The Commission agreed that it would be desirable to include in the Terms of Reference of the Codex Committee on Food Hygiene a reference to the relationship between the Committee and the FAO/WHO Expert Committees in the field of food hygiene.

50. The Commission agreed to the new procedures contained in the proposed paragraph 13(c) of the Guidelines, and to the following text:

"(i) Normal Practice

Subject to the provisions of sub-paragraph (v) below, when Codex Committees have included provisions on methods of analysis or sampling in a Codex commodity standard, these should be referred to the Codex Committee on Methods of Analysis and Sampling at the most suitable time during Steps 3, 4 and 5 of the Procedure for the Elaboration of Codex Standards, which will ensure that Government comments on the methods of analysis and sampling are available to the Codex Committee on Methods of Analysis and Sampling. Such reference should not, however, be allowed to delay the progress of the standard to the subsequent steps of the Procedure. All provisions in respect of analysis and sampling will require to be endorsed by the Codex Committee on Methods of Analysis and Sampling except as specified in sub-paragraphs (iii), (iv) and (v) below. When commodity standards containing provisions on methods of analysis and sampling are sent to Governments for comments at Step 3, they should contain a statement that these provisions are subject to endorsement by the Codex Committee on Methods of Analysis and Sampling. When methods have been considered by the Codex Committee on Methods of Analysis and Sampling, they should be returned by it to the originating Committee with amendments, where appropriate. The Codex Committee on Methods of Analysis and Sampling should not circulate such methods to Governments for further comments. The originating Committee is responsible for carrying out the Steps of the Procedure. The same procedure will apply to methods of analysis for the determination of additives in food when such methods are included by the Codex Committee on Food Additives in lists or standards being elaborated by it.

(ii) Methods of analysis and sampling of general application to Foods

When the Codex Committee on Methods of Analysis and Sampling itself elaborates methods of analysis and sampling which are of general application to foods, it is responsible for carrying out the steps of the Procedure.

(iii) Methods of analysis of food additives as such

Methods of analysis included in Codex Food Additives Standards, for the purpose of verifying the criteria of purity and identity of the food additive, need not be referred to the Codex Committee on Methods of Analysis and Sampling for endorsement.

The Codex Committee on Food Additives is responsible for carrying out the Steps of the Procedure.

(iv) Methods of analysis of pesticide residues in food

The methods for determining the levels of pesticide residues in food need not be referred to the Codex Committee on Methods of Analysis and Sampling for endorsement. The Codex Committee on Pesticide Residues is responsible for carrying out the Steps of the Procedure.

(v) Microbiological methods of analysis and sampling

Notwithstanding the provisions of sub-paragraph (i) above, when Codex Committees have included provisions on microbiological methods of analysis and sampling for the purpose of verifying hygiene provisions, they should be referred to the Codex Committee on Food Hygiene at the most suitable time during Steps 3, 4 and 5 of the Procedure for the Elaboration of Codex Standards, which will ensure that government comments on the methods of analysis and sampling are available to the Codex Committee on Food Hygiene. The procedure to be followed will be as in sub-paragraph (i) above, substituting the Codex Committee on Food Hygiene for the Codex Committee on Methods of Analysis and Sampling. Microbiological methods of analysis and sampling elaborated by the Codex Committee on Food Hygiene for inclusion in Codex commodity standards for the purpose of verifying hygiene provisions need not be referred to the Codex Committee on Methods of Analysis and Sampling for endorsement."

Paragraph 13(a) - Food Labelling

51. At its Twelfth Session, the Executive Committee noted that the amendment of the labelling section of the Format for Codex Commodity Standards by the Fifth Session of the Commission involved a consequential amendment to paragraph 13(a) of the Guidelines for Codex Committees. The amended paragraph 13(a) recommended by the Executive Committee to the Commission appears in paragraph 29 of its report (ALINORM 69/3). The Commission agreed to the text proposed by the Executive Committee, as shown below (see also paragraph 52 below):

"Food Labelling

- (a) Codex Commodity Committees should prepare a section on labelling in each draft commodity standard and this section should contain all the labelling provisions of the standard. Provisions should be included either specifically or by reference to the appropriate paragraphs of the General Standard for the Labelling of Prepackaged Foods. All Codex commodity standards should be referred to the Codex Committee on Food Labelling at Step 3 of the Procedure for the Elaboration of Codex Standards, though such reference should not be allowed to delay the progress of the standard to the subsequent steps of the Procedure. All labelling provisions

will require to be endorsed by the Codex Committee on Food Labelling. When commodity standards are sent to governments for comment at Step 3, they should contain a statement that the labelling provisions are subject to endorsement by the Codex Committee on Food Labelling."

52. The Commission agreed that paragraphs 13(a), 13(b) and 13(d) should also be amended so that reference of provisions requiring to be endorsed should be made at the most suitable time during Steps 3, 4 and 5 of the Procedure for the Elaboration of Codex Standards. It was further agreed to make a corresponding amendment to paragraph 13(e).

Paragraph 11(a) - Reports

53. The Commission considered a recommendation by the Twelfth Session of the Executive Committee that in future Codex Committee reports should contain a summary indicating the status of work of the Codex Committee. The Commission considered an amendment to paragraph 11(a) of the Guidelines for Codex Committees recommended by the Executive Committee and agreed to the following text to be inserted at the end of paragraph 11(a)(iv):

"and, in any case, a section should be included at the end of the report showing clearly in summary form:

- (a) standards considered at the session and the steps they have reached;
- (b) standards at any step of the Procedure, the consideration of which has been postponed or which are held in abeyance and the steps which they have reached;
- (c) new standards proposed for consideration, the probable time of their consideration at Step 2 and the responsibility for drawing up the first draft."

PART X

INFORMATION ON THE ACTIVITIES OF OTHER INTERNATIONAL ORGANIZATIONS WORKING ON THE STANDARDIZATION OF FOODS AND RELATED MATTERS

54. The Commission received reports on the activities of the under-mentioned international organizations:

UN Economic Commission for Europe (UNECE) (ALINORM 69/28-Part I)

55. The Commission had before it a progress report on the activities of the Working Party on the Standardization of Perishable Foodstuffs of the UNECE. The report had been prepared by the Secretariat of the Joint ECE/FAO Agriculture Division of the UNECE. The Commission noted with satisfaction that, during the Working Party's Twenty-third Session, held in Geneva in May 1968, at which the principal overseas exporters

of apples and pears were represented, further progress had been made in bringing closer together the views of the European countries and those of the non-European exporting countries regarding a number of the provisions of the European Standard for Apples and Pears, resulting in a subsequent revision of the standard. The Commission also noted that proposed amendments regarding missing stems and sizing had been adopted by a majority of the Working Party in the form of recommendations for a period of two years, during which time it was hoped that governments would endeavour to implement them.

56. The Commission noted that amongst the products for which the Working Party was preparing standards were pistacchios, dried figs, dried apricots and dates. Standards for these products were also being elaborated by the Codex Committee on Processed Fruits and Vegetables. The Commission noted that the standards being developed by the UNECE Working Party were, unlike the Codex standards, graded quality standards, and stressed the need for ensuring that the minimum requirements of both sets of standards should not be in conflict with each other. In this connection, the Commission noted that the Codex Committee on Processed Fruits and Vegetables had expressed the view at its last session that it would be desirable for the UNECE to have regard to the minimum requirements for these products which would be established by the Codex Committee on Processed Fruits and Vegetables.

57. The Commission noted the further progress which had been made by the Working Party in developing European standards during the course of the year.

International Olive Oil Council (IOOC) (ALINORM 69/28-Part II)

58. The Commission had before it a report prepared by the FAO Secretariat on the activities of the IOOC.

Table Olives

59. The Commission noted that the delegation of the USA was rapporteur for table olives within the framework of the Codex Committee on Processed Fruits and Vegetables and that very substantial progress had been made at the Eighteenth Session of the IOOC in eliminating many of the areas of disagreement between the US draft and the standard for table olives which had been adopted by the IOOC. The presence at the session of a US expert on table olives had greatly facilitated the discussions and it was agreed that the text adopted at the Eighteenth Session of the IOOC should be submitted to the Sixth Session of the Codex Committee on Processed Fruits and Vegetables in the Codex Format. It was the intention of the IOOC to make available to the Codex Committee on Processed Fruits and Vegetables any comments on the draft received from Member Countries of the Council. The Commission expressed its appreciation of the excellent cooperation which had been afforded by the IOOC in the development of a draft Codex standard for table olives.

Olive Oil

60. The IOOC also considered at its Eighteenth Session the Step 5 Codex standard for olive oil, together with the methods of analysis endorsed by the Codex Committee on Methods of Analysis and Sampling. The Council had been generally in agreement with the standard and Member Countries of the Council would be furnishing information and comments on the text for consideration by the Codex Committee on Fats and Oils at Step 7. It was the intention of the Secretariat of the Council that further comments should be specifically sought from Member Countries of the Council at Step 6, should the Commission approve the standard at its Sixth Session.

International Organization for Standardization (ISO) (ALINORM 69/28-Part III)

61. The Commission had before it a report which had been prepared by Technical Committee 34 of the ISO. The ISO representative briefly reviewed the contents of the report which set out the activities of ISO in the field of methods of sampling and analysis, handling, transportation and storage of food products. The Commission noted that ISO was also elaborating specifications in respect of spices and condiments. The ISO representative drew particular attention to the close collaboration which existed between this Organization and the Food Standards Programme.

Commission of the European Economic Community (EEC) (ALINORM 69/28-Part IV)

62. The Commission had before it a report prepared by the Secretariat of the Commission of the EEC which set out the present state of the work of the Community in the field of harmonization of food legislation. The report indicated that general regulations covering packaging material, dietetic foods, labelling, preserves and canned food, and sampling procedures were in the course of preparation. It also summarized the state of the work within the Commission of the Community on food additives, and on commodities or commodity groups. The EEC representative indicated that he was not in a position at this time to give a clear indication of when the Community regulations referred to in the report would come into effect in view of the fact that this subject was presently under discussion within the Community.

Organization for Economic Cooperation and Development (OECD) (ALINORM 69/28-Part V)

63. The Commission had before it a paper which had been prepared by the Secretariat of the OECD, summarizing the standardization activities of the OECD in the field of fresh fruits and vegetables, and livestock products. The Commission noted the close cooperation which existed between the UNECE and OECD in the field of fresh fruit and vegetable standards. The Commission noted that the purpose of the OECD Scheme for the Application of Fresh Fruit and Vegetable Standards was to

achieve the common interpretation of the European standards elaborated by the UNECE, as well as the harmonization of quality control methods. The Commission observed that under the new procedure recently put into effect, the Scheme was open to all countries, including those which were not Members of FAO. The Commission noted the progress being made by the OECD in the development of interpretative brochures for many of the European standards for fresh fruits and vegetables. The Commission was also informed of the progress being made within the framework of the OECD in endeavouring to establish an equivalence between the international standards for fresh fruits and vegetables (ECE standards) and North American standards, particularly in regard to apples and pears. It was noted that certain countries of the southern hemisphere had participated as observers in these discussions and that progress had been made in broadening the scope of certain standards in order to bring them more into conformity with the requirements of international trade. Note was also taken of the work being done by the OECD on the standardization of packaging for fresh fruits and vegetables.

64. The progress report made available by the OECD drew attention to the close cooperation which existed between OECD and the Codex Committee on Meat and Meat Products. The OECD had elaborated A Descriptive System for Carcasses of Bovine and Porcine Species, as well as a Draft Code of Sanitary Regulations for International Trade in Slaughter Stock and Fresh Meat. These documents had been made available to the Codex Committee on Meat and Meat Products in the development of its work.

Council of Europe (Partial Agreement) (ALINORM 69/28-Part VI)

65. The Commission had before it a report which had been prepared by the Secretariat of the Council of Europe (Partial Agreement). The Commission expressed its interest in the work of the Council of Europe (Partial Agreement) in the field of migration of chemicals from packaging materials and also in the field of flavourings. The Commission looked forward to receiving in due course the recommendations of the Council of Europe (Partial Agreement) in these two fields.

Related Activities within FAO and WHO

66. The Commission requested the Secretariat to prepare for subsequent sessions of the Commission a report on work being undertaken within FAO and WHO which would be of interest or related to the activities of the FAO/WHO Food Standards Programme.

PART XI

SOUPS AND BROTHS

67. The Commission at its Fifth Session considered a proposal by Switzerland to set up a Codex Committee on Soups and Broths and decided that, before proceeding further with this subject, it would be necessary to collect information on national regulations for soups and broths and to try to assess the importance of these products in international trade.

68. The Commission considered a paper which had been prepared by the delegation of Switzerland, the FAO Legislation Branch and the Commission's Secretariat. During the discussion on the paper it was pointed out that in a number of countries soups containing meat were regarded as meat products. It would therefore be necessary to consider carefully which one of the existing Codex committees should be authorized to commence work in this field. It was further pointed out that it might prove to be difficult to reach international agreement on compositional standards for soups and broths and therefore great care would need to be taken in deciding upon the range and nature of products to be included in any work undertaken by the Commission.

69. Several delegations emphasized the need for work on labelling, hygiene and food additives in connection with soups and broths. Others stressed that, in view of the extensive international trade in soups and broths, minimum compositional requirements should also be established. The delegation of Switzerland informed the Commission that the Government of Switzerland would be willing to accept responsibility for the chairmanship of a Codex committee to elaborate world-wide standards for soups and broths. The Coordinator for Europe also stated that the Coordinating Committee for Europe could undertake work in this field on a regional basis. The Commission, however, considered that if work were to be commenced on standards for these products it should be on a world-wide basis in view of the extensive international trade.

70. The Commission expressed its appreciation for the background paper on soups and broths and indicated that this was the type of report which it would expect in future in accordance with the guidelines for work priorities. The Commission agreed that work on soups and broths should be undertaken at some time in the future. The Secretariat was asked to send out a questionnaire to Member Governments seeking information on the following points:

- 1) type of subsidiary body to undertake the work;
- 2) terms of reference and scope of work of such a body;
- 3) whether there was a need to establish standards for (a) hygiene, (b) labelling, (c) composition;
- 4) information on national legislation relating to these products;
- 5) information on national codes of practice relating to these products.

The Commission agreed to review at its next session a paper based on replies to the above questionnaire and to decide the nature and scope of the work and what type of subsidiary body should undertake this work.

PART XII

FOOD STANDARDS WORK IN AFRICA, ASIA AND LATIN AMERICA

71. The Commission had before it two papers on food standards needs in Asia and Latin America, prepared by the Secretariat, as requested by the Commission at its Fifth Session. The Commission agreed that these papers, and the paper on Africa prepared for the Fifth Session of the Commission, should be sent to the countries of the regions concerned requesting information and suggestions for amendments, so that a more complete and up-to-date report could be put before the next session of the Commission.

72. Some delegations were of the opinion that the information contained in these papers stressed the need to consider the pattern of trade between countries, before embarking on new work. The delegation of Perú stated that there was a need for increased collaboration between the Joint FAO/WHO Food Standards Programme and COPANT (Comisión Panamericana de Normas Técnicas), a body which assumes responsibility for recommending food standards for adoption by the countries of the Latin American Free Trade Association (LAFTA), and that greater publicity should be given to the work of the Commission in the region of Latin America. The delegation of Perú further stated that it would be useful if these countries set up national Codex Committees.

73. A representative of the FAO Nutrition Division informed the Commission that FAO was at present undertaking about 430 projects in approximately 97 developing countries and that some of these projects involved food quality analysis, standardization and government food control. It was further stated that some regional activities were emerging in Africa in the field of food standardization, such as those carried out by the Regional Food and Nutrition Commission of the Organization for African Unity. It was suggested that all these activities were closely connected with the work of the Commission and that it might be desirable if the Commission were to assist these activities to a greater extent on a regional basis.

74. The delegation of Ghana stressed the need for the establishment of internationally accepted Codex standards, since, in their opinion, such standards were needed urgently by countries which did not have a sufficiently developed food industry or trained personnel with proper facilities to assist in the development of food legislation. They further stated that it was possible at present to avoid balkanization of food standards. The delegation of Ghana proposed that the Directors-General of FAO and WHO should be requested to consider how to intensify and coordinate work on food standards and food control in field projects

of both Organizations. They further proposed that support should be given by FAO and WHO in the setting up of a Coordinating Committee for Africa, and the appointment of a Coordinator. They further requested the Commission to support the recruitment of competent consultants and short term attachments by nationals of developing countries to FAO and WHO for Codex matters.

75. The Commission agreed to review again the food standards needs of the regions of Africa, Asia and Latin America at its next session.

PART XIII

REPORTS OF CODEX GENERAL SUBJECT COMMITTEES

Codex Committee on General Principles (ALINORM 69/9)

76. The Commission had before it the Report of the Third Session of the Codex Committee on General Principles.

77. The Commission decided not to deal with the question of a general standard at its present session, but to consider it at its next session. The Secretariat was asked to prepare a comprehensive paper including the comments received from Governments. Member Governments who had not already commented on the idea of a general standard were asked to do so not later than 1 September 1969.

78. The Commission confirmed under Rule IX.10 that the Codex Committee on General Principles should continue to be under the chairmanship of the Government of France.

Codex Committee on Food Labelling (ALINORM 69/22)

79. The Commission had before it the Report of the Fourth Session of the Codex Committee on Food Labelling, introduced by Dr. D.G. Chapman (Canada). The question was raised whether the terms of reference of this Committee should be amended, so that the Committee could consider advertisements in relation to claims in labelling. It was suggested that this might be done by amending (c) of the Committee's terms of reference to read 'to study specific labelling and other related problems assigned to it by the Commission'. It was agreed to consider this question further at the next session of the Commission; it was further agreed that it would be advisable to hold the next session of the Committee in Rome immediately before the next session of the Commission, in order to endorse labelling provisions in standards proposed by Commodity Committees, if this could be arranged with the Canadian Government.

80. The Commission confirmed under Rule IX.10 that the Codex Committee on Food Labelling should continue to be under the chairmanship of the Government of Canada.

Codex Committee on Food Hygiene (ALINORM 69/13)

81. The Commission had before it the Report of the Fifth Session of the Codex Committee on Food Hygiene, introduced by Mr. J.K. Kirk, US delegation. Since the Codex Committee on Food Hygiene would be considering microbiological procedures for the examination of foods in the near future, the delegation of the USA stressed the need for attendance by delegates familiar with techniques in food microbiology. The representative of WHO gave some information on the work of WHO in the field of food microbiology and also gave a short report on the work already done by the International Committee on Microbiological Specifications for Foods in this field.

82. The Commission confirmed under Rule IX.10 that the Codex Committee on Food Hygiene should continue to be under the chairmanship of the Government of the USA.

Codex Committee on Food Additives (ALINORM 69/12)

83. The Commission received a report from Dr. P. Berben (Netherlands). The Commission confirmed that the irradiation of food fell within the scope of activities of the Codex Committee on Food Additives. With regard to questions concerning the nutritional aspects of food additives, the Commission agreed that the Codex Committee on Food Additives should consider such matters. The Commission considered the General Principles for the Use of Food Additives (Appendix II to ALINORM 69/12) and noted that further government comments would be required on them. The Commission decided to defer further consideration of the definitions of 'food additive', 'contaminant' and 'process' until its next session and to request further government comments on them. The Commission noted the request of the Codex Committee on Food Additives that the responsibility for the elaboration of specifications for substances listed in Codex standards not falling within the definition of food additives, such as salt, modified protein, fish protein concentrate, should be clarified. It was agreed that, if the Codex Committee on Food Additives wished to consider any substance not clearly within its terms of reference, it should first seek the approval of the Commission. With regard to the intake of food additives, the Commission took note of the WHO computer programme for the estimation of such intake and agreed that such information was essential in order that the Codex Committee on Food Additives may carry out its work effectively. Governments were asked to supply relevant food intake data.

84. The Commission confirmed under Rule IX.10 that the Codex Committee on Food Additives should continue to be under the chairmanship of the Government of the Netherlands.

Codex Committee on Pesticide Residues (ALINORM 69/24)

85. The Commission received a report from Dr. P. Berben (Netherlands). The delegation of Canada informed the Commission that its government would act as host to an ad hoc drafting group meeting to consider general principles for the establishment of Codex tolerances and other related matters. The report of this drafting group would be submitted

to the next session of the Codex Committee on Pesticide Residues. The Commission agreed that there was no question under the General Principles of the Codex Alimentarius of Codex tolerances for pesticide residues applying only to imported produce. The delegation of Canada also emphasized the desirability of those countries considering the development of or amendment to national pesticide residue tolerances to make the fullest use of the work of the Codex Committee on Pesticide Residues.

86. With regard to pesticide residues in animal feeds, the Commission agreed that this problem warranted consideration by the Joint FAO/WHO Meeting on Pesticide Residues, but that an additional session of the FAO Working Party on Pesticide Residues to study this matter was not of high priority at this time.

87. With regard to the establishment of referee methods of analysis for pesticide residues, the Commission agreed that closer collaboration with IUPAC was desirable and that the Codex Committee on Pesticide Residues should take steps to achieve this.

88. The Commission emphasized the importance of expediting the work on pesticide residues.

89. The Commission confirmed under Rule IX.10 that the Codex Committee on Pesticide Residues should continue to be under the chairmanship of the Government of the Netherlands.

Codex Committee on Methods of Analysis and Sampling (ALINORM 69/23)

90. The Commission had before it the report of the Fourth Session of the Codex Committee on Methods of Analysis and Sampling, which was introduced by the Chairman, Prof. R. Franck (Federal Republic of Germany).

91. Following a recommendation made by the Executive Committee, the Codex Committee on Methods of Analysis and Sampling had revised the General Principles for the Establishment of Codex Methods of Analysis. These appeared as Appendix V to ALINORM 69/23. The Canadian delegation raised the question of methods which, according to the Procedural Manual (page 49) could be regarded as alternative if they had been proved to be equivalent by the Codex Committee on Methods of Analysis and Sampling, and proposed to revise this text by replacing "proved" by "judged". The Commission decided to examine this question in more detail at its next session should it appear to be necessary. The Commission agreed with the General Principles without amendment and that they should be included in the next edition of the Procedural Manual.

92. The Commission considered the proposal for a standard layout of Codex methods of analysis and decided that this layout should be circulated to Codex Commodity Committees for their information but that it should not be printed in the Procedural Manual.

93. The attention of the Commission was drawn to paragraph 99 of the report, where the Codex Committee on Methods of Analysis and Sampling suggested that the Commission establish a small group for drawing up a plan for the uniform numbering and layout of all Codex documents. It was decided that the Secretariat of the Commission, in collaboration with the Secretariat of the Codex Committee on Methods of Analysis and Sampling, should consult the Chairmen of the Codex commodity committees on this matter and submit recommendations to the next session of the Commission.

94. The Commission confirmed under Rule IX.10 that the Codex Committee on Methods of Analysis and Sampling should continue to be under the chairmanship of the Government of the Federal Republic of Germany.

PART XIV

CODEX COMMODITY COMMITTEES

Codex Committee on Meat and Meat Products and Sub-Committee I on Cutting Methods and Cuts of Carcasses

95. The Commission confirmed under Rule IX.10 that the Codex Committee on Meat and Meat Products and Sub-Committee I on Cutting Methods and Cuts of Carcasses should continue to be under the chairmanship of the Government of the Federal Republic of Germany.

Codex Committee on Poultry Meat

96. The Commission decided not to continue the existence of this Committee.

Report of the Codex Committee on Cocoa Products and Chocolate (ALINORM 69/10)

97. The Commission received a report from Prof. Dr. O. Högl (Switzerland), Chairman of the Codex Committee on Cocoa Products and Chocolate.

98. The Commission noted that at the last session of the Committee, some delegations had considered that individual standards should be drawn up for the various categories of cocoa butter permitted to be used in the manufacture of chocolate and chocolate products. Other delegations at the Committee's session had thought that it would not be necessary to establish individual standards for the various categories of cocoa butter and took the view that it would be sufficient to establish one minimum standard for cocoa fat which would be permitted for use in the final product. The Committee therefore decided to seek the views of the Commission on this issue. The Commission decided that there was nothing in the General Principles of the Codex Alimentarius which would prevent the Committee from laying down requirements for various categories of cocoa butter if the Committee thought this to be desirable.

99. The Commission confirmed that, under Rule IX.10, the Codex Committee on Cocoa Products and Chocolate should continue to be under the chairmanship of the Government of Switzerland.

Report of the Codex Committee on Sugars (ALINORM 69/21)

100. The Commission received a report from the Chairman of this Committee, Mr. J.H.V. Davies (United Kingdom). It was noted that the work of this Committee had been completed and that it had agreed to meet again not later than 1973 to review the standards.

101. The Commission confirmed that, under Rule IX.10, the Codex Committee on Sugars should continue to be under the chairmanship of the Government of the United Kingdom.

Report of the Codex Committee on Processed Fruits and Vegetables (ALINORM 69/20)

102. The Commission had before it the report of the Fifth Session of the Codex Committee on Processed Fruits and Vegetables, presented by Mr. G.R. Grange, the US delegate.

103. The delegation of China raised the question of sub-tropical fruit cocktail. It was noted that a proposal for a standard for tropical fruit salad would be before the next session of the Committee and that it would be useful for the Committee to study the suggestion of the delegation of China at the same time.

104. The Commission confirmed under Rule IX.10 that the Codex Committee on Processed Fruits and Vegetables should continue to be under the chairmanship of the Government of the U.S.A.

Report of the Codex Committee on Fats and Oils (ALINORM 69/11)

105. The Commission had before it the report of the Fifth Session of the Codex Committee on Fats and Oils, introduced by the Chairman, Mr. J.H.V. Davies (United Kingdom). The Secretary informed the Commission that the International Olive Oil Council, the Spanish Government and the Secretariat of the Commission had made arrangements to have the next session of the Codex Committee on Fats and Oils closely linked with the annual meeting of the International Olive Oil Council, when experts on olive oil would be available.

106. The Commission confirmed under Rule IX.10 that the Codex Committee on Fats and Oils should continue to be under the chairmanship of the Government of the United Kingdom.

Report of the Codex Committee on Fish and Fishery Products (ALINORM 69/18)

107. The Commission received a report from the Chairman, Dr. O.R. Braekkan (Norway).

108. The Commission confirmed under Rule IX.10 that the Codex Committee on Fish and Fishery Products should continue to be under the chairmanship of the Government of Norway.

Report of the Codex Sub-Committee IV on Processed Meat Products and Consumer Packaged Meat (ALINORM 69/16)

109. The Commission received a report from the Chairman of Sub-Committee IV, Dr. V. Enggaard (Denmark).

110. The Commission confirmed under Rule IX.10 that the Codex Sub-Committee IV on Processed Meat Products and Consumer Packaged Meat should continue to be under the chairmanship of the Government of Denmark.

Report of the Codex Committee on Foods for Special Dietary Uses (ALINORM 69/26)

111. The Commission received a report from the Codex Committee on Foods for Special Dietary Uses. During the discussion of the report, the question of the irradiation of foods for children was raised. The delegation of Israel stressed the need to deal with the problem of the irradiation of food as soon as possible. The representative of WHO stated that this question would be reviewed again in the near future by the Joint FAO/WHO/IAEA Expert Committee on the Irradiation of Food.

112. As regards the establishment of standards for strengthening and body-building foods, the Commission noted that a majority of the Codex Committee on Foods for Special Dietary Uses was of the opinion that the subject of body-building foods should not be dealt with by that Committee, because this group of products did not represent foods for special dietary uses. The Commission further noted the majority view of that Committee that some of these products could be used for dietary purposes, but that there was no need for a special standard. The Commission also took note of the fact that the Coordinating Committee for Europe had noted that the Codex Committee on Foods for Special Dietary Uses had decided not to proceed with standards for body-building foods and that the delegations of Switzerland and the Federal Republic of Germany at the session of the Coordinating Committee for Europe had regretted this decision and had indicated that they would wish to see work on these foods undertaken by a group of countries especially interested in these foods. Some delegations in the Commission held the view that the Codex Committee on Foods for Special Dietary Uses should examine foods suitable for persons suffering from protein malnutrition, since there were products on the market in developing countries which might not be of an appropriate composition from a nutritional point of view, and might have been labelled in a misleading or inadequate manner.

113. The Commission also examined the Guidelines for the Elaboration of Codex Standards for Foods for Special Dietary Uses (ALINORM 69/48), and agreed that they were suitable as guidelines for the Committees. It was also agreed that when reference to appropriate sections of these guidelines was made in standards, this should be done by quoting such sections in extenso.

114. The Commission confirmed under Rule IX.10 that the Codex Committee on Foods for Special Dietary Uses should continue to be under the chairmanship of the Government of the Federal Republic of Germany.

Report of the Codex Committee on Natural Mineral Waters (CODEX/MIN/III)

115. The Commission received a report from the Chairman, Prof. Dr. O. Högl (Switzerland). The draft standard for natural mineral waters was considered under item 19(b) of the Agenda dealing with Step 5 standards. The Commission agreed that the next stage of the work on the standard for natural mineral waters could be carried out in the Coordinating Committee for Europe.

116. The Commission confirmed under Rule IX.10 that the Codex Committee on Natural Mineral Waters should continue to be under the chairmanship of the Government of Switzerland.

Report of the Coordinating Committee for Europe (ALINORM 69/6)

117. The Commission considered the report of the Coordinating Committee for Europe. Standards contained in the report on honey, natural mineral waters and edible fungi were dealt with under their respective agenda items. Other matters, such as those dealing with foods for special dietary uses, edible ices, soups and broths were discussed under other items of the agenda.

Report of the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Fruit Juices (ALINORM 69/14)

118. The Commission received a report from the Chairman of the Fifth Session of the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Fruit Juices. The Commission noted that particular attention would be given by the Group of Experts to the methods of analysis sections of the standards at its next session.

Report of the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Quick Frozen Foods (ALINORM 69/25)

119. The Commission received a report on the salient features of the Fourth Session of the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Quick Frozen Foods.

PART XV

CODE OF PRINCIPLES CONCERNING MILK AND MILK PRODUCTS

Report on the Joint FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products (ALINORM 69/17)

120. The Commission noted the progress which had been made by the Joint FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products, at its Eleventh Session.

Governing Paragraph for the FAO/WHO Committee of Government Experts
on the Code of Principles concerning Milk and Milk Products

121. The Commission had before it

- (i) the text of paragraph 10 of the Report of the First Session of the Commission on the relationship between the Committee and the Commission, which reads as follows:

"The Commission decided to treat the present Joint FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products as a Committee of the whole of the Commission, under Rule IX.1(a) of its Rules of Procedure, having exclusive competence for all questions concerning milk and milk products. Decisions of this Committee, which is already open to all Member Countries of FAO and WHO, would therefore be decisions of the Commission in this specified field, subject to review in plenary if requested. In this way the recommendations of the Joint FAO/WHO Conference on Food Standards (see its Report, para. 39) were given full effect. The costs of the Committee were already met from the regular budget of FAO. At its Second Session, the Commission would take up the possible republication in the Codex of the Code of Principles and its associated standards."

- (ii) the redraft of paragraph 10, proposed by the Executive Committee at its Eleventh Session, which reads as follows:

"The Commission decided to treat the FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products as a Committee under Rule IX.1(a) of the Rules of Procedure. The Committee would have the right to consider all standards relating to milk and milk products, to pass them through all the steps of the Procedure for the Elaboration of Standards and to submit them to governments for acceptance, except that all decisions of the Committee, whether on standards or not, would be subject to review by the Commission at the request of any Member of the Commission. Standards formulated by the Committee of Government Experts are subject to the procedure for endorsement of certain provisions by Codex General Committees as laid down in paragraph 13 of the Guidelines for Codex Committees, pp. 47 and 48 of the Report of the Fourth Session of the Codex Alimentarius Commission, with the exception of those for Sampling and Methods of Analysis."

- (iii) the redraft of paragraph 10, proposed by the Milk and Milk Products Committee at its Eleventh Session, which reads as follows:

"The Commission decided that the FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products would be considered as a Committee

under Rule IX.1(a) of the Rules of Procedure. The Committee would have full competence for all questions concerning milk and milk products. It would consider and elaborate all codes and standards concerning milk and milk products and pass them, as appropriate, through all the steps of the Procedure for the Elaboration of International Standards for Milk Products, and submit them to governments for acceptance under the general rule that all final decisions of the Committee, whether on standards or not, might be reviewed by the Commission at the request of a Member of the Commission. Those provisions of standards formulated by the Committee of Government Experts which relate to additives, labelling and hygiene would be subject to the procedure for endorsement by the appropriate Codex General Subject Committees as laid down in paragraph 13 of the Guidelines for Codex Committees (pp. 47 and 48 of the Report of the Fourth Session of the Codex Alimentarius Commission). Methods of analysis and sampling formulated by the Committee of Government Experts would not, however, be subject to endorsement by the Codex Committee on Methods of Analysis and Sampling."

The Commission also had before it the further comments of the United Kingdom and the U.S.A. on the two redrafts.

122. The Commission agreed that the Secretariat should again seek government comments which would be submitted to the next session of the Executive Committee, and should, in particular, ask governments the following specific questions:

- (a) Should the Committee have full competence for all questions concerning milk and milk products, in view of the fact that the Milk and Milk Products Committee, although enjoying a special status vis-à-vis other subsidiary bodies of the Commission, was still a subsidiary body of the Commission. If it should, ought full competence to be taken to refer only to the technical content of the standards?
- (b) As all decisions of the Committee, whether on standards or not, are subject to review by the Commission at the request of a Member of the Commission, is it appropriate or desirable to refer to such decisions as "final decisions"?
- (c) Should the Milk Committee or the Commission deal with acceptances?

It was agreed that the attention of governments should be drawn to the question of clarifying the obligations which they considered followed from acceptance of milk and milk products standards which had already been adopted, and particularly on the application of the Code of Principles concerning Milk and Milk Products.

123. The delegation of Switzerland proposed that a decision on the above matter be postponed until the replies from governments had been received and reviewed. This proposal was carried by a vote of 16 to 12 with 4 abstentions.

124. The Commission agreed that the FAO Conference should be informed that it had not been able to resolve the problem of paragraph 10 at this session.

Edible Ices

125. The Commission had before it ALINORM 69/34 and 69/34-Add.1. The Commission was asked to decide:

- (i) whether work should be started now, or at some future stage, on standards for edible ices based on non-milk fat, as a desirable complement to the work under way on standards for edible ices based on milk fat;
- (ii) in the event of a decision in the affirmative regarding (i) above, which body should be given responsibility for elaborating standards for both types of edible ices. In this connection, the Commission noted that:
 - (a) the Committee of Government Experts on the Code of Principles concerning Milk and Milk Products, could by a modification of its Terms of Reference deal with both types of ices;
 - (b) a Codex Committee on Edible Ices could be set up to deal with ices based on milk fat and non-milk fat. The delegation of Sweden indicated that Sweden was still prepared to assume responsibility for chairing a world-wide Codex Committee for all types of edible ices;
 - (c) the Coordinating Committee for Europe, at its Sixth Session, had expressed its readiness to draw up standards for edible ices and sherbet, irrespective of the raw material involved.

126. The majority view of the Commission was that as yet a case had not been fully established for elaborating standards for edible ices. For this reason, it was agreed that a report covering the international trade in edible ices should be prepared by the Secretariat for the Seventh Session of the Commission, along the lines of the report which had been prepared by the Secretariat on soups and broths for the Sixth Session of the Commission. The Commission also agreed to suggest to the Milk and Milk Products Committee that it should not advance the standards further along the steps of the Procedure for the Elaboration of Standards, pending further consideration of this subject by the Commission at its next session. The delegation of Spain was opposed to this decision, because it considered it inappropriate and untimely so long as there was no other Committee or Group of Experts studying these subjects.

PART XVI

CONSIDERATION OF STANDARDS AT STEP 8 OF THE PROCEDURE
FOR THE ELABORATION OF CODEX STANDARDS

General Standard for the Labelling of Prepackaged Foods

127. The Commission examined the above standard, section by section, in the light of government comments, at Step 8 of the Procedure for the Elaboration of Codex Standards. The standard considered was contained in Appendix II to ALINORM 69/22. The Commission considered a proposal that the standard should be treated as being in the nature of guidelines for Codex Committees, setting out principles to which Codex Committees should have recourse in elaborating the labelling sections of Codex standards. The delegations which supported this proposal took the view that mandatory labelling provisions should be elaborated only for products for which Codex standards were being drawn up. Other delegations thought that it was even more important to have a general labelling standard for foods which were not covered by Codex standards. The Commission decided by a majority to treat the text as a general standard applicable to all prepackaged foods, whether standardized or not.

128. The following amendments to the text of Appendix II of ALINORM 69/22 were agreed to:

1. Definition of Terms

The Commission decided that the term 'component' needed to be defined, in order to clarify paragraph 3.2(ii), and agreed to the following text: " 'component' means any substance which forms part of an 'ingredient'."

3.2 List of Ingredients

Sub-paragraph 3.2(i) - The Commission agreed to add the text shown below as a further exception to this provision:

"(c) in the case of foods in respect of which the national legislation does not require a complete declaration of ingredients provided that such exemptions have been granted because (i) the food is of well known composition and (ii) the absence of a declaration of ingredients is not prejudicial to the consumer and (iii) the information provided on the label enables the consumer to understand the nature of the food."

Sub-paragraph 3.2(ii) - The Commission agreed to adopt the following text to avoid confusion between the words "ingredients" and "components":

"When an ingredient of a food has more than one component, the names of the components shall be included in the list of ingredients, except where such an ingredient is a food for which a Codex standard has been established and such standard does not require a complete list of ingredients."

Sub-paragraph 3.2(iii) - The Commission agreed to the amendment proposed by the United Kingdom, with minor editorial changes. The purpose of this amendment was to restrict the class titles for additives to those substances permitted for use in food. The delegation of the Netherlands expressed the strong view that all class titles must be well defined. The delegation of the Federal Republic of Germany was of the opinion that class titles for the first seven items of the list, especially class titles concerning oils and fats, should not be used. Since, in the view of a number of delegations, the list appeared incomplete, the Commission agreed that the list was not exhaustive and that it could be amended at a later stage by the addition of further class titles. In this connection, the Commission noted that the Codex Committee on Sugars and the Codex Committee on Food Labelling could consider the feasibility of including sugars as a class title in the list. The following text was adopted:

"A specific name shall be used for ingredients in the list of ingredients except that, for ingredients falling in the respective classes, the following class titles may be used:

starches (except modified starches)	}	in respect of substances falling in these classes appearing in Codex standards or Codex lists of food additives permitted for use in foods generally"
herbs		
spices		
animal fats		
animal oils		
vegetable fats		
vegetable oils		
vegetable gums		
colours		
flavours		
emulsifiers		
stabilizers		
preservatives		
antioxidants		
bleaching agents		
maturing agents		
thickening agents (including modified starches)		
anti-caking agents		

3.3 Net Contents

The Commission considered a proposal by the delegation of Cuba, which was supported by a number of delegations, that, as the great majority of the countries in the world operated on the metric system, there should always be a declaration of net contents in the metric (S.I. Units) system. While the Commission considered that it would be desirable to have one system of weights and measures, it did not consider it appropriate at the present time to preclude the possibility of using other systems of weights and measures. For this reason, the Commission decided to make no change in the text of the standard in respect of this matter. The following revised version of 3.3 Net Contents was agreed to:

"The net contents shall be declared in either the metric (S.I. Units) or Avoirdupois or both systems of measurements as required by the country in which the food is sold. This declaration shall be made in the following manner:

- i) for liquid foods, by volume;
- ii) for solid foods, by weight, except that when such foods are usually sold by number, a declaration by count may be made;
- iii) for semi-solid or viscous foods, either by weight or volume."

3.5 Country of Origin

The Commission considered a proposal of the delegation of Argentina that the country of origin should be declared in all cases. The Commission decided against the Argentine proposal by a majority of 19 to 15 with 1 abstention. The Commission unanimously decided to delete the word "essentially" in the phrase "processing in a second country which essentially changes its nature". The delegation of Malta indicated that they wished to see the word "processing" in the phrase "the country in which the processing is performed shall be considered to be the country of origin" replaced by the phrase "processing and re-processing". The Commission decided, however, to make no change in the present text in this respect.

Datemarking

The Commission considered a proposal of the delegation of the Federal Republic of Germany, supported by a number of delegations, to add the following text to cover datemarking of foods:

"When datemarking is provided for in a commodity standard, it should be given in clear if its purpose is to inform the consumer, but may be given in code when it is only for control or other purposes".

The Commission decided not to include this provision in the standard but agreed that it should be brought to the attention of the Codex Committee on Food Labelling for consideration as to whether it should be included in that Committee's recommendations to Codex Commodity Committees (Appendix III of ALINORM 69/22). The delegation of Senegal stated that it was important for developing countries, many of which were significant food importers, that the date beyond which the foods concerned should not be consumed be clearly indicated.

129. The Commission decided by a majority of 21 to 13 with 4 abstentions to advance the General Standard for the Labelling of Prepackaged Foods to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards.

Honey

130. The Commission had before it for consideration the Standard for Honey at Step 8 of the Procedure for the Elaboration of Regional Codex Standards. The standard was set out in ALINORM 69/43.

131. The Commission also had before it a Canadian proposal to designate the Standard for Honey as a world-wide Codex standard. The Commission decided by 8 to 2 with 19 abstentions to suspend the Procedure for the Elaboration of Codex Standards in order to deal with the Canadian proposal.

132. Following the consideration of arguments put forward by some delegations in favour of treating the standard as a world-wide Codex standard, and of arguments by other delegations in favour of treating the standard as a regional Codex standard, the Commission proceeded to vote on this issue. The Canadian proposal to designate the standard as a world-wide standard was defeated by 15 votes to 9 with 11 abstentions.

133. The Commission agreed that the following comments should be recorded and agreed on the amendments set out below:

2.1.2 Moisture content

The delegation of the Netherlands reserved its position on the decision of the Commission not to amend the maximum figure of 23% moisture content in respect of heather honey (Calluna).

2.1.5 Mineral content (ash)

Change 0.4% to 0.6%.

2.1.7 Diastase activity and hydroxymethylfurfural content

Delete the word 'immediately' in the phrase 'Determined immediately after processing and blending diastase figure on Gothe scale'. The following text is to replace the existing text:

"Honeys with low natural enzyme content, e.g. Citrus, diastase content on Gothe scale: not less than 3 provided the hydroxymethylfurfural content is not more than 15 mg/kg".

4. HYGIENE

Change the existing text to read as follows:

"It is recommended that the product covered by the provisions of this standard be prepared in accordance with the appropriate sections of the General Principles of Food Hygiene. Honey should, as far as practicable, be free from inorganic or organic matters foreign to its composition, such as mould, insects, insect debris, brood or grains of sand, when the honey appears in retail trade or is used in any product for human consumption".

5. CONTAMINANTS

Delete this section.

6. LABELLING

6.4 Country of origin

Delete the second sentence beginning "If the honey undergoes processing in a second country" since this provision would not apply to honey.

7. METHODS OF ANALYSIS AND SAMPLING

The Commission authorized the Secretariat to make minor corrections and editorial changes to the section on Methods of Analysis and Sampling on the basis of information given by the representative of APIMONDIA and the delegations of the United Kingdom and Yugoslavia.

134. The Commission agreed, with regard to analysis, that, as different results were often obtained even from using the same methods of testing, there was a need for collaborative testing between laboratories.

135. The delegation of the United States objected to the values established for diastase activity and HMF content on the grounds that much of the honey produced and consumed in the United States would not meet these values. It was the opinion of the US delegation that these provisions of the honey standard were not in conformity with the Codex Alimentarius principle of establishing minimum mandatory standards for wholesome acceptable products. The US delegation considered that the honey standard contained criteria for a special quality product which excluded much good and wholesome honey.

136. The Commission decided to advance the Standard for Honey to Step 9 of the Procedure for the Elaboration of Regional Codex Standards.

Margarine

137. The Commission reconsidered at Step 8 of the Procedure for the Elaboration of World-wide Codex Standards the standard for margarine which was contained in Appendix XX of ALINORM 69/11 and which had been held at Step 8 of the Procedure at the Commission's Fifth Session. The Commission agreed that the following comments should be recorded and decided on the amendments indicated below:

II. Description

The Commission considered a proposal by the delegation of the Netherlands to delete the word "usually" from sub-section (a) of this section. The delegation of Japan pointed out that this proposal would have the effect of excluding from the standard a type of margarine manufactured in Japan. A number of delegations supported the view of the Japanese delegation that the word "usually" should be retained in this sub-section of the standard. As opinion appeared to be more or less evenly

divided on this issue, it was decided to proceed to a vote. The Commission decided by 16 to 14 with 7 abstentions to delete the word "usually" from this sub-section. The Commission decided, however, to ask the Codex Committee on Fats and Oils to consider the product referred to by the delegation of Japan at its next session.

III. Essential Composition and Quality Factors

(a) Raw materials

- ii) The delegation of Denmark reserved its position on the decision to retain the existing text of III.(a)(ii).

Maximum Water Content

The Commission considered a proposal of the U.K. delegation to insert the following additional provision in Section III of the standard:

"Maximum water content: 16% of the product, by weight."

This question had been specifically drawn to the attention of the Commission by the Codex Committee on Fats and Oils. In view of a divergency of opinion on this issue, it was decided to proceed to a vote. The Commission decided by 18 to 16 with 3 abstentions to adopt the U.K. amendment.

IV. Food Additives

In considering the provisions on food additives, the Commission noted that a number of the food additives listed had not been endorsed by the Codex Committee on Food Additives. This was due to a variety of reasons but the main ones were that the Codex Committee on Food Additives had not yet had an opportunity to consider these provisions or that the Joint FAO/WHO Expert Committee on Food Additives had not yet made a toxicological evaluation of the substances concerned. A number of delegations indicated that their countries might not be able to accept all of the food additives listed in the standard. It was pointed out, however, that under the acceptance procedures it would be open to countries to indicate which additives they were unable to accept.

The Commission decided to make no change in the present texts of the food additives provisions of the standard but agreed to proceed as follows. The Joint FAO/WHO Expert Committee on Food Additives would be requested to consider at its next session those additives in the standard which had not yet been evaluated toxicologically. The Codex Committee on Food Additives would be requested to consider, at its next session, the endorsement of those food additives in the standard which had not yet been endorsed and for which the Expert Committee was able to establish an acceptable daily intake (ADI) or temporary ADI. The standard when sent to Governments for acceptance, would contain only those additives which had been previously endorsed, or

temporarily endorsed, and those which may be endorsed or temporarily endorsed at the next session of the Codex Committee on Food Additives. The food additives which have been or will have been temporarily endorsed would be so indicated in the standard. Those additives which will not have been endorsed or temporarily endorsed following the next session of the Codex Committee on Food Additives will be deleted from the standard before it is issued to Governments for acceptance.

The Commission also decided that the additives referred to in paragraphs 19(h), 19(i) and 19(j) of the Report of the Fifth Session of the Codex Committee on Fats and Oils and listed in the margarine standard, for which that Committee had not established levels of use or had not agreed on their technological need, should be reconsidered by the Codex Committee on Fats and Oils at its next session. The food additives agreed to, together with the proposed levels of use, would then be referred to the Codex Committee on Food Additives for endorsement. If that Committee should endorse them, there would then be the possibility of ultimately including them in the standard in accordance with the Procedure for the Revision and Amendment of Recommended Codex Standards.

VIII. Labelling

The Commission decided that the labelling section of the standard should be editorially amended to take account of the changes in the revised version of the General Standard for the Labelling of Prepackaged Foods. No changes were made in the specific labelling provisions of the standard.

The delegation of the United Kingdom indicated that, while it would have wished to see a provision regarding claims for the presence of milk fat or butter included in the standard, it did not intend to move its proposed amendment in this respect.

138. The Commission agreed to advance the margarine standard to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards. The delegations of Japan and Perú reserved their countries' positions regarding this decision.

Lard and Rendered Pork Fat

139. The Commission considered the standards at Step 8 for lard and rendered pork fat.

140. A number of delegations were of the opinion that it was not necessary to have two standards because they considered that there was no significant difference in the chemical criteria to distinguish the two products. Delegations in favour of two standards pointed out that, if a specific standard was not made for rendered pork fat, perfectly edible products would be excluded from international trade because of the general standard on fats and oils which contained more stringent provisions than those contained in the proposed standard for rendered pork fat. It was therefore decided to proceed with the detailed examination of the standard for lard and rendered pork fat.

141. On the section on food additives, the delegate of the Federal Republic of Germany stated that in his country only three antioxidants and two synergists were permitted. The delegate of Canada pointed out that the Codex Committee on Food Additives was unable to endorse NDGA (Nordihydroguaiaretic Acid) as the Joint FAO/WHO Expert Committee on Food Additives had not been able to establish an ADI for this compound, and that more recent data had shown that the substance was more toxic than shown by the data considered to-date by the Expert Committee. As a number of food additives in these standards had not yet been endorsed by the Codex Committee on Food Additives, and since this Committee had been asked to consider all the food additive provisions of the standards on fats and oils, the Commission agreed that the question of NDGA would also best be dealt with by this Committee.

142. It was decided by a majority of 14 to 9 with 8 abstentions that the standards for lard and rendered pork fat should be advanced to Step 9.

Premier Jus and Edible Tallow

143. The Commission then proceeded to consider the standards for premier jus and edible tallow submitted at Step 8.

144. The delegate of the Federal Republic of Germany made the same reservations on the section on food additives as shown in this report for the standards on lard and rendered pork fat.

145. The Commission decided to advance both standards to Step 9.

General Standard for Edible Fats and Oils not covered by individual Codex standards

146. The Commission examined the above standard, section by section, in the light of Government comments, at Step 8 of the Procedure for the Elaboration of Codex Standards. The following amendments were made to the text of the standard:

II. DESCRIPTIONS

The Commission considered a proposal to exclude edible marine oils from the definition in II(a) and to elaborate a separate standard for these products. The Commission agreed to amend the Scope section to clarify that the standard applied to fats and oils as consumed and not to fats and oils intended for further modification and processing. The following text was agreed to:

"SCOPE

This standard applies to edible oils, fats and mixtures thereof, including those that have been subjected to processes of modification but not including oils and fats which must be subjected to such processes in order

to render them suitable for human consumption. This standard does not apply to any oil or fat which is the subject of a specific Codex commodity standard and is designated by a specific name laid down in such standards."

IV. ADDITIVES

Some delegations were of the opinion that emulsifiers should be permitted in fats and oils whether or not the fats and oils were specifically designated by the name of the plant or animal concerned. Other delegations held the view that there was no technological justification for the use of emulsifiers in either fats or oils and reserved their positions. It was agreed that the prohibition against the use of emulsifiers would not apply when the name of the plant or animal source was not designated in the name of the product. As regards the flavouring and colouring of fats and oils, a number of delegations entered strong reservations concerning the addition of flavours or colours to these products on the grounds that they were not technologically justifiable. The Commission agreed by a majority to insert the following preamble under the heading colours in paragraph IV(a):

"The following colours are permitted for the purpose of restoring natural colour lost in processing or for the purpose of standardizing colour, as long as the added colour does not deceive or mislead the consumer by concealing damage or inferiority or by making the product appear to be of greater than actual value."

With regard to the use of flavours the Commission agreed to the following redrafting of paragraph IV(b):

"Natural flavours and their identical synthetic equivalents and other synthetic flavours are permitted for the purpose of restoring natural flavour lost in processing or for the purpose of standardizing flavour, as long as the added flavour does not deceive or mislead the consumer by concealing damage or inferiority or by making the product appear to be of greater than actual value."

The Commission also agreed that, since a number of food additives in the standard had not been endorsed by the Codex Committee on Food Additives, the same procedure should be followed as agreed for margarine (see paragraph 137).

VII. LABELLING

It was agreed that the labelling section of the standard should be editorially amended to take account of the changes in the revised version of the General Standard for the Labelling of Prepackaged Foods. The Commission adopted the entire labelling section of the standard without amendments.

147. The Commission decided by a majority to advance the General Standard for Edible Fats and Oils to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards. The delegations of Argentina, Cuba, Federal Republic of Germany, France, Poland, Switzerland and Venezuela wished that their reservations with respect to this decision be recorded.

Individual Standards for Edible Oils

148. The Commission examined the standards for edible soya bean oil, edible arachis oil, edible cottonseed oil, edible sunflowerseed oil, edible rapeseed oil, edible maize oil, edible sesameseed oil and edible safflowerseed oil contained in Appendices III-X of ALINORM 69/11 at Step 8 of the Procedure for the Elaboration of Codex Standards. The following comments on and amendments to the text of the various standards were made:

Food Additives

A number of delegations strongly objected to the use of colours in edible oils for the reasons stated in para.146 with respect to the General Standard for Fats and Oils. It was pointed out that it was possible to produce edible oils without adversely affecting their colour. Similar objections were raised to the use of flavours and emulsifiers. Some delegations were also of the opinion that the list of permitted food additives in the standards for fats and oils was unduly long. Other delegations were of the opinion that an international standard should accommodate as many practices as feasible provided the food additives were considered to be safe. The Commission decided to proceed in the same manner regarding unendorsed food additives as in the case of margarine (see paragraph 137), and to insert the statement given in paragraph 146 in respect of food colours and flavours.

Methods of analysis and sampling

The delegation of the USA was of the opinion that the Codex Committee on Fats and Oils should give consideration to the establishment of criteria for the fatty acid composition of edible oils using gas-liquid chromatographic methods. The Commission noted that the Codex Committee on Fats and Oils had in fact already considered this question and was proposing to consider at its next session the possibility of introducing such criteria into the standards on an advisory basis.

Labelling

The Commission agreed that the labelling section of the standards should be editorially amended to take account of the changes made to the General Standard for the Labelling of Prepackaged Foods.

149. The Commission decided by 18 to 7 with 11 abstentions to advance the standards for the edible oils listed in paragraph 148 above to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards.

150. After having discussed all the standards on fats and oils at Step 8, it was agreed that the decision taken concerning the food additives section of the standard for margarine (paragraph 137, IV) would be applicable to all the standards on fats and oils advanced to Step 9.

Canned Pacific Salmon

151. The Commission considered the standard for Canned Pacific Salmon. It was agreed to delete reference to food grade in respect of salt listed under the permitted additions to the product, and after a discussion of the provision requiring the identification of lot in code, it was agreed to leave this section unamended. A number of delegations indicated that in their opinion this section should be amended to allow the option of identification of lots in clear, and the delegation of the Federal Republic of Germany and other delegations stated that the datemarking should always be shown in clear. Several other delegations pointed out that this was not the normal practice in respect of canned fish products.

152. The Commission decided to advance the Standard for Canned Pacific Salmon to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards.

Sugars

153. The Commission examined three standards - White Sugar, Powdered (Icing) Sugar, and Soft Sugars - section by section, in the light of Government comments, at Step 8 of the Procedure for the Elaboration of World-wide Codex Standards. These standards were contained in Appendices II, III and IV to ALINORM 69/21. The Commission also considered a Note by the Secretariat on these standards (ALINORM 69/53).

154. White Sugar

Scope

It was agreed to add a 'Scope' section as follows:

"This standard applies to white sugar except that para. 3.1.4 (loss on drying) does not apply to white sugar in lump or cube form or to crystal candy sugar (crystal korizato) or to rock sugar (korizato)."

II. Essential Composition and Quality Factors

Some delegations considered that the provision for colour was too restrictive. However, the majority thought that it should not be changed.

III. Food Additives

The question was raised by several delegations as to whether sulphur dioxide, which is used during the processing of sugar essentially as a bleaching agent but not added to the end product, should be considered as an additive or a contaminant. The Commission decided to keep it in the section "Food Additives".

IV. Contaminants

Concerning the temporary endorsement of the maximum permissible level of lead, the representative of WHO informed the Commission that sufficient information was not available at present on lead intake in the total diet. Until this information was forthcoming, a definite ruling on the permissible levels of this contaminant in individual foods could not be given. This also applied to powdered sugar and soft sugars.

VI. Labelling

The Commission agreed to amend the labelling provisions (i) to delete the requirement for a complete list of ingredients, (ii) to alter the other provisions in respect of the name, to include the expressions plantation white sugar and mill white sugar in place of 'plantation white' and 'mill white', (iii) to restrict the use of these terms to products conforming to the standard, and (iv) to make it clear that, where the designations 'plantation white sugar' or 'mill white sugar', or any other equivalent name incorporating the word 'white' is used, the word 'white' shall not be given undue prominence in relation to the words 'plantation' or 'mill', or to any other word in such name.

155. Powdered Sugar (Icing Sugar)

III. Food Additives

The Commission decided to proceed in the same manner regarding unendorsed food additives as in the case of margarine (see paragraph 137).

VII. Methods of Analysis and Sampling

The ICUMSA representative declared that methods of analysis and sampling for powdered sugars would be equivalent to those endorsed for white sugars, as far as quality criteria were concerned, and that methods of analysis for minerals and food additives were under consideration by ICUMSA and would probably be agreed in London at their next session in 1970. The Commission requested the Codex Committee on Methods of Analysis and Sampling to examine these methods at the first possible opportunity.

156. Soft Sugars

The Commission agreed to amend the labelling provisions to delete the requirement for a complete list of ingredients.

157. The Commission decided to advance the three standards on sugars to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards.

General Standard for Quick Frozen Foods

158. The Commission had before it for consideration at Step 8 the General Standard for Quick Frozen Foods which had been elaborated by the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Quick Frozen Foods. The Commission had been asked for guidance by the Group of Experts as to whether this standard should be regarded as a mandatory standard or as an advisory code of practice. In this connection it took note of the discussions which had taken place within the Group of Experts on this subject as reflected in paragraph 9 of the Report of the Group of Experts' Fourth Session. The Commission decided to ask the Group of Experts to discontinue work on the General Standard and to consider the development of an advisory Code of Practice for Frozen Foods, including, where appropriate, sections of the General Standard.

159. The Commission noted that the delegations attending the meeting of the Codex Committee on Fish and Fishery Products had considered that the General Standard for Quick Frozen Foods was not suitable for fish and fishery products. The Commission agreed that, in accordance with the Terms of Reference of the Group of Experts on Quick Frozen Foods, Codex Commodity Committees dealing with specific commodity groups such as frozen fish, meat, etc., should continue to develop standards for these products. In asking the Group of Experts on Quick Frozen Foods to develop a code of practice for quick frozen foods, the Commission suggested that the Quick Frozen Foods Group should consider whether it would not be more advisable to entrust the task of elaborating codes of practice for specific commodity groups, such as fish, meat and dairy products, to the Commodity Committees concerned.

160. While the Commission appreciated the usefulness of a code of practice for quick frozen foods, it recommended that the Group of Experts on Quick Frozen Foods should give priority to the development of individual product standards.

161. The Commission noted that the Group of Experts on Quick Frozen Foods had been working in close cooperation with the International Institute of Refrigeration and the Working Party on the Transport of Perishable Foodstuffs of the Inland Transport Committee of the UNECE.

Pesticide Residue Tolerances

162. The Commission considered pesticide residue tolerances for hydrogen cyanide, malathion and inorganic bromide in raw cereals and hydrogen cyanide in flour (see Appendix II of ALINORM 69/24) at Step 8 of the Procedure for the Elaboration of World-wide Codex Standards. The Commission agreed that it was necessary to provide the tolerances with a preamble indicating the point at which they entered into force. The Commission noted that paragraph 68 of the Report of the Third Session of the Codex Committee on Pesticide Residues was relevant in this respect. It was also agreed that the tolerance for inorganic bromide should be provided with a note to indicate that the purpose of this tolerance was to control the use of the fumigants methyl bromide and ethylene dibromide. With regard to the tolerances for hydrogen cyanide a number of delegations were of the opinion that the limit of 75 ppm was too high and suggested values ranging from 15 to 25 ppm for raw cereals. Two countries were of the opinion that the limit for inorganic bromide should be lowered. It was pointed out that the level of pesticide used had to be sufficient to prevent infestation of food, particularly in hot climates. The Commission noted that the Codex Committee on Pesticide Residues was considering establishing tolerances for the unchanged organic bromide fumigants mentioned above.

163. The delegation of Cuba stressed the need for standard methods of analysis to determine pesticide residues in food, and pointed out that the differences in the levels of pesticide residues found in food may be due to the fact that different methods of analysis had been employed. It was pointed out that the Codex Committee on Pesticide Residues was considering this problem in an endeavour to establish international referee methods. The Commission noted that the Codex Committee on Pesticide Residues recommended that the absence of Codex referee methods should not hold up the advancement of the tolerances through the Procedure.

164. The Commission agreed by a majority of 24 to 4 with 5 abstentions to advance the tolerances as set out below to Step 9 of the Procedure for the Elaboration of World-wide Codex Standards. The delegation of France, while recognizing the value of fixing tolerances for raw materials such as cereal grains, recalled that the scope of the Codex Alimentarius was limited to foods which were processed, semi-processed or raw, for distribution to the consumer.

Tolerances for Pesticide Residues

The foods listed in column 2 below shall not contain more than the tolerance stated in column 3 of the pesticide residue listed in column 1 at the point of entry into a country or at the point of entry into trade channels within a country and this tolerance shall not be exceeded at any time thereafter.

Pesticide residue	Food	Tolerance in mg/kg (ppm)
<u>hydrogen cyanide</u>	raw cereals	75
<u>hydrogen cyanide</u>	flour	6
<u>inorganic bromide, determined and expressed as total bromide ion from all sources. This provision is to control the use of ethylene dibromide and methyl bromide</u> 1/	raw cereals	50
<u>malathion</u>	raw cereals	8

1/ Tolerances for the residues of the unchanged methyl bromide and ethylene dibromide may be recommended at a later date.

PART XVII

CONSIDERATION OF STANDARDS AT STEP 5 OF THE PROCEDURE FOR THE ELABORATION OF CODEX STANDARDS

165. The Commission considered the following standards at Step 5 of the Procedure for the Elaboration of Codex Standards.

Edible Fungi

166. The Commission considered the following:

- i) General Standard for Edible Fungi and Fungus Products;
- ii) Standard for Dried Edible Fungi;
- iii) European Regional Standard for Fresh Fungus Chanterelle.

167. The Commission noted that in the General Standard for Edible Fungi and Fungus Products a definition of "Fungi in olive oil and other vegetable oils" was to be supplied to the rapporteur (delegation of Poland) by the delegation of Italy. The Commission agreed that the attention of Governments should be drawn to Section 2.6 of the general standard containing a definition of mineral impurities.

While the definition itself was clear, there was some doubt as to whether the term "mineral impurities" was correct. A number of delegations thought that the definition should come under the heading of contaminants.

168. The Commission had no specific comments to make on the standard for dried edible fungi.

169. As regards the European Regional Standard for Fresh Fungus Chanterelle, the Commission noted that the definitions of defects in fresh fungi contained in the General Standard for Edible Fungi and Fungus Products applied and agreed that it would be advisable to enumerate in the standard the relevant subsections of the general standard.

170. The Commission agreed to advance the General Standard for Edible Fungi and Fungus Products and the Standard for Dried Edible Fungi to Step 6 of the Procedure for the Elaboration of World-wide Codex Standards. The Commission also agreed to advance the European Regional Standard for Fresh Fungus Chanterelle to Step 6 of the Procedure for the Elaboration of Codex Regional Standards.

Natural Mineral Waters

171. The Commission agreed that the footnote on 'decantation' in the European Regional Standard for Natural Mineral Waters should be incorporated in Section I.A. of the standard "Definition of Natural Mineral Water". The Commission also agreed that the particular attention of Governments should be drawn to paragraph 7 of the Report of the Sixth Session of the Coordinating Committee for Europe and that their comments should be invited regarding claims for natural mineral waters in respect of properties favourable to health.

172. In considering the methods of analysis and sampling section of the standard, the Commission agreed that if the Coordinating Committee for Europe was not in a position to formulate a concrete proposal as to the methods of analysis for all of the criteria listed in the standard, it should request the Codex Committee on Methods of Analysis and Sampling to undertake this task.

173. The Commission reviewed section VII of the standard "Special Prohibitions or Restrictions" and thought that it would be advisable to introduce a scope section in the standard indicating that the standard applied to natural mineral waters and to refreshing non-alcoholic drinks containing natural mineral water. In regard to ii) of section VII of the standard, the Commission thought that this subsection should be editorially amended to read as follows:

"When refreshing non-alcoholic drinks that contain natural mineral water bear the name of natural mineral water"

The Commission also thought that some of the provisions of section VII of the standard would be more appropriately dealt with under the labelling section of the standard.

174. The Commission agreed to advance the Standard for Natural Mineral Waters to Step 6 of the Procedure for the Elaboration of Regional Codex Standards and agreed that the standard should be considered by the Coordinating Committee for Europe at its next session in the light of Government comments received.

Fats and Oils

Olive Oil

175. The Commission noted that the Standard for Olive Oil, including the methods of analysis which had been endorsed by the Codex Committee on Methods of Analysis and Sampling, had been considered by the International Olive Oil Council at its last session held in November 1968 and had been found to be generally acceptable.

176. One delegation noted that the standard contained no provisions on pesticide residues, and the Commission decided that this was a matter on which Government comments should be sought.

177. The Commission was informed that the limit for solvent residues had not in fact been considered by the Codex Committee on Food Additives. The 'none' provision for solvent residues would require to be interpreted in the light of the proposed method of analysis which was able to detect levels of solvent residues down to at least 10 ppm. The Commission agreed therefore that this provision would require to be endorsed by the Codex Committee on Food Additives.

Mustardseed Oil

178. The Commission considered the standard for mustardseed oil and decided to advance it to Step 6 of the Procedure. The Commission noted that the Codex Committee on Fats and Oils had recommended that Steps 6, 7 and 8 be omitted in respect of this standard. As there was an objection to this proposal, the Commission did not proceed with it.

Fruit Juices

179. The Commission considered standards for apricot, peach and pear nectars, apple, orange, grape, tomato, lemon and grapefruit juices, as well as standards for concentrated apple, orange and grape juices, and decided to advance them to Step 6 of the Procedure for the Elaboration of Codex Standards. The Commission noted that Governments would be requested to put forward proposals as to methods of analysis for the criteria listed in the standards for consideration by the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Fruit Juices at its next session. The delegation of Yugoslavia presented a number of comments on the fruit juice standards, and the Secretariat undertook to make these comments available to the next session of the Group of Experts.

Processed Fruits and Vegetables

180. The Commission considered the standards for canned green garden peas, canned mushrooms, canned strawberries, canned plums, canned raspberries and canned fruit cocktail. The Commission agreed that they should be advanced to Step 6 of the Procedure for the Elaboration of Codex Standards. The delegation of Yugoslavia put forward a number of comments regarding these standards, and it was agreed that the delegation of Yugoslavia should communicate these comments to the Chairman of the Codex Committee on Processed Fruits and Vegetables.

Fish and Fishery Products

181. The Commission considered the standards for frozen gutted Pacific salmon, frozen fillets of cod and haddock and canned shrimps and prawns. The Commission agreed to advance them to Step 6 of the Procedure for the Elaboration of Codex Standards.

Sampling Plans for Prepackaged Foods

182. The Commission considered the Sampling Plans for Processed Fruits and Vegetables which had been considered by the Codex Committee on Processed Fruits and Vegetables at its last session. The Commission noted that the Codex Committee on Processed Fruits and Vegetables had seen no reason why these plans, which were statistical sampling plans, would not be suitable for prepackaged foods other than processed fruits and vegetables. The Commission also noted that the Joint ECE/Codex Alimentarius Group of Experts on the Standardization of Quick Frozen Foods had considered that these plans would be suitable for the products being dealt with by it, while the Codex Committee on Fish and Fishery Products thought that the plans could be made applicable to canned fish products. The Commission decided therefore to change the title of the sampling plans to make them applicable to all prepackaged foods. It was pointed out that different products might require different sampling criteria. The Commission decided that the sampling plans should be sent out to Governments for comment at Step 6 and that they should also be sent to Codex Commodity Committees for their views as to the suitability of the plans for the various products being dealt with by these Committees. These comments should be considered by the relevant Codex Commodity Committees, whose views together with the government comments should be referred to the Codex Committee on Methods of Analysis and Sampling.

183. The Commission noted that these sampling plans, which had been endorsed by the Codex Committee on Methods of Analysis and Sampling, were intended to deal with the quality evaluation of prepackaged foods but were not intended to cover factors that might present a health hazard to the consumer. In regard to this latter matter, the Commission noted the willingness of the delegation of the USA to provide the Secretariat with information which would be useful for drawing up sampling plans to cover factors involving health risks to the consumer.

Technical Procedure for Sampling Foods

184. The Commission considered the Technical Procedure for Sampling Foods contained in Appendix VI to ALINORM 69/23. The Commission decided to advance this Technical Procedure to Step 6 of the Procedure for the Elaboration of Codex Standards.

Hygiene

185. The Commission considered the codes of hygienic practice for dried fruits, desiccated coconut, dehydrated fruits and vegetables including edible fungi, and quick frozen fruit and vegetable products. The Commission agreed that these codes of hygienic practice should be advanced to Step 6 of the Procedure for the Elaboration of Codex Standards. The Commission noted the proposal of the Codex Committee on Food Hygiene that in the case of the Code of Hygienic Practice for Dried Fruits, Steps 6, 7 and 8 of the Procedure for the Elaboration of Codex Standards should be omitted. As there was no objection to this proposal, the Commission agreed that this code of hygienic practice should be sent out to Governments as a code of hygienic practice recommended by the Commission.

Pesticide Residue Tolerances

186. The Commission considered a list of tolerances, temporary tolerances and practical residue limits which had been submitted at Step 5 by the Codex Committee on Pesticide Residues (see Appendix III to ALINORM 69/24). The delegate of Argentina pointed out that some tolerances for aldrin and dieldrin were higher in the legislation which had recently been established in his country. The Secretariat was requested to submit these figures together with the relevant residue data to the next session of the Codex Committee on Pesticide Residues.

187. Some delegations of developing countries indicated that they were not able to comment constructively as to the practicability or desirability of any proposed pesticide tolerances in the absence of data from sources in their own countries, relating to the levels of pesticide residues in foods actually occurring, or found to be necessary. Such delegations indicated the need for FAO and WHO to assist their countries in the safe and most economic use of pesticides as well as on methods of analysis and the setting up and enforcement of pesticide tolerances. It was agreed that these problems should be brought to the attention of the Codex Committee on Pesticide Residues. The WHO Secretariat explained that WHO had provided assistance to Governments of Member States on such matters by granting fellowships to scientists to acquire additional training or experience in another country and by engaging experts to advise Governments, and that WHO would be pleased to receive requests for such assistance.

188. The Commission agreed to advance the list of tolerances, temporary tolerances and practical residue limits, referred to in paragraph 186 above to Step 6 of the Procedure for the Elaboration of Codex Standards.

Food Colours

189. The Commission had before it a list of food colours at Step 5 submitted by the Codex Committee on Food Additives, as given in ALINORM 69/12, Appendix VII. These colours had been given an acceptable daily intake for man by the Joint FAO/WHO Expert Committee on Food Additives and had been found by the Codex Committee on Food Additives as acceptable for use in food. In view of the fact that this list contained only a limited number of food colours, would be further extended and was not intended to be a comprehensive list of colours for use in food, the Commission decided that the list should simply be regarded as being for the information of Member Governments and commodity committees and should be published as an Appendix to this Report (see Appendix X).

PART XVIII

PROCESSED FRUIT AND VEGETABLE STANDARDS AT STEP 9

190. The delegate of the Netherlands put forward certain amendments to the standards for canned green beans and canned wax beans, canned peaches and canned applesauce, which had been approved by the Commission at Step 8 of the Procedure at its Fifth Session (see ALINORM 69/59). The Netherlands delegate explained that his delegation had felt compelled to propose these amendments in view of the Commission's decision to delete acceptance with more stringent requirements from its Acceptance Procedure.

191. The Commission decided that it was not possible to amend standards which had reached Step 9 of the Procedure and that the correct course was for these proposals to be considered by the Codex Committee on Processed Fruits and Vegetables as possible amendments to the standards. The Commission agreed that the statement of the Netherlands delegation about the lack of clarity of the drafting of the sections on packing media in the processed fruit and vegetable standards should be considered by the Secretariat in preparing the final version of the standards for circulation to Governments for acceptance.

192. The delegate of the United Kingdom proposed the restoration of certain colouring matters in the standards for canned green and wax beans and canned applesauce (see ALINORM 69/56 and 59). In the opinion of the delegate, it was not absolutely clear that these colours had not been endorsed by the Codex Committee on Food Additives. All the colours had either appeared on a list of colours acceptable for use in food produced by the Codex Committee on Food Additives or had been suggested for inclusion on a temporary basis. It was therefore not unreasonable to consider them to have been endorsed for all practical purposes.

193. The Commission concluded that these colours had not yet been endorsed by the Codex Committee on Food Additives and therefore could not be included in the standards. It would be necessary for limits to be proposed for the colours in the standard for canned applesauce (limits had been proposed for the colours in the standard for canned green and wax beans), for the matter to be considered further by the Codex Committee on Food Additives, and for that Committee to agree specifically to endorse the use of these colours in the products concerned.

194. The Commission considered the suggestion in paragraph 52 of the Report of the Codex Committee on Food Labelling that the applicable provisions of the General Standard for Food Labelling should be reproduced in extenso in each commodity standard. It was agreed that, while a clear indication of the nature of each provision should be included, it would be sufficient to insert detailed and general provisions by reference.

PART XIX

PROGRESS REPORT ON THE WORK OF THE FOOD STANDARDS PROGRAMME

195. The Commission noted the contents of document ALINORM 69/36 which indicated the progress of work made by the various subsidiary bodies of the Commission. It was agreed that it would be useful if, as suggested by the Executive Committee, this document were brought up to date from time to time and if there were references shown indicating the documents in which each of the standards listed could be found. The delegation of Poland emphasized the need to expedite the work on general subjects, so that standards would not be held up in the final stages of their development.

PART XX

TIMETABLE OF CODEX SESSIONS, 1969/70

196. The Commission had before it a timetable of Codex sessions for 1969/70 as set out in document ALINORM 69/32. The Commission noted that the Sixth Session of the Codex Committee on Food Additives would be meeting from 16 to 22 October 1969, that the Sixth Session of the Codex Committee on Fats and Oils would probably be meeting in Madrid from 19 to 22 November 1969.

197. The delegation of the United States stated that it would be helpful to their delegates if arrangements could be made to have the meeting of the Codex Committee on Foods for Special Dietary Uses follow the meeting of the Group of Experts on Fruit Juices. The delegation of Australia stated that it would be helpful to their

delegates if arrangements could be made in 1970 and thereafter to have the meeting of the Group of Experts on Quick Frozen Foods and the Group of Experts on Fruit Juices take place in consecutive weeks.

PART XXI

FUTURE WORK

198. The delegation of Poland proposed that the Commission undertake the standardization of rice. The Secretariat mentioned the work already done by FAO on grading of rice, the activities of ISO and the International Office of Cereals in the field of standardization of cereals.

199. The delegation of Hungary proposed that a general survey on the existing organizations and inspection systems on food products in the different countries of the world should be undertaken in order to select the best methods. The Secretariat said that it might be possible to provide a bibliography on this subject but the present resources were not sufficient to undertake such a survey.

200. The Commission noted that countries wishing to make proposals for future work should have regard to the Justification Criteria for the Elaboration of Codex Standards set out in Appendix IX of this Report.

201. It was agreed that at the next session of the Commission future work for the next five or ten years should be considered.

ALINORM 69/67

APPENDIX I

LIST OF PARTICIPANTS

LIST OF PARTICIPANTS *
LISTE DES PARTICIPANTS
LISTA DE PARTICIPANTES

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* The Heads of Delegations are listed first; Alternates, Advisers and Consultants are listed in alphabetical order.

Les chefs de délégations figurent en tête et les suppléants, conseillers et consultants sont énumérés par ordre alphabétique.

Figuran en primer lugar los Jefes de las delegaciones; los Suplentes, Asesores y Consultores aparecen por orden alfabético.

APPENDIX I

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- 66 -

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REPORT OF THE THIRTEENTH SESSION
OF THE
EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE

Report of the Thirteenth Session, 3 March 1969, Geneva

Introduction

1. The Executive Committee held its Thirteenth Session at WHO Headquarters in Geneva on 3 March 1969. The Committee was presided over by the Chairman of the Codex Alimentarius Commission, Mr. J. H.V. Davies, and in the presence of the three Vice-Chairmen, Mr. I.H. Smith (Australia), Mr. E. Mortensen (Denmark) and Professor Dr. O. Högl (Switzerland). The following representatives from the geographic locations mentioned were present: for Africa, Mr. K.K. Eyeson from Ghana; for Asia, Mr. K. Ando from Japan; for Europe, Mr. J. Serwatowski from Poland; for Latin America, Dr. J.H. Piazzzi from Argentina; for North America, Mr. G.R. Grange from the U.S.A.; for South-West Pacific, Mr. N.R. Woods from New Zealand. The Coordinator for Europe, Dr. R. Wildner (Austria) was also present.

Adoption of the Agenda

2. The Committee adopted the provisional agenda.

Amendments to the Guidelines for Codex Committees

3. The Executive Committee considered Appendix I to document ALINORM 69/19 containing proposed amendments to the Guidelines for Codex Committees on food labelling (13(a) of the Guidelines) and methods of analysis and sampling (13(c) of the Guidelines). The amended version of the Guidelines on food labelling had been proposed by the Executive Committee at the Twelfth Session and was confirmed at the current session.

4. In respect of methods of analysis and sampling, the Executive Committee agreed that paragraph 13(c)(iv) of the proposals in Appendix I to ALINORM 69/19 entitled "Methods of Analysis of Food Additives in Food" should be deleted since they considered that there was no reason why the Codex Committee on Food Additives could not elaborate methods of analysis for the determination of food additives in food. Accordingly, for this purpose, the Codex Committee on Food Additives was in the same position as Codex Commodity Committees, and the Executive Committee agreed that the following sentence should be added to paragraph 13(c)(i) of Appendix I to ALINORM 69/19:

"The same procedure will apply to methods of analysis for the determination of food additives in food, elaborated by the Codex Committee on Food Additives and endorsed by the Codex Committee on Methods of Analysis and Sampling."

5. The Executive Committee made no comments on the other proposals in Appendix I to ALINORM 69/19 except that they considered that the proposal contained in 13(c)(vi) entitled "Microbiological Methods of Analysis and Sampling" needed to be clarified. It was agreed

APPENDIX II

that the criterion for determining whether the Codex Committee on Food Hygiene or the Codex Committee on Methods of Analysis and Sampling would be responsible for the endorsement or the elaboration of the method should be the intended purpose of the method. It was agreed that the undermentioned text should replace the text appearing under 13(c)(vi) of Appendix I of ALINORM 69/19:

"Microbiological methods of analysis and sampling

Notwithstanding the provisions of sub-paragraph (i) above, when Codex Committees have included provisions on microbiological methods of analysis and sampling for the purpose of verifying hygiene provisions, they should be referred to the Codex Committee on Food Hygiene at the most suitable time during Steps 3, 4 and 5 of the Procedure for the Elaboration of Codex Standards which will ensure that government comments on the methods of analysis and sampling are available to the Codex Committee on Food Hygiene. The procedure to be followed will be as in sub-paragraph (i) above, substituting the Codex Committee on Food Hygiene for the Codex Committee on Methods of Analysis and Sampling. Microbiological methods of analysis and sampling elaborated by the Codex Committee on Food Hygiene for inclusion in Codex commodity standards for the purpose of verifying hygiene provisions need not be referred to the Codex Committee on Methods of Analysis and Sampling for endorsement."

6. The Executive Committee agreed to recommend the above changes to the Commission, but recognized, in regard to such microbiological methods of analysis, that there might be instances where endorsement by both Codex Committees would be necessary.

Proposed Amendments to the Rules of Procedure of the Commission

7. The Executive Committee agreed that, as Rule II.4(a) was in the nature of a paving amendment to Rule VI.3, the Commission should be asked to deal with this amendment before proceeding to the amendment of Rule VI.3.

8. The Executive Committee examined the request of the Canadian authorities that, in view of the revised amendment proposed by Canada to Rule VI.3, the Executive Committee should consider withdrawing its own amendment to Rule VI.3 contained in paragraph 21 of the Report of the Twelfth Session. There was an important difference of substance between the two amendments in that the proposed Canadian amendment was very much more restrictive in the scope it allowed for the elaboration of regional standards than that proposed by the Executive Committee. The Executive Committee therefore decided not to withdraw its own proposed amendment.

Finance

9. The Executive Committee considered document ALINORM 69/8, setting out details of the 1968/69 budget of the Programme. It was noted that the budget proposals for 1970/71 would shortly be

APPENDIX II

submitted by the Directors-General to the governing bodies of both Organizations for approval, and that it provided for the continuation of commitments currently being met out of the residual funds of Trust Fund 40, which would be exhausted at the end of 1969. It was also noted that the 1970/71 budget reflected the needs of the Programme for that period.

Estimation of the Costs of Documentation of the Codex Programme

10. The Codex Alimentarius Commission at its Fifth Session had requested the Secretariat to prepare, for consideration by the Executive Committee, estimates of the total additional cost and extra staffing which would be necessary if FAO/WHO were requested to assume responsibility for (a) translation, printing and distribution of all working documents of Codex Committees, and (b) translation, printing and distribution of reports of Codex Committees. The Executive Committee had before it document EXEC/69/2-13th S., which gave an estimate of the costs which would be involved under (a) and (b) above, excluding postage which it would not be possible to determine specifically in respect of Codex documents. In view of the information provided by the Secretariat, the Executive Committee concluded that the existing arrangements, whereby countries accepting the chairmanship of Codex Committees bore the costs involved under (a) and (b) above, were the most practical and economical way of dealing with the volume of documentation and thought therefore that there was no need to change the existing procedure.

Position of Codes of Practice in Relation to the Statutes of the Codex Alimentarius Commission

11. The Executive Committee noted the information contained in document ALINORM 69/7 and agreed that it would be useful if paragraphs 4 to 6 of that document were set out in an appendix to the Report of the Sixth Session of the Commission.

Progress Report on the FAO/WHO Food Standards Programme

12. The Committee had before it document ALINORM 69/36 which indicated, in summary form, the steps reached by the various standards being elaborated by the different Codex Committees. It was agreed that it would be desirable to bring this document up-to-date at appropriate intervals.

Matters Arising from the Codex Committee on General Principles for Consideration by the Commission

Proposed Amendments to the General Principles of the Codex Alimentarius

13. At its Third Session, the Codex Committee on General Principles considered that provision should be made in the General Principles in respect of Codes of Practice and other matters of a general scope and that the Commission's Secretariat should present to the Commission at its next session an amendment to the General Principles of the Codex Alimentarius, which would incorporate the intention of

APPENDIX II

the French delegation's proposed amendment to "The Purpose of the Codex Alimentarius". The Executive Committee had before it document ALINORM 69/39 and took note of the amendments proposed to the General Principles of the Codex Alimentarius to provide for the elaboration of codes of practice and other texts of a non-mandatory nature. The Executive Committee noted that document ALINORM 69/39 also included other amendments which had been specifically proposed by the Codex Committee on General Principles at its Third Session.

Proposed Amendments to the Procedure for the Elaboration of Codex Standards

14. The Codex Committee on General Principles at its Third Session considered that there were difficulties in interpreting Steps 9 and 10 of the Procedure for the Elaboration of Codex Standards. The reasons for these difficulties were indicated in paragraph 1 of document ALINORM 69/40. The Secretariat was requested to prepare a paper for the Sixth Session of the Commission, setting out the difficulties and putting forward suggestions for dealing with them.

15. The Executive Committee agreed with the proposed amendments contained in Appendix I to ALINORM 69/40, except in regard to one part of Step 9 of the Procedure for the Elaboration of World-Wide Codex Standards and Regional Codex Standards. The Executive Committee considered that countries which were not Members of the Commission should not be under an obligation to notify their acceptance of Codex standards but that they should be invited to accept the standards under the acceptance procedures laid down. It was agreed therefore that an amendment to this effect should be made in the text proposed by the Secretariat. Thus, in the amendment to Step 9 proposed by the Secretariat, the second sentence should read as follows:

"Members of the Commission notify the Secretariat of their acceptance ..."

instead of

"Member States and Associate Members of FAO and/or WHO notify the Secretariat of their acceptance ..."

A similar change should be made in the sentence which follows the above sentence. A concluding sentence, as follows, should be added:

"Member Nations and Associate Members of FAO and/or WHO that are not Members of the Commission are likewise invited to notify the Secretariat of their acceptance or to supply appropriate information in the event of non-acceptance."

A corresponding change should be made in the Procedure for the Elaboration of Regional Standards.

APPENDIX II

Guide to the Procedure for the Revision and Amendment of Adopted Codex Standards

16. The Committee examined the guidelines contained in Appendix II of ALINORM 69/40, which had been prepared by the Secretariat upon the request of the Codex Committee on General Principles. It was noted that there was one question which had not been covered by the Guidelines and that was whether Codex Committees could initiate the amendment or revision of Codex standards and seek government comments on such amendments without the prior approval of the Commission. The Executive Committee considered that there might be instances such as technological development or an urgent health consideration which would justify the expeditious revision or amendment of an adopted Codex standard. The Executive Committee further considered that any procedure for the revision or amendment of standards should be developed in such a way as not to undermine the status of adopted Codex standards which had been sent to governments for acceptance, unless there were compelling reasons for the consideration of a revision or an amendment.

17. The Executive Committee considered that there were three possible courses of action which should be examined by the Commission. Firstly, that the guidelines prepared by the Secretariat should remain unaltered. Secondly, that the guidelines be amended to authorize Codex Committees to initiate and proceed with the revision or amendment of a standard up to and including Step 3 without the prior approval of the Commission. Thirdly, that the guidelines be amended in such a way that when an amendment has been proposed by a Codex Committee, it should be referred to either the Commission or the Executive Committee, which could authorize the sending out of the proposed amendment at Step 3 for government comments, which would then be considered by the Codex Committee at Step 4.

Consideration of Standards by the Commission at Step 8

18. The Executive Committee agreed that the proposed text for inclusion in the Procedural Manual dealing with the consideration of Codex standards at Step 8 of the Procedure for the Elaboration of Codex Standards accurately reflected the decision of the Executive Committee at its Twelfth Session.

Timetable of Codex Meetings - 1969

19. The Executive Committee requested the Secretariat to endeavour in future in making arrangements with host governments to so schedule meetings as to facilitate travel of overseas delegates to meetings. The Secretariat undertook to explore the possibility of holding meetings of the Groups of Experts on Fruit Juices and Quick Frozen Foods in 1970 in consecutive weeks in the same location.

APPENDIX II

Amendments Proposed to the Step 9 Standards for Processed Fruits and Vegetables

20. The Executive Committee was informed that, proceeding under Rule V.5, the United Kingdom and the Netherlands had requested the inclusion of certain specific items in the Provisional Agenda of the Commission. Those items were amendments proposed to certain of the Step 9 Processed Fruit and Vegetable Standards. Concerning the amendments relating to food colours, the Executive Committee was of the opinion that, in those cases where the Codex Commodity Committee had agreed that there was a technological need for the colours, when these were endorsed by the Codex Committee on Food Additives, they should automatically be included in the standards.

Proposed Argentine Amendment to Rule XII.3

21. The Executive Committee noted that the government of Argentina had proposed an amendment to Rule XII.3 to make it obligatory on subsidiary bodies established under Rule IX.1(b) to work in English, French and Spanish. The Executive Committee, whilst appreciating the reasons for this proposal, wished to draw the Commission's attention to the fact that the Directors-General of the Organizations were to submit a report on the official and working languages of the two Organizations. Some members of the Executive Committee thought therefore that it would be inadvisable for the Commission to take a position on the proposal at this stage, pending receipt of the reports of the Directors-General and consideration of all the implications involved. The Executive Committee was of the view that as this item had been put forward for consideration by the Commission under Rule V.5, it should be discussed by the Commission at its Sixth Session.

Next Session

22. The Executive Committee expressed its appreciation of the kind invitation of the Government of Hungary to hold the Fourteenth Session of the Executive Committee in Budapest. The Executive Committee felt that it had to decline the invitation for a number of reasons, among which were the fact that only members of the Executive Committee could attend its sessions and that Hungary was not currently a member of the Executive Committee, and that it was an established practice for the Executive Committee to meet at the headquarters of either FAO or WHO. The Executive Committee requested the Chairman to reply to the Hungarian invitation.

ALINORM 69/67
APPENDIX III

OPINION OF THE LEGAL COUNSELS
OF FAO AND WHO
ON CODES OF PRACTICE IN RELATION TO
THE CODEX ALIMENTARIUS

OPINION OF THE LEGAL COUNSELS OF FAO AND WHO
ON CODES OF PRACTICE IN RELATION TO THE CODEX ALIMENTARIUS

1. The Legal Counsels of both FAO and WHO have stated that in their opinion the Commission has authority under the existing terms of the Statutes to elaborate and adopt advisory codes of practice. This opinion is based on the following considerations.

2. The terms of reference of the Codex Alimentarius Commission are defined in Article I of its Statutes which consists of an introductory clause and five paragraphs specifying the purposes of the Joint FAO/WHO Food Standards Programme. The introductory clause provides that the Commission shall be responsible for making proposals to, and shall be consulted by the Directors-General of the two Organizations on all matters pertaining to the implementation of the Food Standards Programme. This provision is qualified by a reference to Article 5 of the Statutes which authorizes the Commission to make recommendations to the governing bodies of the two Organizations through the Directors-General. The provisions of Article 5 are further spelt out in Rule VIII of the Commission's Rules of Procedure. The finalization of standards, followed by their publication in the Codex Alimentarius, is an integral part of the terms of reference of the Commission, in pursuance of Article 1(d) of its Statutes. Standards by their very nature are recommendations addressed to governments and, in effect, they are binding on those governments which have formally accepted them. Accordingly, in the opinion of the Legal Counsels

- (a) the Codex Alimentarius Commission has authority to submit to governments (through the Directors-General) recommendations pertaining to the implementation of the Joint FAO/WHO Food Standards Programme, as defined in Article 1 of its Statutes;
- (b) since the Commission has authority to adopt standards that may become binding on governments, it has a fortiori the power to elaborate and adopt guidelines in the form of codes of practice which are of a purely advisory nature.

3. On the question of drawing a distinction between codes of hygienic practice and other codes of practice, as for example codes of technological practice, the Legal Counsels are of the opinion that in paragraph (a) of Article 1 of the Commission's Statutes, the protection of the health of the consumer and the ensuring of fair practices in the food trade, which are the two explicit aims of the Food Standards Programme, must be considered as being on the same level. In other words, if codes of hygienic practice are considered as being within the terms of reference of the Commission, the same assumption must apply to any code of practice designed to promote fair practices in the food trade.

APPENDIX III

Thus, in the opinion of the Legal Counsels, the Commission has the authority to elaborate and adopt any code of practice which is designed to protect the health of the consumer and/or ensure fair practices in the food trade or which involves considerations relating to these two objectives. In this connection, it will be recognized that codes of technological practice, for example, could rarely, if ever, be said not to involve health considerations.

ALINORM 69/67
APPENDIX IV

GENERAL PRINCIPLES
OF THE
CODEX ALIMENTARIUS

APPENDIX IV

GENERAL PRINCIPLES OF THE CODEX ALIMENTARIUS

Purpose of the Codex Alimentarius

1. The Codex Alimentarius is a collection of internationally adopted food standards presented in a uniform manner. These food standards aim at protecting consumers' health and ensuring fair practices in the food trade. The Codex Alimentarius also includes provisions of an advisory nature in the form of codes of practice, guidelines and other recommended measures intended to assist in achieving the purposes of the Codex Alimentarius. 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

2. 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, pesticide residues, contaminants, labelling and presentation, methods of analysis and sampling. It also includes provisions of an advisory nature in the form of codes of practice, guidelines and other recommended measures.

Nature of Codex Standards

3. Codex standards contain requirements for food aimed at ensuring for the consumer a sound, wholesome food product free from adulteration, correctly labelled 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 criteria listed therein.

Acceptance of Codex Commodity Standards

4.A A Codex standard may be accepted by a country in accordance with its established legal and administrative procedures in respect of distribution of the product concerned, whether imported or home-produced, within its territorial jurisdiction in the following ways:

APPENDIX IV

(i) Full acceptance

- (a) Full acceptance means that the country concerned will ensure that a product to which the standard applies will be permitted to be distributed freely, in accordance with (c) below, within its territorial jurisdiction under the name and description laid down in the standard, provided that it complies with all the relevant requirements of the standard.
- (b) The country will also ensure that products not complying with the standard will not be permitted to be distributed under the name and description laid down in the standard.
- (c) The distribution of any sound products conforming with the standard will not be hindered by any legal or administrative provisions in the country concerned relating to the health of the consumer or to other food standard matters except for considerations of human, plant or animal health which are not specifically dealt with in the standard.

(ii) Target acceptance

Target acceptance means that the country concerned indicates its intention to accept the standard after a stated number of years and will meanwhile not hinder within its territorial jurisdiction the distribution of any sound products conforming with the standard by any legal or administrative provisions relating to the health of the consumer or to other food standard matters except for considerations of human, plant or animal health which are not specifically dealt with in the standard.

(iii) Acceptance with minor deviations

Acceptance with minor deviations means that the country concerned gives full acceptance as defined in paragraph 4.A(i) to the standard with the exception of minor deviations which are recognized as such by the Codex Alimentarius Commission; it being understood that a product complying with the standard as qualified by such minor deviations will be permitted to be distributed freely within the territorial jurisdiction of the country concerned. The country concerned will further include in its declaration of acceptance a statement of such deviations, the reasons for them, and also indicate:

- (a) whether products fully conforming to the standard may be distributed freely within its territorial jurisdiction in accordance with paragraph 4.A(i);
- (b) whether it expects to be able to give full acceptance to the standard and, if so, when.

APPENDIX IV

- B. A country which considers that it cannot accept the standard in any of the ways mentioned above should indicate:
- (i) whether products conforming to the standard may be distributed freely within its territorial jurisdiction;
 - (ii) in what ways its present or proposed requirements differ from the standard, and, if possible, the reasons for these differences.
- C. (i) A country which accepts a Codex standard according to one of the provisions of 4.A is responsible for the uniform and impartial application of the provisions of the standard as they apply to all home-produced and imported products distributed within its territorial jurisdiction. In addition, the country should be prepared to offer advice and guidance to exporters and processors of products for export to promote understanding of and compliance with the requirements of importing countries which have accepted a Codex standard according to one of the provisions of 4.A.
- (ii) Where, in an importing country, a product claimed to be in compliance with a Codex standard is found not to be in compliance with that standard, whether in respect of the label accompanying the product or otherwise, the importing country should inform the competent authorities in the exporting country of all the relevant facts and in particular the details of the origin of the product in question (name and address of the exporter), if it is thought that a person in the exporting country is responsible for such non-compliance.

Acceptance of Codex General Standards

5.A A Codex general standard may be accepted by a country in accordance with its established legal and administrative procedures in respect of the distribution of products to which the general standard applies, whether imported or home-produced, within its territorial jurisdiction in the following ways:

(i) Full acceptance

Full acceptance of a general standard means that the country concerned will ensure, within its territorial jurisdiction, that a product to which the general standard applies will comply with all the relevant requirements of the general standard except as otherwise provided in a Codex commodity standard. It also means that the distribution of any sound products conforming with the standard will not be hindered by any legal or administrative provisions in the country concerned, which relate to the health of the consumer or to other food standard matters and which are covered by the requirements of the general standard.

APPENDIX IV

(ii) Target acceptance

Target acceptance means that the country concerned indicates its intention to accept the general standard after a stated number of years.

(iii) Acceptance with minor deviations

Acceptance with minor deviations means that the country concerned gives full acceptance as defined in paragraph 5.A(i) to the general standard with the exception of minor deviations which are recognized as such by the Codex Alimentarius Commission. The country concerned will include in its declaration of acceptance a statement of such deviations, the reasons for them, and also indicate whether it expects to be able to give full acceptance to the general standard and, if so, when.

- B. A country which considers that it cannot accept the general standard in any of the ways mentioned above should indicate in what ways its present or proposed requirements differ from the general standard, and, if possible, the reasons for these differences.
- C. (i) A country which accepts a general standard according to one of the provisions of paragraph 5.A is responsible for the uniform and impartial application of the provisions of the standard as they apply to all home-produced and imported products distributed within its territorial jurisdiction. In addition, the country should be prepared to offer advice and guidance to exporters and processors of products for export to promote understanding of and compliance with the requirements of importing countries which have accepted a general standard according to one of the provisions of paragraph 5.A.
- (ii) Where, in an importing country, a product claimed to be in compliance with a general standard is found not to be in compliance with that standard, whether in respect of the label accompanying the product or otherwise, the importing country should inform the competent authorities in the exporting country of all the relevant facts and in particular the details of the origin of the product in question (name and address of the exporter), if it is thought that a person in the exporting country is responsible for such non-compliance.

Withdrawal or Amendment of Acceptance

6. The withdrawal or amendment of acceptance of a Codex standard by a country shall be notified in writing to the Codex Alimentarius Commission's Secretariat who will inform all Member States and Associate Members of FAO and WHO of the notification and its date of receipt. The country concerned should provide the information required under paragraphs 4.A(iii), 5.A(iii), 4.B or 5.B above, whichever is appropriate. It should also give as long a notice of the withdrawal or amendment as is practicable.

ALINORM 69/67
APPENDIX V

PROCEDURE FOR THE ELABORATION
OF
CODEX STANDARDS
AND
CODES OF PRACTICE

APPENDIX V

PROCEDURE FOR THE ELABORATION OF CODEX STANDARDS
AND CODES OF PRACTICE

INTRODUCTION

1. The sequence of the Procedure set out in this document is briefly as follows. The Commission decides that a standard should be elaborated and sets up a Codex Committee or entrusts the elaboration to some other body. The Codex Committee or other body produces a draft which at this stage is a "proposed draft standard". It is circulated to governments for comments and may be considered and further amended, in the case of a regional or group of countries proposal by the appropriate Coordinating Committee if one exists or otherwise by the Codex Committee or other body. It is then presented to the Commission as a "proposed draft standard" and the Commission uses it as the basis for producing a "draft standard". This is sent to governments for comments and in the light of these comments, and after further consideration by the Coordinating Committee or Codex Committee or other body, as the case may be, the Commission reconsiders the draft and adopts it as a "recommended standard". This is sent to governments for acceptance and is published in the Codex Alimentarius as a Codex standard, when the Commission determines that it is appropriate to do so in the light of the acceptances received.
2. Except for provisions relating to acceptance, the provisions set out in Parts 1 and 2 of this document apply, mutatis mutandis, to the elaboration of codes of practice, and, as determined by the Commission, to other texts of a non-mandatory nature.
3. It will be open to the Commission and to the Coordinating Committee, Codex Committees and other bodies dealing with the preparation, amendment or adoption of a standard at Steps 4, 5, 7 and 8 of the Procedure in Parts 1 and 2 of this document to decide that the draft be returned for further work at any appropriate previous step in the Procedure. It shall also be open to the Commission to authorize the omission of one or more of Steps 6, 7 and 8 of the Procedure in Parts 1 and 2 of this document if it considers, without dissent, that the completion of the standard is a matter of exceptional urgency or if it notes that the standard is entirely uncontroversial and that the standard has already proved to be generally agreeable to Members of the Commission.
4. It will be open to the Commission at any stage in the elaboration of a standard to entrust any of the remaining steps to a Codex Committee or other body different from that to which it was previously entrusted.
5. It will be for the Commission itself to keep under review the revision of "recommended standards". The procedure for revision

APPENDIX V

should, mutatis mutandis, be that laid down for the elaboration of Codex standards, except that, in the case of amendments to standards proposed by Codex Committees, Step 2 of the Procedure in Parts 1 and 2 of this document may be omitted.

6. The provisions set out in Part 2 of this document, apply, mutatis mutandis, to the elaboration of Codex standards for groups of countries specifically enumerated by the Commission.

APPENDIX V

PART 1

PROCEDURE FOR THE ELABORATION OF WORLD-WIDE
CODEX STANDARDS

STEP 1:

The Commission decides on the elaboration of a world-wide Codex standard and decides which subsidiary body or other body should undertake the work.

STEP 2:

The subsidiary body or other body so designated prepares a proposed draft standard, taking into account the work accomplished by the appropriate international organizations. The draft is sent to the Commission's Secretariat by the Chairman of the subsidiary body or other body.

STEP 3:

The proposed draft standard is sent by the Commission's Secretariat to Member States and Associate Members of FAO and/or WHO and to the international organizations concerned in order to obtain their comments.

STEP 4:

The Commission's Secretariat sends the comments received from governments and from the international organizations concerned to the subsidiary body or other body concerned, which has the power to consider such comments and to amend the proposed draft standard, if appropriate.

STEP 5:

The proposed draft standard is submitted through the Secretariat to the Commission with a view to its adoption as a draft standard. The Commission may, however, refer it to a special subsidiary body, set up under Rule IX.1(a) of the Rules of Procedure, before adopting it as a draft standard or may entrust the special subsidiary body with the responsibility for undertaking Steps 5, 7 and 8 of this Procedure or any part thereof.

STEP 6:

The draft standard is sent by the Commission's Secretariat for comment to all Member States and Associate Members of FAO and/or WHO and to the international organizations concerned.

APPENDIX V

STEP 7:

The comments received from governments and from the international organizations concerned are sent by the Secretariat to the subsidiary body or other body concerned, which has the power to consider such comments and amend the draft standard, if appropriate.

STEP 8:

The draft standard is submitted through the Secretariat to the Commission with a view to adoption as a recommended standard.

STEP 9:

The recommended standard is sent to all Member States and Associate Members of FAO and/or WHO and to the international organizations concerned. Members of the Commission notify the Secretariat of their acceptance of the recommended standard in accordance with the acceptance procedure laid down in paragraph 4 or in paragraph 5 of the General Principles of the Codex Alimentarius, whichever is appropriate. Member States and Associate Members of FAO and/or WHO that are not Members of the Commission are invited to notify the Secretariat if they wish to accept the recommended standard.

STEP 10:

The recommended standard will be published in the Codex Alimentarius as a world-wide Codex standard when the Commission determines that it is appropriate to do so in the light of the acceptances received.

PART 2

PROCEDURE FOR THE ELABORATION OF
REGIONAL CODEX STANDARDS

STEP 1:

On the proposal of the majority of Members belonging to a given region submitted at a session of the Codex Alimentarius Commission, the Commission decides on the elaboration of a Codex standard for the region concerned and decides which subsidiary body or other body should undertake the work.

STEP 2:

The subsidiary body or other body so designated prepares a proposed draft standard, taking into account the work accomplished by the appropriate international organizations. The draft is sent to the Commission's Secretariat by the Coordinator for the region concerned if a Coordinator has been appointed; if no Coordinator has been appointed, the draft is sent by the Chairman of the subsidiary body or other body.

STEP 3:

The proposed draft standard is sent by the Commission's Secretariat to Member States and Associate Members of FAO and/or WHO and to the international organizations concerned in order to obtain their comments.

STEP 4:

If the Commission has appointed a Coordinating Committee for the region concerned, the comments received from governments and from the international organizations concerned are sent by the Secretariat to that Committee, which has the power to consider such comments and amend the proposed draft standard, if appropriate.^{1/} If a Coordinating Committee has not been appointed, the Secretariat sends the comments received from governments and from the international organizations concerned to the subsidiary body or other body concerned, which has the power to consider such comments and to amend the proposed draft standard, if appropriate.

STEP 5:

The proposed draft standard is submitted through the Secretariat to the Commission with a view to adoption as a draft standard for the region concerned. At the appropriate session of the Commission, all Members may present their comments, take part in the debate and propose

^{1/} The meeting of the Coordinating Committee could take place immediately before or during the session of the Commission.

APPENDIX V

amendments but only the majority of the Members of the region concerned can decide to amend and adopt the draft.

STEP 6:

The draft standard for the region concerned is sent by the Commission's Secretariat for comment to all Member States and Associate Members of FAO and/or WHO and to the international organizations concerned.

STEP 7:

If the Commission has appointed a Coordinating Committee for the region concerned, the comments received from governments and from the international organizations concerned are sent by the Secretariat to that Committee which has the power to consider such comments and amend the draft standard, if appropriate.^{1/} If a Coordinating Committee has not been appointed, the Secretariat sends the comments received from governments and from the international organizations concerned to the subsidiary body or other body concerned which has the power to consider such comments and to amend the draft standard, if appropriate.

STEP 8:

The draft standard is submitted through the Secretariat to the Commission with a view to adoption as a recommended standard for the region concerned. At the appropriate session of the Commission, all Members may present their comments, take part in the debate and propose amendments but only the majority of Members of the region concerned can decide to amend and adopt the draft.

STEP 9:

The recommended standard is sent to all Member States and Associate Members of FAO and/or WHO and to the international organizations concerned. The Members of the region concerned notify the Secretariat of their acceptance of the recommended standard in accordance with the acceptance procedure laid down in paragraph 4 or in paragraph 5 of the General Principles of the Codex Alimentarius, whichever is appropriate. Other Members of the Commission may likewise notify the Secretariat of their acceptance of the recommended standard or of any other measures they propose to adopt with respect thereto, and also submit any observations as to its application. Member States and Associate Members of FAO and/or WHO that are not Members of the Commission are invited to notify the Secretariat if they wish to accept the recommended standard.

^{1/} The meeting of the Coordinating Committee could take place immediately before or during the session of the Commission.

APPENDIX V

STEP 10:

The recommended standard will be published in the Codex Alimentarius as a Codex standard for the region concerned when the Commission determines it appropriate to do so in the light of acceptances received from within the region.

STEP 11:

The Codex standard will be published in the Codex Alimentarius as a world-wide Codex standard when the Commission determines that it is appropriate to do so in the light of all acceptances received.

ALINORM 69/67

APPENDIX VI

PROCEDURE FOR THE ELABORATION
OF
MILK AND MILK PRODUCT STANDARDS

APPENDIX VI

PROCEDURE FOR THE ELABORATION OF
MILK AND MILK PRODUCT STANDARDS

STEP 1:

The Joint FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products decides on the elaboration of an international standard, collects information from the governments concerned on their national standards and other relative data and forwards copies of this information to the International Dairy Federation for the development of the first draft of an international standard.

STEP 2:

The IDF prepares a draft standard taking into account any information supplied by Member Governments or otherwise available. A report, accompanied by the draft standard, is sent to the Committee's Secretariat by IDF for distribution to Member States of FAO and WHO as a working paper for the next session of the Committee.

STEP 3:

The Committee's conclusions on the draft standard together with the draft standard as may be amended by the Committee, are published in the report of the session and are sent by the Secretariat to Member States of FAO and WHO for comment.

STEP 4:

The Committee considers the draft standard in the light of government comments and amends or revises the draft standard, if appropriate.

STEP 5: 1/

The draft standard as amended is sent out to governments for further comments.

STEP 6: 1/

The Committee further considers the draft standard in the light of government comments and adopts the final text as a recommended standard.

STEP 7:

The recommended standard is submitted by the Secretariat to governments for acceptance.

1/ It shall be open to the Committee to authorize the omission of Steps 5 and 6 of the Procedure if it considers, without dissent, that the completion of the standard is entirely uncontroversial and that the standard has already proved to be generally agreeable to the Committee.

APPENDIX VI

STEP 8:

The recommended standard is published as a standard in the Code of Principles concerning Milk and Milk Products or the Codex Alimentarius as appropriate when the Committee determines that it is appropriate to do so in the light of the acceptances received.

ALINORM 69/67
APPENDIX VII

GUIDE TO THE PROCEDURE
FOR THE
REVISION AND AMENDMENT
OF
RECOMMENDED CODEX STANDARDS

APPENDIX VII

GUIDE TO THE PROCEDURE FOR THE REVISION AND
AMENDMENT OF RECOMMENDED CODEX STANDARDS

1. Proposals for the amendment or revision of recommended Codex standards should be submitted to the Commission's Secretariat in good time (not less than three months) before the session of the Commission at which they are to be considered. The proposer of an amendment should indicate the reasons for the proposed amendment and should also state whether the proposed amendment had been previously submitted to and considered by the Codex Committee concerned and/or the Commission. If the proposed amendment has already been considered by the Codex Committee and/or the Commission, the outcome of the consideration of the proposed amendment should be stated.
 2. Taking into account such information regarding the proposed amendment as may be supplied in accordance with paragraph 1 above, the Commission will decide whether the amendment or revision of a standard is necessary. If the Commission decides in the affirmative, and the proposer of the amendment is other than a Codex Committee, the proposed amendment will be referred for consideration to the appropriate Codex Committee, if such Committee is still in existence. If such Committee is not in existence, the Commission will determine how best to deal with the proposed amendment. If the proposer of the amendment is a Codex Committee, it would be open to the Commission to decide that the proposed amendment be circulated to governments for comments prior to further consideration by the sponsoring Codex Committee.
 3. The procedure for amending or revising a Codex standard would be as laid down in paragraphs 4 and 5 of the Introduction to the Procedure for the Elaboration of Codex Standards.
 4. When the Commission has decided to amend or revise a standard, the unrevised standard will remain the applicable Codex standard until the revised standard has been adopted by the Commission.
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ALINORM 69/67
APPENDIX VIII

GUIDE TO THE CONSIDERATION OF STANDARDS AT STEP 8
OF THE
PROCEDURE FOR THE ELABORATION OF CODEX STANDARDS

APPENDIX VIII

GUIDE TO THE CONSIDERATION OF STANDARDS AT
STEP 8 OF THE PROCEDURE FOR THE ELABORATION OF CODEX STANDARDS

1. In order:

- (a) to ensure that the work of the Codex Committee concerned is not made less valuable by the passage of an insufficiently considered amendment in the Commission;
- (b) at the same time to provide scope for significant amendments to be raised and considered in the Commission;
- (c) to prevent, as far as practicable, lengthy discussion in the Commission on points that have been thoroughly argued in the Codex Committee concerned;
- (d) to ensure, as far as practicable, that delegations are given sufficient warning of amendments so that they may brief themselves adequately,

amendments to Codex standards at Step 8 should, as far as practicable, be submitted in writing, although amendments proposed in the Commission would not be excluded entirely, and the following procedure should be employed:

2. When Codex standards are distributed to Member Countries prior to their consideration by the Commission at Step 8, the Secretariat will indicate the date by which proposed amendments must be received; this date will be fixed so as to allow sufficient time for such amendments to be in the hands of governments not less than one month before the session of the Commission.

3. Governments should submit amendments in writing by the date indicated and should state that they had been previously submitted to the appropriate Codex Committee with details of the submission of the amendment or should give the reason why the amendment had not been proposed earlier, as the case may be.

4. When amendments are proposed during a session of the Commission, without prior notice, to a standard which is at Step 8, the Chairman of the Commission, after consultation with the Chairman of the appropriate Committee, or, if the Chairman is not present, with the delegate of the chairing country, or, in the case of subsidiary bodies which do not have a chairing country, with other appropriate persons, shall rule whether such amendments are substantive.

5. If an amendment ruled as substantive is agreed to by the Commission, it shall be referred to the appropriate Codex Committee for its comments and, until such comments have been received and considered by the Commission, the standard shall not be advanced beyond Step 8 of the Procedure.

ALINORM 69/67

APPENDIX IX

CRITERIA FOR THE ESTABLISHMENT OF WORK PRIORITIES
AND FOR
THE ESTABLISHMENT OF SUBSIDIARY BODIES
OF THE
CODEX ALIMENTARIUS COMMISSION

APPENDIX IX

CRITERIA FOR THE ESTABLISHMENT OF WORK PRIORITIES
AND FOR THE ESTABLISHMENT OF SUBSIDIARY BODIES OF THE
CODEX ALIMENTARIUS COMMISSION

New Work to be Undertaken by Existing Subsidiary Bodies

1. When a Codex Committee proposes to elaborate standards or codes of practice or other texts in respect of commodities or general subjects within its terms of reference, it should satisfy itself by reference to the criteria set out in paragraph 4 below that the commodities or general subjects concerned merit being made the subject of Codex standards or codes of practice or other texts, as the case may be.
2. When a Codex Committee wishes to elaborate standards or codes of practice or other texts in respect of commodities or general subjects outside its terms of reference and proposes to the Commission an amendment to its terms of reference in order to undertake such elaboration, it should accompany its proposal with a written statement to the Commission containing, as far as practicable, the information required by the appropriate section of paragraph 4 below.

New Work Which would Require the Establishment of a New Subsidiary Body

3. When a Member State wishes to propose to the Commission the elaboration of a standard or code of practice or other text which does not fall within the terms of reference of any existing subsidiary body of the Codex Alimentarius Commission, it should accompany its proposal with a written statement to the Commission containing, as far as practicable, the information required by the appropriate section of paragraph 4 below.

4. Criteria

A. Criteria applicable to commodities

- (i) Consumer protection from the point of view of health and fraudulent practices.
- (ii) Volume of production and consumption in individual countries and volume and pattern of trade between countries.
- (iii) Diversification of national legislations and apparent resultant impediments to international trade.
- (iv) Amenability of the commodity to standardization.
- (v) Number of commodities which would need separate standards indicating whether raw, semi-processed or processed.

APPENDIX IX

- (vi) Work already undertaken by other international organizations in this field.
- (vii) The type of subsidiary body envisaged to undertake the work.

B. Criteria applicable to general subjects

- (i) Consumer protection from the point of view of health and fraudulent practices.
 - (ii) Diversification of national legislations and apparent resultant impediments to international trade.
 - (iii) Scope of work and establishment of priorities between the various sections of the work.
 - (iv) Work already undertaken by other international organizations in this field.
 - (v) Type of subsidiary body envisaged to undertake the work.
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ALINORM 69/67

APPENDIX X

LIST OF FOOD COLOURS

LIST OF FOOD COLOURS
WHICH HAVE BEEN FOUND ACCEPTABLE FOR USE IN FOOD AND WHICH HAVE BEEN
GIVEN ACCEPTABLE DAILY INTAKES FOR MAN BY THE JOINT FAO/WHO EXPERT
COMMITTEE ON FOOD ADDITIVES

<u>Name of food colour</u>	<u>Colour index</u>
Amaranth	16185
Canthaxanthine	
Beta-apo-8-carotenal	
Beta-carotene	75130
Methyl ester of beta-apo-8-carotenoic acid	
Ethyl ester of beta-apo-8-carotenoic acid	
Sunset yellow FCF	15985
Tartrazine	19140

Secretariat Note:

The above list of food colours is for the information of governments and Codex Commodity Committees. The list is not intended to be exhaustive and will be extended in due course (see paragraph 189 of this Report)