



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

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REP11/EXEC

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

34th Session

Geneva, Switzerland, 4-9 July 2011

REPORT OF THE SIXTY-FIFTH SESSION OF THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

WHO Headquarters, Geneva, 28 June – 1 July 2011

TABLE OF CONTENTS

	Paragraphs
Introduction	1-2
Adoption of the Agenda	3
Critical Review for the Elaboration of Codex Standards and Related Texts	
(a) Draft Standards and Related Texts submitted to the Commission for Adoption	4-17
(b) Monitoring of Standards Development	18-28
(c) Proposals for the Elaboration of New Standards and Related Texts and for the Discontinuation of Work	29-54
Financial and Budgetary Matters	55-65
Implementation of the Codex Strategic Plan 2008-2013	
(a) General Implementation Status	66-80
(b) Preparation of the Codex Strategic Plan 2014-2019	81-122
Relations between the Codex Alimentarius Commission and other International Organizations : Applications from International Non-governmental Organizations for Observer Status in Codex	123-131
Matters arising from FAO and WHO	
a) FAO/WHO Project and Trust Fund for Enhanced Participation in Codex	132-143
b) Matters arising from FAO and WHO: consideration of requests for scientific advice	144-145
Options for Physical Working Groups	146-151
Other Business and Future Work	152-162

APPENDICES

	Page
Appendix I List of Participants	21

INTRODUCTION

1. The Executive Committee of the Codex Alimentarius Commission held its Sixty-fifth Session at WHO Headquarters, Geneva, from 28 June to 1 July 2011. Ms Karen Hulebak (United States of America), Chairperson of the Codex Alimentarius Commission, presided over the session with assistance from the three Vice-chairpersons of the Commission, Mr Knud Østergaard (Denmark), Mr Sanjay Dave (India) and Mr Ben Manyindo (Uganda). A complete list of participants is attached as Appendix I to this report.

2. The Session was opened by Dr Keiji Fukuda, Assistant Director-General - Health Security and Environment, WHO. Dr Fukuda welcomed the delegations to Geneva on behalf of FAO and WHO and said that recent food safety incidents had illustrated how globalized the food market had become, and how rapidly incidents in one country or part of the world could impact many other countries. He mentioned in particular the concern over the contamination of food with radioactive substances following the natural disaster and nuclear power plant incident in Japan; the outbreak of EHEC in Germany and the intentional contamination of food and drink with plasticisers. He said that all this emphasized the need for globally harmonized standards first and foremost to protect the consumers, but also to allow for fair practices in international food trade leading to higher expectations for Codex. He said that during the emergencies, the INFOSAN network had played once again an important role and demonstrated the importance of rapid information sharing and communication. Dr Fukuda further said that the extensive WHO reform process would help the Organization adapt to the changing complexity of public health and focus on WHO core business including setting standards, and promoting and monitoring their implementation. He confirmed WHO's commitment to support Codex work and most importantly the scientific basis of the standard-setting process and capacity building activities including the Codex Trust Fund.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

3. The Executive Committee adopted the Provisional Agenda as the Agenda for the session with the following additions under Agenda Item 8 (Other business and future work):

- Approaches Codex might take to deal with the challenges of electronic working groups;
- Future plans for the work on supporting Codex chairpersons including a retreat;
- Information on the process of the "friends of the chair";
- The terms of reference of the Codex Committee on Fresh Fruits and Vegetables specifically how it relates to the UNECE Working Party on Agricultural Quality Standards.

CRITICAL REVIEW FOR THE ELABORATION OF CODEX STANDARDS AND RELATED TEXTS

DRAFT STANDARDS AND RELATED TEXTS SUBMITTED TO THE COMMISSION FOR ADOPTION (Agenda Item 2a))²

Part I – Proposed Draft and Draft Standards and Related Texts at Steps 8, 5/8 or 5 Accelerated

Committee on Fats and Oils

Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk: Draft and Proposed Draft List of Acceptable Previous Cargoes

4. One Member expressed the view that there had been no consensus in the CCFO to forward the lists to Step 8 and that the amendments proposed in the comments had not been addressed consistently, and therefore proposed to return the Draft and Proposed Draft Lists to CCFO for further consideration or to discontinue work. The Member pointed out that the Draft Criteria to assess the acceptability of substances provided sufficient guidance to member countries and that there was no need for lists of acceptable previous cargoes.

¹ CX/EXEC 10/65/1.

² CX/EXEC 11/65/2, CX/EXEC 11/65/2-Add.1.

5. Other members recalled that the CCFO had followed the recommendation of the Executive Committee to complete its work in 2011, that these lists were very important for developing countries who relied on Codex standards as they lacked the resources for such work at the national level, and that the substances in the lists were already used by regulatory authorities and industry organisations in international trade.

6. One member noted that these were complex issues and that it was necessary to take decisions on a scientific basis and consider how this issue could be solved through different approaches if there was no consensus.

7. The Chairperson noted that the role of the Executive Committee was not to resolve differences that are outside the criteria of the critical review.

8. The Committee noted that there were no issues with the other items submitted by the Committee on Fats and Oils and recommended their adoption at Step 8.

Committee on Fish and Fishery Products (CCFFP)

9. The Committee noted that due to the timing of the CCFFP, the provisions for additives and methods of analysis in fish sauce had not been endorsed by the relevant committees and recommended that the Commission adopt the standard, with the understanding that endorsement would proceed afterwards and that any change would be brought to the next session of the Commission in 2012.

FAO/WHO Coordinating Committee for the Near East

10. The Committee noted that due to the timing of sessions, it had not been possible to endorse the provisions in the Code and standards submitted for adoption.

Proposed Draft Code of Practice for Street-Vended Foods

11. The Committee recalled that current practice was to forward regional codes of practice for street-vended foods for endorsement to the Committee on Food hygiene. The Executive Committee agreed to recommend that the Commission adopt the Code and forward it to the Committee on Food Hygiene for advice on food hygiene provisions.

Proposed Draft Regional Standard for Harissa

Proposed Draft Regional Standard for Halwa Tehenia

12. The Committee recommended that the Commission adopt both standards, and that endorsement should proceed afterwards as regards food additives and food labelling, with the understanding that any change resulting from endorsement could be made at the next session of the Commission. The section on methods of analysis and sampling would not be included in the standard at this stage but considered for adoption following its endorsement by the Committee on Methods of Analysis and Sampling in 2012.

Committee on Processed Fruits and Vegetables

13. The Committee recommended the deletions of the following methods of analysis: mineral impurities, lead and cadmium as there were no corresponding provisions in the standard; and tin as there was a pending question on the method for tin in CCPFV and CCMAS.

Other standards and related texts

14. The Committee, recognising that the criteria for the critical review were met, supported the adoption of all other texts submitted by the following Committees:

- Committee on Residues of Veterinary Drugs in Foods
- *Ad hoc* Intergovernmental Task Force on Antimicrobial Resistance
- Committee on Processed Fruits and Vegetables
- Committee on Nutrition and Foods for Special Dietary Uses
- FAO/WHO Coordinating Committee for Latin America and the Caribbean
- FAO/WHO Coordinating Committee for Asia
- Committee on Food Hygiene

- Committee on Methods of Analysis and Sampling
- Committee on Food Additives
- Committee on Contaminants in Foods
- Committee on Pesticide Residues
- Committee on Fish and Fishery Products
- Committee on Food Labelling
- Committee on Fresh Fruits and Vegetables

Part II – Proposed Draft Standards and Related Texts at Step 5

Committee on Food Additives

15. The Committee noted that although the initial target year for the revision of the Standard for Food Grade Salt was 2011, further advice was needed from the CCMAS, and encouraged the CCFA to completed the revision in 2012.

Committee on Fish and Fishery Products

16. The Committee noted that the Proposed Draft Standard for Quick Frozen Scallop Adductor Muscle Meat had been had been under consideration since 2001 and encouraged the Committee on Fish and Fishery Products to finalise the standard at its next session in October 2012, which would allow the adoption of the standard in 2013. One Member noted that this might not be possible as further issues might arise in the finalisation of the standard.

Other standards and related texts

17. The Committee recommended the adoption at Step 5 of all other Proposed Draft Standards and related texts submitted by the following subsidiary bodies:

- Committee on Pesticide Residues
- Committee on Fish and Fishery Products
- Committee on Fresh Fruits and Vegetables
- Committee on Food Labelling

MONITORING OF STANDARD DEVELOPMENT (Agenda Item 2b))3

18. The Committee considered the status of all proposed draft or draft standards and related texts under development. Individual committees are mentioned only when specific comments or recommendations were made.

Committee on Residues of Veterinary Drugs in Foods (CCRVDF)

19. The Committee invited the CCRVDF to set a target date for the completion of the Proposed Draft Sampling Plans for Residue Control of Aquatic Animal Products and Derived Edible Products of Aquatic Origin.

Committee on Processed Fruits and Vegetables (CCPFV)

20. It was recalled that coordination with the International Olive Council (IOC) in the revision of the Standard for Table Olives was carried out through the participation of IOC in the CCPFV. The Executive Committee encouraged the CCPFV to set a realistic target date, in case the revision could not be finalised at its next session for adoption in 2013.

FAO/WHO Coordinating Committee for Asia (CCASIA)

21. The Committee noted that the target date for the Proposed Draft Standard for Non Fermented Soybean Products was initially 2009 and that the standard had been returned for redrafting for the third time. The Coordinator for Asia indicated that the main questions were related to definitions of products, essential

requirements, and consistency with the format of commodity standards, and proposed to set a target date of 2015, as it was expected that the finalisation of the standard would require two more sessions. The Committee noted this target date and agreed that it was ready to provide any further assistance to CCASIA if required.

Committee on Food Hygiene (CCFH)

Revision of the Principles for Establishment and Application of Microbiological Criteria for Foods

Proposed Draft Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food

22. The Committee noted that both items under consideration were rather complex and that it might be difficult to complete work as scheduled, and invited CCFH to propose another target date if the work could not be completed at its next session.

Committee on Fish and Fishery Products (CCFFP)

Proposed Draft Standard for Smoked Fish Smoke-Flavoured Fish and Smoke-Dried Fish

23. The Committee noted that most issue had been resolved, the standard being held at Step 7 pending completion of the section on additives. The Committee encouraged the CCFFP to complete this work at its next session.

Proposed Draft Code of Practice on the Processing of Scallop Meat

24. As delays had occurred due to several issues to be addressed in the corresponding standard, which was now scheduled for adoption at Step 5, the Committee noted that work on the code was expected to progress more rapidly, and encouraged the CCFFP to set a realistic target date for its completion.

Revision of the Procedure for the Inclusion of Additional Species in Standards for Fish and Fishery Products

25. The Committee advised the CCFFP to consider simplifying its decision criteria for the inclusion of new species.

Committee on Food Labelling (CCFL)

26. The Committee encouraged the CCFL to set a target date for the completion of work on the Draft Amendment to the Guidelines for Organically Produced Foods: inclusion of ethylene for other uses (in addition to kiwifruit and bananas).

27. In reply to a question on the responsibility of the Committee on Food Labelling for organically produced foods, including organic aquaculture, it was recalled that this work had been initially allocated to the CCFL because it related to the definition of a claim, and that the Committee should consult with other technical committees when technical issues arise in its work. The Secretariat recalled that specialists of organic agriculture participated in the CCFL in their delegations and that technical issues were discussed in detail. In the case of organic aquaculture, it had been agreed to ask the advice of the Committee on Fish and Fishery Products, and the FAO Fisheries Department was involved in the development of the new section.

Committee on Food Import and Export Certification and Inspection Systems (CCFICS)

28. The Committee noted a question as to the future work of the CCFICS, as currently there was only one item of work on its agenda. The Member for the South West Pacific indicated that further sessions would be held according to the progress of current work and proposals for new work, and that CCFICS would consider adjourning if its programme of work was completed.

PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR DISCONTINUATION OF WORK (Agenda Item 2c))⁴

Part I: New work

29. The Committee recalled the criteria established in the Procedural Manual for the critical review, considered the proposals for new work and made the following comments.

FAO/WHO Coordinating Committee for Asia (CCASIA)

Tempe

30. The Coordinator for Asia gave additional information concerning tempe and said that while it was clear that tempe would become an important trade commodity in the region, it was technically difficult to calculate the inter-region or inter-state trade of this commodity due to its short shelf life; however, as recently tempe industries started improving the packaging, some tempe industries in Indonesia had started to export tempe to Malaysia, Australia and Japan, the export volume ranging between 10 - 30 tons per year. He mentioned that tempe would be a vital food and the main source of protein for vegetarians whose numbers were increasing in many countries.

31. The Coordinator said that the production of tempe could also be calculated from imports and exports of raw material for tempe, namely soybean and in the last five years, soybean imports to Indonesia grew almost 30 percent per year. Based on the practice in Indonesia, 1 kg of soybean can be processed into 1.6 kg of tempe. Thus the production of tempe in Indonesia had grown to 2,419,200 tons in 2009.

32. The Committee agreed to recommend to the Commission to approve new work on a regional standard for tempe.

Durian

33. The Committee recalled that the CCASIA had proposed to develop a regional standard for durian. The Committee noted that the project document indicated that there was worldwide trade in this commodity and also noted the information from the Chairperson of the Codex Committee on Fresh Fruits and Vegetables (CCFFV) that the workload of the CCFFV would allow it to take on new work on durian

34. The Committee agreed to recommend to the Commission that new work on an international Codex Standard for Durian be approved and undertaken by the CCFFV.

Laver products

35. The Committee recalled that the Republic of Korea had proposed new work on laver products at the Codex Committee on Fish and Fishery Products (CCFFP). The CCFFP had not agreed to request new work on this product as it was currently not covered by its terms of reference and also for other reasons it might be premature to consider an international standard for these products. The Committee had however encouraged CCASIA to develop a regional standard for laver products as proposed in the project document submitted by the Republic of Korea.

36. The Committee agreed to recommend to the Commission to approve new work on a regional standard for laver products.

⁴ CX/CAC 11/34/9, -Add.1 and -Add.2.

Codex Committee for Food Hygiene (CCFH)

Guidelines for Control of Specific Zoonotic Parasites in Meat: *Trichinella spiralis* and *Cysticercus bovis*

37. The Executive Committee noted interventions from members that it was not clear why the CCFH had chosen to give priority to these specific parasites out of all those with public health significance and that there seemed to be a contradiction in the project document which stated that the purpose of the proposed new work was “to provide risk-based guidance on control of priority biological hazards in meat” but also stated that “it is not envisaged that the Codex standard would apply a risk assessment model to determine actual levels of consumer protection afforded in different exposure scenarios”. It was mentioned that the CCFH had priority setting criteria, which they should follow.

38. The Committee also noted that the OIE had an old standard for these parasites, which it was currently updating. Some members stated that it might be premature to start work while the OIE was still working on their standard; others recalled that the mandates of Codex and OIE were different and that to ensure food safety significant Codex work was needed in addition to OIE work. It was also mentioned that this offered a good opportunity to cooperate with the OIE in order to avoid duplication or gap in areas where there is an overlap of responsibilities.

39. The representative of the WHO informed the Committee that independently of the CCFH work on the specific two parasites, FAO and WHO had just issued a call for data to identify and prioritise parasite-commodity combinations of concern to member countries.

40. One member said that the project document was clear and recognized the strong cooperation with OIE needed and it should also be considered that work had already started and a physical working group had already been scheduled. The Committee recalled that it was common practice that work started in committees before the Commission approved it but that every committee should be prepared to accept that work had to stop again if it was not approved.

41. The Committee agreed to recommend to the Commission to approve new work as proposed by the CCFH with the suggestion that they take a risk based approach in developing the document, including conducting a risk assessment; review the prioritization list that will be prepared by FAO and WHO and monitor the work at OIE to ensure that there will be no duplication of work.

Committee on Sugars (CCS)

Panela

42. The Committee recalled that Colombia had proposed in CCLAC to develop a standard for panela in the Codex Committee on Sugars (CCS). The Committee noted that the CCS was presently adjourned and that the present host country (United Kingdom) had previously stated that they would like to give up the chairmanship if another country was interested in hosting it.

43. The Committee noted also that Colombia had declared itself ready to take on the chairmanship of the CCS for the time necessary to develop a standard for panela.

44. The Committee recalled that the designation of host countries was a standing item on each session of the Commission and that it was possible that a country took responsibility for a committee and then later offered to release the committee again.

45. The Committee agreed to recommend to the Commission to approve new work on a standard for panela.

Other Proposals for New Work

46. The Committee agreed to recommend that the Commission approve all items proposed as new work as proposed in the tables in CX/CAC 10/33/9 and CX/CAC 10/33/9-Add.1 and CX/CAC 10/33/9-Add.2.

Part II: Discontinuation of work**Codex Committee on Milk and Milk Products (CCMMP)****Standard on Processed Cheese**

47. The Committee noted that CCEURO, CCNASWP and CCASIA had supported discontinuation of the work whereas CCAFRICA, CCNEA and CCLAC had supported to continue regional or international work on a Standard for Processed Cheese.

48. Whereas some members felt that work on such a standard was not necessary as there were no problems in international trade with these products, others said that standards were indispensable to protect consumers and if work would only be carried out in areas where there was a specific trade problem then most Codex work would be suspended.

49. Some members were of the opinion that if work was carried out on these products then it should be international and not regional as it was an internationally traded product.

50. One member noted that regional committees had the opportunity to pursue this issue in line with the Commission's criteria for new work.

51. One member recalled the efforts that had gone into work on a Codex Standard on Processed Cheese in the CCMMP for 16 years and where at the end a consensus had not seemed any closer than at the beginning due to the complex nature of the product.

52. One member proposed that after a period of time, the Commission could look at options that would provide general guidance to countries without going too far into details on which it might be difficult to reach a consensus.

53. After some discussion, the Committee agreed to recommend to the Commission to suspend work on this item for 3 years and that during this time countries could collect information on the difficulties that they are facing in trade of these products and provide the information to the secretariat for consideration at the CCEXEC in 2015.

Other Items

54. The Committee agreed to recommend to the Commission to discontinue work on all items as proposed in Table 2 of CX/CAC 10/33/9 and /9-Add.1.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 3)⁵**Budget 2010-2011**

55. The Secretariat recalled that FAO had moved in the 2010-11 biennium to a results-based budgeting process, connecting resource allocations to measurable results, and introduced the combined accounts for 2010-2011 and detailed expenditures by activity for 2010. Following the recommendation of the Executive Committee to use a business plan with the format proposed in CX/EXEC 10/64/3, the plan was prepared with the available figures on funding from the FAO budget and contributions from host countries. The Secretariat indicated that it would be further elaborated when the figures for the entire biennium became available.

56. In reply to a question on funding, the Secretariat indicated that the budget level was stable in 2010-2011 as compared with 2008-2009 and allowed to carry out planned activities of the Codex programme, and that there had been no change in the level of activity or structure of the secretariat.

Budget 2012-2013

57. The Committee was informed that although the budget for the biennium 2012-13 was not finalized, it was expected that it would remain approximately the same within a zero-growth scenario, apart from staff cost increases. However, further efficiency savings could be proposed following the FAO Conference (25 June-2 July 2011). In reply to a question on the areas where savings could be achieved if requested by FAO, the Secretariat indicated that it was mainly in the reduction of printing costs, and discontinuation of printed publications.

⁵ CX/CAC 11/34/11.

Sessions of the Executive Committee

58. The last session of the Committee had agreed that the Secretariat would prepare a paper considering all possible options for the schedule of sessions, including the costs involved and the possible redistribution of work. The Secretariat recalled the background to the current schedule of sessions and indicated that the total cost of a session was approximately USD 260,000. As it was not possible for budgetary reasons to hold a fourth session in the biennium, some alternative suggestions were put forward.

59. Some members expressed the view that the session of the CCEXEC held between Commission sessions might not be indispensable as the monitoring function of the critical review could be carried out at the session held prior to the Commission, as well as other tasks, and that the additional work involved for a single session per year would not be too extensive. The Committee agreed that it was preferable to retain the session before the Commission in view of the importance of the critical review of new work.

60. Some members suggested that the Executive Committee should decide on its programme of work at each session as other committees did, including the date of its next session. After some discussion, the Committee agreed that there was no need for an additional session between Commission sessions as a rule and that the sessions should be held between sessions on a case-by-case basis, as necessary in view of the workload of the Committee, with the understanding that such sessions should be planned sufficiently in advance to allow adequate funding and preparation.

61. It was agreed that the session scheduled for February 2012 would be retained, taking into account the need to progress on the development of the new Strategic Plan.

FAO/WHO Scientific Support to Codex

62. The Representative of WHO indicated that approximately 80% of the budget in WHO came from extra-budgetary resources and approximately 20% from the regular budget, and that the current severe financial situation also affected the budget for scientific advice. The current forecast is a 20% decrease in financial contributions for the 2012-13 biennium, which will have a serious impact on the activities related to food safety and scientific advice, and that if no additional resources are made available the current requests for scientific advice as brought forth by Codex Committees cannot be addressed.

63. The Representative of FAO presented the figures for scientific advice and indicated that although the situation did not appear as critical as in WHO, the final decisions on the 2012-13 budget had not yet been made and the possibility still exists that budget cuts might impact on the ability of FAO to deliver scientific advice. FAO recalled that it had established and is actively promoting the Global Initiative for Food-related Scientific Advice (GIFSA) to facilitate mobilisation of extra-budgetary funds to support such work.

64. In reply to the questions of some members about possible savings or alternative ways of carrying out risk assessment, e.g. through the use of information technology, the Representative of WHO clarified, using JECFA as example, that all the preparatory work was carried out using electronic means, but that the meeting could not be held through videoconference since many experts from many different countries of the world meet over a prolonged time period. It is difficult to host such meetings in a member country due to the legal status of JECFA in WHO and to the need for independence in expert advice.

65. The Committee noted the serious financial situation for scientific advice and stressed the importance of the work of experts in order to provide the scientific basis for Codex standards and encouraged countries to develop awareness of these issues at the national level in order to provide adequate support to FAO and WHO in the provision of scientific advice.

IMPLEMENTATION OF THE CODEX STRATEGIC PLAN 2008-2013 (Agenda Item 4)

GENERAL IMPLEMENTATION STATUS (Agenda Item 4a)⁶

66. The Committee reviewed the checklist presented in CX/CAC 11/34/12, made the following comments and recommendations presented below.

⁶ CX/CAC 11/34/12.

Goal 1: Promoting Sound Regulatory Frameworks**Activity 1.6: Explore innovative risk management frameworks**

67. One member noted that the Codex Committee on Contaminants in Foods could also be included here as it was exploring new risk management options.
68. Other members asked why there was a completion date on this activity as the exploration of innovative risk management frame should be a continuing activity.
69. The Committee noted that the completion date had been included for the work on risk management in CCPR and CCRVDF but that the completion was delayed.
70. One member suggested splitting the activity into two separate ones, one continuing concerning exploration of innovative risk management frameworks and one concerning specific revisions.
71. It was mentioned that even continuing activities should indicate a review period however the Committee noted that the strategic plan including continuing activities was reviewed every year.
72. The Committee agreed: to note that CCCF also had started working on innovative risk management option; to request that CCPR and CCRVDF strive to complete their work in this area and indicate a realistic timeframe for this; to keep in mind the ongoing nature of this activity for the new strategic plan.

Goal 2: Promoting Widest and Consistent Application of Scientific Principles and Risk Analysis**Activity 2.1: Review the consistency of risk analysis principles elaborated by the relevant Codex Committees**

73. One member asked how this activity could have been marked as completed while the CCPR was still revising their risk analysis principles.
74. The Committee noted that activity 2.1 had been completed with the discussion of the document on the review presented by the Secretariat in the CCGP and that at that moment activity 2.2 had started under which the CCPR was revising its principles. The review had considered the current risk analysis principles and policies applied by the CCPR. The revised principles, when finalized, would be forwarded to the CCGP for review according to the normal procedure.

Goal 3: Strengthening Codex Work-Management Capabilities**Activity 3.3: Develop committee- specific decision making and priority setting criteria**

75. One member suggested that following completion of this activity in might be necessary to monitor how the committees have followed the criteria and if they are sufficient.
76. The Committee agreed that this could be done in the informal meeting of chairs.

Activity 3.8: Streamline Codex Commodity work

77. One member questioned the completion of this activity as the CCPFV was now proposing to change its terms of reference to include fruit and vegetable juices.
78. The Committee noted that there had been a comprehensive review of the Codex committee structure and one of the recommendations agreed upon by the Commission at the end of this process had been to include the work on fruit and vegetable juices in the terms of reference of the CCPFV, which was now being implemented.

General comments

79. One member suggested to examine whether the process of monitoring the strategic plan had been satisfactory and successful or if and where more effort was needed based on an analysis of the notes provided by the secretariat and to consider the results when developing the new strategic plan.
80. One member mentioned as a general comment that the current plan, while a good document, did not give an indication of performance and the measurements contained were not precise enough. Indicators should be improved and overall be fewer and sharper, measuring the performance against the workplan.

PREPARATION OF THE CODEX STRATEGIC PLAN 2014-2019 (Agenda Item 4b))

81. The Committee recalled that the Chair and Vice-Chairs had prepared the working document containing a first draft of the new strategic plan, considering discussions held at FAO/WHO Coordinating Committees based on the replies to a questionnaire prepared by the bureau that had been circulated in a circular letter.

82. The Committee noted general and specific comments to take them into account in the further development of the plan.

General comments

83. It was mentioned that there was no direct reference to animal feed in the draft plan whereas this was an important issue for food safety and dealt with in Codex. It was clarified that the bureau had looked at the entire food chain when preparing the draft and animal feed had been implicitly taken into account but could also be mentioned directly at the appropriate place.

84. Several members were of the opinion that a strategic plan should be to the point and not be longer than 2-3 pages, such that it could serve as an instrument to be shown to policy makers to explain what Codex was, what it was trying to achieve and how it would address the challenges the world was facing today in the area of food safety, especially emerging risks, and fair trade practices. To achieve this some strategic issues could be pulled out of the present proposal and the detailed remainder could be used in the business plan.

85. It was suggested that the plan should contain indicators to measure its performance in order to facilitate its regular review.

86. The representative of the FAO noted that the draft showed substantial improvement as compared with the previous plan and recalled that a similar process involving interaction with members was carried out in FAO. He further said that Codex could certainly benefit from a deeper reflection on its strategies, which might however be a time consuming task.

Part 1: Strategic vision and goals**Strategic vision statement**

87. Some members were of the opinion that the statement should be as concise and clear as possible whereas the present statement seemed to be going beyond the mandate and in its second part turn into a work management statement.

88. The Committee noted that instead of reading “consumer protection including food safety and quality” it should rather read “consumer protection in relation to food safety and quality” in order to be in line with the Codex mandate in the procedural manual.

89. It was suggested that the statement could make reference to Codex having the global leadership in setting science based food safety standards and leadership to face the food safety challenges of the future.

90. The representative of FAO said that the present vision statement combined both vision and purpose and that a possible new statement might be “envisages successful protection of food safety and quality in a rapidly changing world”.

91. The Coordinator for Asia said that the CCASIA had agreed that: the current five goals of the Codex Strategic Plan were still relevant; the new Strategic Plan should include measurable indicators; the most significant challenge for Codex was to develop procedures that would, as appropriate, allow to develop standards and other texts keeping pace with the rapid developments in the food industry; and the new Strategic Plan should take into account food safety consequences of climate change and new production technologies.

92. One member stressed the importance of consumer/ public health protection and the need to focus activities on food safety and quality along the whole food chain using hazard/risk based approaches and the need to avoid misleading of consumers and ensure fair practices.

Introduction

93. The representative of FAO, making reference to the proposal to include the consequences of climate change in the introduction informed the Committee that the Directors-General of FAO, WHO and OIE had issued a tri-partite concept note in 2010 on the interagency cooperation on the emerging threats to public health at the animal, human and ecosystems health interfaces. The strategy might refer to this concept note when impacts of climate change on food safety were addressed.

94. One member suggested drafting language not so much around the term climate change but acknowledging the factors that affect the food chain and have effects on food safety, emerging risks and pathogens, such as food security, shifts in population patterns, and keeping pace with the demand for food.

95. It was suggested to avoid using populist terms and stay close to the Codex mandate and refer to “the work of Codex in the context of other changes/challenges to the food chain and changing climatic patterns”. It should be stated clearly that Codex would follow its mandate while being aware of surrounding issues.

GOAL 1: PROMOTING SOUND REGULATORY FRAMEWORKS

96. The Coordinator for Europe said that the CCEURO had agreed that it was important to include that Codex should base itself on scientific principles and other elements as stated in the procedural manual and that examples such as ethical and environmental aspects could be given.

97. It was mentioned that the description of the goal should not go into too much detail and that it was not necessary at this level to introduce the different kinds of Codex texts such as codes of practice.

98. It was suggested that the title of the goal could be closer related to the vision of Codex as trusted food standards body working on risk management at the world-wide level. One Member noted that the title of Goal 1 referred to the establishment of regulatory frameworks at the national level.

GOAL 2: PROMOTING THE WIDEST AND MOST CONSISTENT APPLICATION OF RISK ANALYSIS PRINCIPLES

99. It was mentioned that the proposed insert on the *Working Principles for Risk Analysis for Application by Governments*,” was not relevant as the paragraph dealt with the Codex process.

GOAL 3: STRENGTHENING CODEX WORK-MANAGEMENT CAPABILITIES

100. It was suggested that this goal could also incorporate goals 4 and 5 but not all members agreed with this.

101. It was mentioned that developing a clear risk analysis scheme and especially the definition of other legitimate factors could strengthen work management capabilities

102. One member said that one of the most challenging elements in Codex were precisely the “other legitimate factors” as there were different opinions between major groups of members as to the importance that should be given to such factors as compared to scientific evaluations and it was necessary for Codex to work through this issue and come to a workable solution.

GOAL 4: PROMOTING COOPERATION BETWEEN CODEX AND RELEVANT INTERNATIONAL ORGANIZATIONS

103. Some members had doubts about the stress on private standard setting bodies in the draft plan, as these bodies did not share the same principles of standard setting. It was mentioned that it was important to ensure a continuum between the farm and the fork in particular when dealing with other international organizations to avoid any gaps. Strategically Codex should look how it works with its sister international organizations rather than focusing on private standards. Private standard setting bodies combined different areas of the food chain in one frame for certification purposes and should be encouraged to share the scientific basis of Codex.

104. It was suggested to reflect on the kind of international standards that Codex wants to set. If it was the absolute minimum then it meant that those members who did not have standard setting capacity could implement Codex standards at minimum cost to provide safe food to their citizens. Private groups would set stricter standards claiming that their brand was safer than those brands using public standards, which could lead to the wrong perception in the population that products complying with public standards were unsafe. Better communication and working arrangements between public and private bodies should be found.

105. The Coordinator for Europe said that the CEURO had concluded that private standards could complement food control systems but could also create difficulties for producers due to lack of harmonization, that a definition of private standards in the SPS Committee was necessary and that Codex, FAO and WHO should continue to cooperate with the SPS Committee and other organisations, including ISO, in their work on private standards.

GOAL 5: PROMOTING MAXIMUM AND EFFECTIVE PARTICIPATION OF MEMBERS

106. It was proposed that the new items 21, 22, 24 and 25 could be included under Goal 3.

Part 2: Programme Areas and Planned Activities 2014-2019

GOAL 1: PROMOTING SOUND REGULATORY FRAMEWORKS

Activity 1.1: Review and Develop Codex Standards and Related Texts for Food Safety

107. It was mentioned that the examples concerning effects of climate change were not complete and it might be better not to include them at all.

108. It was proposed that Codex should develop a mechanism to decide in which areas standards were needed the most to be able to set clearer priorities.

Activity 1.2: Review and Develop Codex Standards and Related Texts for Food Quality

Activity 1.3: Review and Develop Codex Standards and Related Texts for Food Labelling and Nutrition

Activity 1.4: Review and Develop Codex Standards and Related Texts for Food Inspection and Certification, and Methods of Sampling and Analysis

109. Concerning the question as to how the grouping of the different work areas had been arrived at, it was clarified that this was a logical grouping based on the relations between the different work areas.

Activity 1.6 (new): Encourage FAO/WHO to Expand WHO's Foodborne Disease Burden Epidemiology Reference Group (FERG)

110. It was mentioned that the word "data" used in the context was unclear and that the text should be refined in consultation with FAO and WHO. One member noted that it should be taken into account that in some cases companies provided the data, not governments.

GOAL 2: PROMOTING THE WIDEST AND MOST CONSISTENT APPLICATION OF RISK ANALYSIS PRINCIPLES

Activity 2.2: Review risk analysis principles developed by relevant Codex Committees

111. It was mentioned that this activity was about the development of risk analysis principles, which had been completed, and that an activity was needed to examine how effectively committees are applying their principles.

GOAL 3: STRENGTHENING CODEX WORK-MANAGEMENT CAPABILITIES

Activity 3.2: Ensure effective and efficient standards management

112. It was mentioned that it should be evaluated how effective CCEXEC had been in this function especially what had changed for Committees and if they were getting the necessary guidance.

Activity 3.5A: Encourage Use of Pre-Session Working Groups at Committee Meetings to Expedite Agreement on Standards

113. It was clarified that this new activity intended to promote new, more structured approaches for working groups such as facilitation and mediation mechanisms to make progress on difficult standards.

Activity 3.9: Increase Use of Machine-Assisted Translation of Codex Documents

Activity 3.10: Increase Use of Internet-Based Virtual Meetings

Activity 3.11: Measure and Improve Efficiency of Current Process for Comment Submission

114. It was clarified that in addition to machine-assisted translation, internet-based virtual meetings and improving efficiency of the process for comment submission, there could be other ways for improving work organization.

115. Concerning activity 3.11 the Committee noted that it was not meant to launch an extensive examination of timing of comment submission but to evaluate what problems exist and how they could be addressed. The Secretariat informed the Committee that it was looking into improved systems for comment reception and compilation, and that discussions would be held on a possible cooperation with the IPPC Secretariat that had developed an electronic system to receive and automatically compile comments.

GOAL 4: PROMOTING COOPERATION BETWEEN CODEX AND RELEVANT INTERNATIONAL ORGANIZATIONS

116. No comments were made on this goal.

GOAL 5: PROMOTING MAXIMUM AND EFFECTIVE PARTICIPATION OF MEMBERS

Activity 5.7: Enhance Negotiation Skills of Delegates and Mediation Skills For Chairs

Activity 5.8: Encourage FAO and WHO to Continue Providing Capacity Building Programmes to Developing Countries and Countries in Transition

117. It was suggested to consider Activities 5.7 and 5.8 together. The representative of FAO said that FAO did not normally organize trainings for chairpersons.

118. There was some discussion as to whether Codex Contact Points (CCPs) should be included in Activity 5.7 as support to CCPs was already included under a different activity. It was mentioned that there were a number of well-organized CCPs in the world with established good practices of working and interacting with the Codex Secretariat and such lessons learned could be compiled and serve as a useful learning tool for other CCPs.

119. It was mentioned that it was not clear how improved negotiations skills for delegates could speed up finding ways out of impasses in which Codex was caught sometimes, but that defining a skill set for chairs including mediation and training for chairs could be useful for newly appointed chairs. One Member pointed out that the main quality for chairs was impartiality rather than negotiation skills.

120. The Committee noted that in the CCFICS good experiences had been gained with holding a pre-session meeting the day before the session in which the Chair walked delegates through the agenda explaining the issues and thus facilitating the understanding of the process especially for first-time delegates and enabling them to participate more actively in the Committee.

121. The Committee welcomed the offer from the Member for North America to coordinate this work. One Member suggested that to assist the Member for North America in compiling a draft strategic plan, members of the Executive Committee should provide comments to the Member for North America by 1 September 2011, with a draft strategic plan to be circulated to the Executive Committee Members by 30 October 2011.

CONCLUSION

122. The Committee agreed that based on the draft strategic plan as contained in the working document and the discussion at the session, the Executive Committee will develop a revised draft strategic plan. The Member for North America will collect and compile comments from Executive Committee members and the revised draft will be presented at the 66th Session of the Executive Committee for further discussion.

APPLICATIONS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS FOR OBSERVER STATUS IN CODEX (Agenda Item 5)⁷

123. The Executive Committee was invited, in accordance with Rule IX.6 of the Rules of Procedure, to provide advice regarding the applications for observer status of international non-governmental organizations having neither status with FAO, nor official relations with WHO.

European Chilled Food Federation (ECFF)

124. The Secretariat introduced the item and said that the Codex Secretariat and the Legal Advisors of FAO and WHO had checked the application of ECFF and found it complete and receivable.

⁷ CX/EXEC 11/65/5; CRD 1 (ECFF); CRD 2 (SSAFE) and CRD 3 (EPA).

125. The Executive Committee agreed to recommend to the Directors-General of FAO and WHO to grant observer status to ECFF.

Safe Supply of Affordable Food Everywhere (SSAFE)

126. The Secretariat introduced the item and said that SSAFE was well known to FAO, which had established a Memorandum of Understanding with them (see CRD 2). In the discussions with the Legal Advisors of FAO and WHO it was noted that the organization fulfilled most of the criteria in the *Principles*, but that there was doubt as to whether it fulfilled the criteria of being “international in structure and activity”.

127. The Secretariat informed the Committee that the *Principles* also state that: “The Directors-General of FAO and WHO may, upon the advice of the Executive Committee, grant observer status to Organizations not meeting this requirement if it is clear from their application that they would make a significant contribution to advancing the purposes of the Codex Alimentarius Commission.”

128. In this regard, the Codex Secretariat recalled that SSAFE’s mission was to “foster the continuous improvement and global acceptance of internationally recognized food protection systems and standards”.

129. Noting that SSAFE could be expected to make a significant contribution to advancing the purposes of the Codex Alimentarius Commission, the Executive Committee agreed to recommend to the Directors-General of FAO and WHO to grant observer status to SSAFE.

European Association of Polyol Producers (EPA)

130. The Secretariat introduced the item and said that the Codex Secretariat and the Legal Advisors of FAO and WHO had checked the application of EPA and found it complete and receivable but had noted that EPA was a member of a larger organization that already had observer status with the Commission, the Federation of European Food Additives, Food Enzymes and Food Cultures Industries (ELC).

131. Following previous practice in such cases to avoid a double representation, the Executive Committee agreed to recommend to the Directors-General of FAO and WHO to grant observer status to EPA on the understanding that: (1) EPA will only participate as such in Codex meetings when ELC is not represented; (2) At meetings where ELC is represented, EPA can only participate as part of the ELC delegation and not speak as EPA; and (3) EPA can submit written comments only on those issues for which ELC does not submit any comments.

MATTERS ARISING FROM FAO AND WHO (Agenda Item 6)⁸

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 6a)

132. The Representative of WHO recalled that the last session of the Commission had considered the Mid-Term Review of the Codex Trust Fund (CTF) and put forward several questions for consideration by Coordinating Committees, following which WHO and FAO had prepared the management response (CX/CAC 11/34/14-Add.1) and the Codex Trust Fund proposals to respond to Mid-term Review recommendations (CX/CAC 11/34/14-Add.1). The Representative introduced the proposals according to the Trust Fund Objectives.

Objective 1 - Widening participation in Codex

133. The options for the treatment of countries who are still eligible for support from the Codex Trust Fund were as follows:

- Option 1: No change to criteria used and follow-up by the CTF with those not meeting 50% matched funding Possible action by FAO and/or WHO
- Option 2: Additional support for LDCs and SIDS

134. Several members supported Option 2 and additional funding for LDCs and SIDS. One member pointed out that the two options were not necessarily mutually exclusive as the Trust Fund could follow up on the reasons for not meeting the matched funding requirements, which may be explained by fluctuating

⁸ CX/CAC 11/34/14, CX/CAC 11/34/14-Add.1, CX/CAC 11/34/14-Add.2.

funding at the national level, or lack of follow-up of participation in Codex meetings due to insufficient experience. The Committee concluded that Option 2 was the preferred option.

135. One member expressed the view that some countries lacked experience to select their priorities to attend Codex Committees and benefit from their participation. It was noted that raising awareness of Codex issues was part of the various training courses and support to countries carried out either through the Trust Fund or FAO/WHO activities. Another member highlighted the need to ensure adequate coordination between all activities intended to develop awareness and improve effective participation in Codex.

136. The Committee noted the following questions: whether additional support was feasible in view of the increased costs, especially if the contribution of donors was decreased; how administrative costs were calculated, as the figure of 18% seemed excessive; and whether the staff of the CTF secretariat could be increased in view of its increased workload.

137. WHO clarified that additional support was feasible within the current level of funding, as this did not concern a large number of countries; that administrative costs for the management and administration of the Trust Fund were approximately 15 %, and that this was different from the 13% programme support costs levied in agencies of the UN system. The secretariat was also applying efficiency gains, such as delegating administrative management tasks to regional offices or to institutions in countries in the case of training courses. The Committee also noted the importance of coordination between the activities of the CTF and other initiatives of FAO, WHO or member countries on a bilateral basis.

138. The Committee supported the proposals made concerning the treatment of countries who have graduated from the Codex Trust Fund and could not ensure sustainable participation.

Objective 2 - Strengthening participation in Codex

139. The Representative of WHO highlighted the main activities proposed under this objective:

- 1) Work with countries who have prioritized a specific Codex committee to build the effectiveness of their participation in the committee
- 2) Use mentoring/twinning among countries to strengthen participation
- 3) Respond to identified needs of groups of countries (regional or sub-regional) for specific Codex training

The Committee generally agreed with these activities.

Objective 3 - Enhancing technical and scientific input to Codex

140. One member stressed the importance of support for data collection on mycotoxins in sorghum in view of the public health importance of controlling mycotoxins in a wide range of cereals used for local consumption in Africa, and the relevance of Codex standards in this respect.

141. In reply to a question on the work of FAO/WHO to facilitate data collection and its relation with similar activities funded by the CTF, the Representative of WHO clarified that the data survey on mycotoxins in sorghum was funded by the EU with a special contribution and did not affect funding of other activities.

142. The Representative of FAO emphasized that it continues to place high importance on its work with member countries to reduce occurrence of mycotoxins. FAO has been providing support to the World Food Programme on issues of mycotoxins control and the two organisations are collaborating in the development of a project proposal that aims at integrated and sustainable approaches for mycotoxin control. They will jointly seek funding for the proposal. FAO and IAEA are preparing to develop improved guidance to countries on the design and interpretation of mycotoxin sampling plans in response to the numerous requests for assistance in this area.

143. The Committee agreed that there should be a balance between the three objectives of the Trust Fund and that it was necessary to ensure coordination between the activities of the Trust Fund, FAO, WHO and member countries intended to enhance participation in Codex.

MATTERS ARISING FROM FAO AND WHO: CONSIDERATION OF REQUESTS FOR SCIENTIFIC ADVICE (Agenda Item 6b))⁹

144. The Representative of WHO informed the Committee that in addition to the list of requests for scientific advice presented in the document, FAO and WHO intended to convene an expert consultation on histamine at the request of the Committee on Fish and Fishery Products.

145. The Committee acknowledged and appreciated the contribution and great efforts made by the experts who served on the FAO/WHO expert bodies. The Committee stressed the importance of the scientific basis for Codex work and encouraged countries to provide adequate support to FAO and WHO in the provision of scientific advice.

OPTIONS FOR PHYSICAL WORKING GROUPS (Agenda Item 7)

146. The Committee recalled that its last session had considered new options for physical working groups in order to address concerns about their large size and the relative lack of developing country participation, and had agreed to consider this question at its next session on the basis of a discussion paper to be prepared by the Chair and Vice-Chairs and other interested members of the CCEXEC, taking into account the discussions held in the regional Committees. The Committee noted that document CX/EXEC 11/65/7 had not been prepared due to time constraints and that coordinating committees had all discussed this issue (as summarised in CX/CAC 11/24/10).

147. The Chairperson, referring to some concerns from Coordinating Committees, pointed out that the purpose of new options was to improve participation of all regions in electronic working groups, especially developing countries. These options would not replace the current provisions applicable to physical working groups but complement them while respecting the Codex principles of openness, inclusiveness and transparency.

148. As regards the possibility for support of participants, the Representative of WHO confirmed that the Trust Fund could be used for funding participation in working groups and that it was for countries to set their priorities and apply for Trust Fund support accordingly.

149. The Committee noted the following comments in the discussion: the reference to "experts" should be clarified as in Codex meetings delegates were nominated by their governments; the exact nature of the problem to be addressed should be identified before undertaking work on new procedures, which might be a time consuming process; when controversial issues were considered it was preferable to have a wide range of views in working groups to facilitate the discussion in the plenary; and experience could be drawn from successful working groups in terms of participation and work progress.

150. One member pointed out that in some cases working groups tried to conduct their work independently without due consideration to their original mandate, and pointed out that Committees should maintain a close relationship with the working groups and provide them with clear instructions, and that Chairs should also carefully follow the process.

151. The Committee therefore agreed that this question should be further considered and recommended that the Commission ask the Committee on General Principles to consider new options for physical working groups at its next session in 2012, taking into account all comments made by the Executive Committee and regional Coordinating Committees.

⁹ CX/CAC 11/34/15.

OTHER BUSINESS AND FUTURE WORK (Agenda Item 8)**Electronic working groups**

152. The Chairperson proposed to consider issues related to the use of information technology in electronic working groups, such as the use of web-based platforms, the management of which required considerable time and expertise. The Committee agreed that the Secretariat would prepare a paper on the systems which can be used to establish web-based platforms and related processes, including considerations on their management and cost estimates, for consideration at the next sessions.

Support to Codex chairpersons/ retreat

153. The Chairperson informed the Committee that at the informal meeting of chairs the chairs would discuss subjects for future retreats.

154. One Member said that the feedback from Chairs on past retreats had been overall positive, and that chairs had found these meetings useful. The member mentioned that in the past there had been instances where committees had not operated in a consistent manner, and retreats where chairs meet and discuss such cases could promote such consistency. The Chairperson concluded that retreats were very useful to facilitate exchange between committee Chairs and supported regular retreats every two years if the budget allowed this.

155. It was suggested to call the retreats more appropriately “workshops for chairs”.

Information on the process of the “friends of the Chair”

156. The Chairperson recalled that the “friends of the Chair” process was used in other organizations and had now been used for the first time in Codex. The Chairperson informed the Committee that, working with the benefit of a professional negotiator who acted as mediator the group came up with two proposals one arguing for non adoption and one for adoption of MRLs for ractopamine. What was not visible from these proposals was that the discussion caused the surfacing of some very creative ideas that would never have been raised in plenary. The meetings had been unlike any Codex discussion more open and candid than thought possible and if such discussions were held earlier in the process it could be possible could avoid deadlocks. The Chairperson noted that the excellent participation reflected the commitment of delegations to the process.

157. Other members who had participated in the process reported similar impressions. One member who had not participated in the process said that the “friends of the chair” was an important tool to make visible what was behind positions and to put forward proposals that could not be made in plenary. This and other innovative tools to reach consensus should be explored more in the future.

158. One Member reported on participation in the facilitated working group of the Codex Committee on Food Labelling on the labelling of foods derived from modern biotechnology and said that the process had allowed looking objectively at the task and to imagine ways how to solve the problem not as the supporter of one party or the other but with the objective to find a way that could be accepted by two parties and how to arrive at a consensus.

159. The Chairperson said that the processes had been slightly different in the one case facilitated work meeting in the other a discussion through negotiation. The Chairperson was of the opinion that developing these skills was important to facilitate reaching consensus and that this could be achieved through negotiation and mediation skills workshops, and use of the manual on negotiation skills for delegates and mediation skills for Codex chairs that is currently under development.

Terms of reference of the Codex Committee on Fresh Fruits and Vegetables

160. The Coordinator for Latin America and the Caribbean speaking also as Chairperson of the Codex Committee on Fresh Fruits and Vegetables (CCFFV) informed the Committee that the Delegation of Colombia had asked to raise the issue of the terms of reference of the CCFFV in the Executive Committee, in particular concerning the way they related to the UNECE Working Party on Agricultural Quality Standards and whether the harmonization mechanism written into the TORs of the CCFFV meant that identical standards should be reached, which was difficult given that the Codex membership was much wider than that of UNECE and thus different considerations had to be made.

161. In the current situation the CCFFV had forwarded the Proposed Draft Standard for Chilli Peppers for adoption at steps 5/8, but the UNECE, which is also working on a standard for Chilli Peppers had requested to delay adoption to allow their members to consult with industry whereas at the CCFFV meeting no such concerns had been raised.

162. The Executive Committee agreed that the Commission should recommend to the CCFFV to consider its terms of reference and after completion send them the Codex Committee for General Principles for review.

APPENDIX I

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LISTE DES PARTICIPANTS
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