



**COUNCIL OF  
THE EUROPEAN UNION**

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**NOTE**

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from: Presidency  
to: Council

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Subject: Report on Codex Alimentarius negotiations progress and prospects at the next "Agriculture and Fisheries" Council on 17 May 2011

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Delegations will find in the Annex a document drawn up by the Presidency with a view to report on Codex Alimentarius negotiations progress and prospects at the Council ("Agriculture and Fisheries") session on 17 May 2011 (AOB point).

### **Codex Alimentarius negotiations progress and prospects**

The Codex Alimentarius Commission (CAC), jointly established in 1962 by the UN Food and Agriculture Organization (FAO) and the World Health Organization (WHO), develops international food standards to protect consumers and to ensure fair practices in the food trade. It also promotes the coordination of all work related to food standards undertaken by international governmental and non-governmental organisations. These standards are developed by subsidiary bodies of the CAC consisting of horizontal committees for general matters (e.g. pesticide residues) and vertical committees for specific commodities (e.g. fish and fishery products).

The Codex Alimentarius is directly relevant to the international food trade. With the advent of a global marketplace, the advantages of having universally uniform food standards for the protection of consumers and the facilitation of trade are self-evident. It is not surprising, therefore, that the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) and the Agreement on Technical Barriers to Trade (TBT Agreement), both agreements under the umbrella of the World Trade Organisation (WTO), encourage the international harmonisation of food standards and often cite Codex standards, guidelines and recommendations. In many cases, Codex standards have even acquired a certain legal relevance as they are considered to be a point of reference in cases of trade disputes between WTO members.

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

It is also important to note that in the preparation of the Codex Committee meetings intensive coordination<sup>1</sup> work is carried out in order to achieve success. The participation in the meeting means a considerable work load with full day plenary sessions, physical working groups and innumerable “on-the-spot” coordination meetings with EU member states present.

Hungary, as one of the founder countries, has been a member of the Codex Alimentarius organization from the very beginning. Furthermore Hungary has been the host country of one of the most important horizontal Committees, the Codex Committee on Methods of Analysis and Sampling (CCMAS), since 1972. This year we were honoured to host the 32<sup>nd</sup> CCMAS meeting in Budapest.

Eight different Codex Alimentarius Committee meetings were scheduled to take place during the Hungarian Presidency period from the end of February until mid-May. This has meant a very busy work load and required careful planning and cooperation from the Commission, the General Secretariat of the Council and the Presidency. Hereby we would like to state proudly that within the Codex Alimentarius work we have an exemplary cooperation between the Presidency, the Member States, the European Commission and the General Secretariat of the Council. We would like to convey our special thanks to all the colleagues of the EU Institutions and the experts from the Member States for their contribution to this work and for the excellent cooperation.

### **Major achievements by Committees during the HU PRES**

The main achievements during the HU Presidency are the following:

- The criteria for the acceptability of previous cargoes as well as the lists of acceptable previous cargoes for the transport of fats and oils;
- Preservation of authenticity of virgin olive oil and prevention of adulteration: level of linolenic acid/revision of the limits for campesterol;
- Revised Guidelines on Measurement Uncertainty;
- Establishment of the Maximum levels for melamine in liquid infant formula;

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

- Code of Practice for the Prevention and Reduction of Ethyl Carbamate Contamination in Stone Fruit Distillates;
- Preservation of characteristics of Natural Mineral Waters including microbiological criteria and contaminants;
- Promotion of the EU approach on food additives and pesticide residues;
- Compromise solution reached on the provisions for the use of hyperchlorinated water to decontaminate fish and fishery products;
- Code of Practice for Smoked Fish, Smoked-Flavoured fish and Smoked-Dried fish.

The above standards and related texts were forwarded by the relevant Committees to the 34<sup>th</sup> session of the CAC for final adoption.

### **Prospects, future work**

#### Sensitive issues under discussion during the 34th session of the Codex Alimentarius Commission

**1. Guidelines on GM labelling** - the development of guidelines on GM labelling by Codex remains very controversial, in particular between the US and the EU. This issue has been on the agenda since 1996 and despite intense negotiations, the US and their allies have managed to prevent any real progress. The US' main motivation is to prevent the adoption of any Codex text which would encourage GM labelling and also make our GM labelling framework WTO compatible while the EU is supported by many developing countries who want Codex guidance on this issue. *(This issue will be discussed at the next session of the CCFL - 9 to 13 May 2011 –and might be subject to change till the Council meeting.)*

**2. Ractopamine** is a chemical used for growth promotion in pigs and cattle in certain third countries. The use of growth promoters in food-producing animals has been banned in the EU since the end of the eighties. Maximum Residue Levels (MRLs) on ractopamine are now at the final stage of adoption at the level of the CAC. Due to strong resistance to the use of this additive, the EU (and China) managed to block any final adoption last year. At the next session of the CAC (4 to 9 July 2011), the EU will strongly oppose to the adoption of the draft MRLs for ractopamine and will make any effort to block once again its adoption. The EU position and strategy will be further discussed and agreed with the MSs in the Working Party Meetings in the Council in preparation of the forthcoming session of the CAC (1 and 22 June).

At the end of June we are going to pass the dossier to the Polish Presidency with great expectations since Poland is already participating in the preparatory work as well.

The HU PRES is looking forward to the future of the Codex work and we would like to highlight again the need for active participation of the Member States in order to represent and defend the EU's strategically important interests at a worldwide level.