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Joint FAO/WHO evaluation of the work of the Codex Alimentarius Commission

Report by the Director-General

1. In line with the provisions of resolution WHA53.15 on food safety and the request made by the FAO Programme Committee at its Eighty-sixth Session in September 2001, a report has been prepared on the joint FAO/WHO evaluation of the Codex Alimentarius Commission and other FAO and WHO work on food standards,¹ a summary of which is presented in this document, with comments by the Director-General, and an analysis of the main policy implications of the report for the work of WHO in the areas of food safety and nutrition.

SUMMARY OF THE REPORT

Purpose and conduct of the evaluation

2. The evaluation was commissioned by FAO and WHO and, although it concentrates on the FAO/WHO Codex Alimentarius Commission, it also covers all aspects of the food-standards work of FAO and WHO, which includes capacity-building and expert scientific advice. The work of the evaluation was undertaken by an independent team advised by an independent expert panel. The evaluation team consisted of five persons, three of whom, including the team leader, were external to the two organizations. The independent expert panel had 10 members drawn from all parts of the world and from stakeholder interests. The evaluation also benefited from the advice of the Executive Committee of the Codex Alimentarius Commission.

3. In the conduct of the evaluation, 24 countries were visited, in all parts of the world and at all levels of development. The evaluation team held discussions with a broad range of government and stakeholder representatives relevant to food production, control and consumption as well as with other international standard-setting organizations. Questionnaires were sent to all members of the Codex Alimentarius Commission and Member States of FAO and WHO that were not members of the Codex Alimentarius Commission and to international nongovernmental organizations and intergovernmental organizations that were observers of the Codex Alimentarius Commission and of WHO. There were two general calls for comments on the Internet, the first completely open, the second targeted to national nongovernmental organizations.

¹ The full report will be available in the meeting room.

Findings

4. The evaluation found that Codex Alimentarius Commission food standards were considered to be very important by members. The standards were perceived as vital in promoting food-control systems designed to protect consumer health, including issues related to international trade and the agreements on the Application of Sanitary and Phytosanitary Measures and on Technical Barriers to Trade of WTO. Codex standards also provide a basis for standard-setting by smaller and less developed countries. The capacity-building activities of FAO, WHO and the Codex Alimentarius Commission were found to be continuing to make a substantial contribution both internationally and to individual countries which were thereby better able to protect their own citizens and to benefit from an increasingly globalized market in food.

5. The following main areas for improvement were identified:

- greater speed in Codex Alimentarius Commission work and provision of expert scientific advice;
- increased inclusion of developing Member States in the Codex Alimentarius Commission standard-development process, including risk assessment;
- Codex Alimentarius Commission standards that are more useful to Member States in terms of relevance to their needs and timeliness;
- more effective capacity-building for development of national food-control systems.

Mandate and priorities

6. A revised, precise mandate for the Codex Alimentarius Commission was suggested, reflecting an increase in activities related to health priorities (to be adopted by the respective FAO and WHO governing bodies in the form of an amendment to the Statutes of the Codex Alimentarius Commission): “The formulation and revision of international standards for food, in collaboration with other appropriate international organizations, with priority to standards for the protection of consumer health, while taking into full account the needs of developing countries”.

7. The health-related demands on the Codex Alimentarius Commission are growing, with greater consumer consciousness, the emergence of new technologies, pathogens and nutrition-related issues including supplements, functional foods and health claims. At the same time work on food safety increasingly addresses the food chain in a unified way suggesting increased intersectoral collaboration, also at an international level. One important area where such collaboration should be improved is between the Codex Alimentarius Commission and the Office international des épizooties, in order to formalize their relationship and thus facilitate their ability to deal with overlapping issues.

8. If the Codex Alimentarius Commission is fully to cover health risks in food, prioritization will be essential in determining its standard-setting programme. The following order of priorities for Codex Alimentarius Commission work is suggested:

- (i) standards having an impact on consumer health and safety;
- (ii) commodity standards responding to the expressed needs of developing countries;

- (iii) commodity standards responding to the expressed needs of developed countries;
- (iv) informational labelling relating to non-health and non-safety issues.

Management structure

9. Within the overall structure of FAO and WHO, the Codex Alimentarius Commission should have greater independence in the planning and execution of its work programme, as approved by the two parent organizations. Proposals for a revised organizational structure are designed to improve and tighten management of the Codex Alimentarius Commission. The development of standards was regarded as a critical process needing improved management and mechanisms. A review followed by consultation on the Codex Alimentarius Commission committee structure was recommended. The executive role of the Codex Alimentarius Commission secretariat should be enhanced to support greater independence and increased operational efficiency, through expansion and through raising the seniority of its staff. The increased financial resources needed for these changes are estimated initially at US\$ 1.4 million per biennium.

10. The recommended review should aim for greater consistency and focus on priorities, including emerging issues, and to streamline and speed up working procedures of the various committees, while ensuring better participation and consultation, especially with developing countries. Decisions in committees and the Codex Alimentarius Commission should, wherever possible, continue to be taken by consensus. In the case of a vote, the process should be undertaken by the Codex Alimentarius Commission, with decisions made by a two-thirds majority of those present and voting.

11. There should be a clearer distinction between risk assessment and risk management. Codex Alimentarius Commission committees should concentrate on risk management, while scientific risk assessment should be referred to FAO and WHO scientific expert bodies.

12. Expert advice to the Codex Alimentarius Commission needs to have greater identity and coordination and significantly increased resources. Its independence and transparency need to be further reinforced within FAO and WHO. The Codex Alimentarius Commission needs to be able to establish priorities within an agreed budget for expert advice in line with its work programme. This budget needs to be adequate not only to cover the inputs from existing expert bodies, but also to respond to priorities for more ad hoc advice, including on emerging issues.

13. It is recommended that FAO and WHO establish a scientific committee of eminent scientists to provide, to the Codex Alimentarius Commission and the two organizations, overarching scientific advice, including on emerging challenges, and to provide guidance and quality control to existing and ad hoc committees. It is recommended that the position of joint coordinator of current FAO/WHO activities on food-safety risk assessment should be created, to be housed in WHO, to coordinate scientific advice to the Codex Alimentarius Commission and to act as Secretary to the scientific committee. It is recommended that WHO markedly increase its contribution for health-related risk assessment, while FAO should strengthen its input on good manufacturing and handling practices. It is also recommended that a consultancy study be immediately undertaken of expert advice and risk assessment, and that this should be followed by an expert consultation and discussion in the Codex Alimentarius Commission. In general, the budgetary implications of expansion in the necessary FAO/WHO risk assessment work are estimated at US\$ 2.5 million per biennium.

14. Capacity-building for food safety and health systems for domestic consumers and for trade is a major priority of developing countries. In this area the evaluation found many examples of successful

capacity-building by FAO and WHO, but inadequate interaction between FAO and WHO at country level. The initiative to create the new FAO/WHO trust fund to enable effective participation in the Codex Alimentarius Commission is welcomed, as is the interagency global facility/framework launched by WTO, the World Bank, FAO, WHO and Office international des épizooties for capacity-building in sanitary and phytosanitary measures. The facility has been set up with seed money from the World Bank and is administered by WTO. A major joint FAO/WHO effort is recommended to mobilize extrabudgetary funds and foster coordinated bilateral assistance in capacity-building. Also, FAO and WHO should urgently analyse how they will improve coordination and distribution of work, drawing on their mutual strengths and synergies, and share the results with the Codex Alimentarius Commission.

15. Lastly, the report calls for early and continued action to implement agreed recommendations with:

- early decisions on funding requirements and new managerial arrangements by the FAO and WHO governing bodies;
- early action by the Codex Alimentarius Commission itself to act on recommendations without loss of momentum by reference to the Codex Alimentarius Commission's general committees; and
- establishment of a task force between FAO, WHO and the Codex Alimentarius Commission's Chair and Vice-chairs to follow up and monitor implementation of the evaluation recommendations.

COMMENTS BY THE DIRECTOR-GENERAL

16. The Director-General welcomes the "Report of the evaluation of the Codex Alimentarius and other FAO and WHO food standards work". Within a relatively short time, and thanks to the input of governments and many other stakeholders in the process of setting international standards for food, a thorough and comprehensive analysis has been made. The recommendations made in the report will prove useful in ensuring that the Codex Alimentarius Commission and its subsidiary bodies better achieve their objectives; that scientific advice to the Codex Alimentarius Commission is strengthened; and that participation of Member States, in particular developing countries, is improved.

17. The Director-General considers the Codex Alimentarius Commission to be an important entity that significantly contributes to the objectives of WHO in the areas of food safety and nutrition, and is pleased to note the recommendation that the scope of the Codex Alimentarius Commission should fully cover health-related aspects of food standards. This should translate into WHO's increased direct involvement in the Codex Alimentarius Commission and enhanced capacity within WHO for risk assessment, including a coordination function, for which sufficient resources will be made available.

18. The Director-General supports the recommendation that the Codex Alimentarius Commission should remain a cosponsored programme of its parent organizations. The recommendations to define its mandate and redefine its independence are acceptable within the limits of a budget and programme of work approved by those parent organizations. Such definitions should explicitly reflect the Codex Alimentarius Commission's important role in food safety and nutrition, and in promoting sound regulatory frameworks through establishing guidelines on national food-control systems. This would also represent a recognition of the activities currently undertaken by the Codex Alimentarius

Commission as described in the strategic framework of the Codex Alimentarius Commission for the period 2003-2007.

19. The Director-General stresses that the activities currently relevant to the Codex Alimentarius Commission should remain joint activities of WHO and FAO, particularly in relation to risk assessment and capacity-building. She will work together with the Director-General of FAO to ensure that coordination and distribution of work between the two organizations are optimized in order to draw on mutual strengths and synergies. Capacity-building in developing countries, which should enable them to represent their interests effectively in the Codex Alimentarius Commission and in WTO negotiations, should benefit from the proposed 12-year FAO/WHO trust fund supported in 2002 by the Executive Committee of the Codex Alimentarius Commission. The integration of food safety, food standards, food production and food trade considerations in relation to an agreed focus on sustainable development would represent a significant step forward for developing economies.

20. The Director-General fully supports the recommendation to move forward expeditiously with the implementation of the agreed recommendations through the establishment of a joint task force. She will work with FAO to convene a consultation urgently to review the status and procedures of the expert bodies in order to improve the quality, quantity and timeliness of scientific advice, as requested by the Codex Alimentarius Commission at its Twenty-fourth session in July 2001.

THE POLICY PERSPECTIVE

21. The results of the evaluation are reviewed in the following paragraphs from a policy perspective, focusing on the relevance of the Codex Alimentarius Commission in relation to WHO strategies for food safety and nutrition. The purpose of the review is to inform the Health Assembly of the potential implications for areas of work related to the Codex Alimentarius Commission where WHO may increase its input, in order to improve protection of human health.

22. WHO has already elaborated strategies on food safety and nutrition,¹ and is in the process of developing new strategies in areas relevant to the work of the Codex Alimentarius Commission, to which the Codex Alimentarius Commission also contributes in return. In May 2000, the Fifty-third World Health Assembly requested the Director-General, *inter alia*, “to give greater emphasis to food safety”.² The Executive Board at its 109th session in January 2002 endorsed the draft global WHO food safety strategy, with the primary goal of reducing the health and social burden of foodborne disease.³ The approaches to achieve this goal include enhancing the scientific and public health role of WHO in the Codex Alimentarius Commission, strengthening surveillance systems for foodborne diseases, improving risk assessments, and strengthening capacity-building in developing countries.

23. The report of the evaluation has highlighted the need for the Codex Alimentarius Commission to give higher priority to setting science-based standards related to food safety, nutrition-related issues and health. This work should include the establishment of internationally agreed guidelines for national food-control systems, based on the criteria of consumer health protection and fair practices in the food trade, and the promotion of optimal nutrition among consumers through adequate labelling and the use of health claims, to assist them in making the right choices.

¹ See document EB109/13 and resolution WHA55.25.

² See resolution WHA53.15.

³ See document EB109/2002/REC/2, summary record of the fourth meeting.

24. WHO has started work on a global strategy on diet, physical activity and health. Promoting healthier diets through appropriate labelling of food and the use of health claims are tools within this strategy.

25. WHO already has in place a global strategy on infant and young-child feeding,¹ which will combat malnutrition. Food supplements, and in particular food fortification, are among the various tools available to this end. In May 2002, the Fifty-fifth World Health Assembly specifically requested the Codex Alimentarius Commission “to continue to give full consideration ... to action it might take to improve the quality standards of processed foods for infants and young children and to promote their safe and proper use at an appropriate age, including through adequate labelling, consistent with the policy of WHO, in particular the International Code of Marketing of Breast-milk Substitutes ...”.¹

26. The timely provision of scientific advice is crucial to enable the Codex Alimentarius Commission to establish health-related standards. The report highlights a clear need to modernize and transform the current process and working arrangements of expert bodies such as the Joint FAO/WHO Expert Committee on Food Additives and the Joint FAO/WHO Meeting on Pesticide Residues, and to create an overarching and uniform approach for assessment of risks associated with food. Such an approach would include consideration of microbiological risks and risks related to foods derived from biotechnology. In order to reflect best practice in this area, peer-review methodology drawing on the work of others should be used to reach science-based conclusions at the international level more speedily, without jeopardizing the quality, independence and transparency of the advice. Through strengthening of surveillance and monitoring systems of foodborne diseases, WHO will develop data from around the world on health risks from food as well as the related disease burden, enabling the Codex Alimentarius Commission and governments to define their priorities better.

REVIEW BY THE EXECUTIVE BOARD

27. The Executive Board at its 111th session in January 2003 noted the report of the evaluation of the Codex Alimentarius Commission and its possible implications for the work of WHO. It agreed that, exceptionally, a relevant resolution for consideration by the Health Assembly in May 2003 should be prepared only after the reaction of the Codex Alimentarius Commission to the report was known.

28. The Twenty-fifth (Extraordinary) Session of the Codex Alimentarius Commission in February 2003 adopted a statement on the outcome of the joint FAO/WHO evaluation of the Codex Alimentarius and other FAO and WHO work on food standards, for the attention of the Fifty-sixth World Health Assembly in May 2003 and the governing bodies of FAO (see Annex).

ACTION BY THE HEALTH ASSEMBLY

29. The Health Assembly is invited to consider adoption of the following draft resolution:

¹ See resolution WHA55.25.

The Fifty-sixth World Health Assembly,

Recalling resolution WHA40.20 on the Codex Alimentarius Commission and resolution WHA53.15 on food safety;

Having considered the report on the joint FAO/WHO evaluation of the Codex Alimentarius Commission and other FAO and WHO work on food standards;¹

Acknowledging with appreciation the statement of the Codex Alimentarius Commission on the outcome of the joint FAO/WHO evaluation annexed to the present resolution;

Welcoming the recommendation to give higher priority to setting science-based standards for food safety, nutrition-related issues and health;

Noting with satisfaction the excellent collaboration between WHO and FAO in the area of food safety and nutrition;

Aware that the rise in the global distribution of food is linked to an increased need for internationally agreed assessments and guidelines related to food safety and nutrition;

Recognizing that one of the prerequisites for economic development is a safe food production system for both domestic and export markets based on regulatory frameworks protecting consumers' health;

Emphasizing the lead responsibility of WHO, in collaboration with FAO, in providing sound scientific assessments of hazards in food and nutrition as a basis for managing risk at national and international levels;

Stressing the urgent need to reinforce the participation of the health sector in standard-setting activities related to food in order to promote and protect consumers' health,

1. ENDORSES WHO's increased direct involvement in the Codex Alimentarius Commission and an enhanced capacity within WHO for risk assessment;

2. URGES Member States:

(1) to participate actively in international standard-setting in the framework of the Codex Alimentarius Commission, especially in the area of food safety and nutrition;

(2) to make full use of Codex standards for the protection of human health throughout the food chain and the promotion of healthy diets;

(3) to stimulate collaboration between all sectors involved at national level in setting standards related to food safety and nutrition, with particular focus on the health sector and fully involving all stakeholders;

¹ Document A56/34.

- (4) to facilitate the participation of national experts in international standard-setting activities;
- 3. INVITES the regional committees to review regional policies and strategies for strengthening capacity in the areas of standard-setting for food safety and of nutrition information, in collaboration with FAO;
- 4. CALLS ON Member States and other donors to increase funding for WHO's activities related to the setting of standards for food, with special attention to least developed countries;
- 5. REQUESTS the Director-General:
 - (1) to strengthen WHO's role:
 - (a) in the management of the Codex Alimentarius Commission and to give a higher profile to the Commission and related work throughout the Organization;
 - (b) in linking the Codex Alimentarius Commission to formulation and implementation of the global strategy on diet, physical activity and health, and to the International Health Regulations;
 - (c) in risk assessment, including through the system of joint FAO/WHO expert bodies and consultations and through a coordinating function in WHO;
 - (d) in supporting the capacity of food-safety systems to protect human health throughout the food chain;
 - (e) in supporting analysis of links between data on foodborne disease and foodborne contamination;
 - (2) to provide support to Member States in strengthening capacity in the above areas;
 - (3) to stimulate the establishment of networks between national and regional food-safety regulatory authorities;
 - (4) to continue to foster collaboration with FAO, especially within the framework of the Joint FAO/WHO Food Standards Programme.

ANNEX

**STATEMENT OF THE CODEX ALIMENTARIUS COMMISSION ON
THE OUTCOME OF THE JOINT FAO/WHO EVALUATION OF
THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO
WORK ON FOOD STANDARDS**

1. The Codex Alimentarius Commission, having considered the report and recommendations of the *Joint FAO/WHO Evaluation of the Codex Alimentarius and Other FAO and WHO Work on Food Standards*, expressed its appreciation to the parent Organizations for having initiated the Evaluation and ensuring that it was carried out in a consultative, efficient and effective manner. It also expressed its appreciation to the Evaluation Team and Expert Panel for their excellent report, the depth of the analysis and the comprehensive proposals and recommendations contained therein.
2. The Commission noted with satisfaction the finding of the Evaluation that its food standards had a very high importance to Members as a vital component of food control systems designed to protect consumer health and to ensure fair practices in the food trade. It endorsed the view that standards were a fundamental prerequisite in consumer protection but had to be looked at in the context of the total system throughout the food chain, especially for food safety.
3. The Commission recalled that Codex standards were used as references for Member Nations in relation to their obligations under the WTO Agreement on Technical Barriers to Trade and the Agreement on the Application of Sanitary and Phytosanitary Measures. In this regard, it recognized that many Member Nations with less developed economies or with economies in transition were able to use Codex standards directly as a basis for domestic legislation and standards setting in conformity with these Agreements. It noted that this was particularly true when standards were based on global data including those derived from developing countries.
4. The Commission supported the overall thrust of the Evaluation report and expressed its commitment to the **implementation** of strategies that would meet the objectives of the recommendations contained therein. It strongly agreed that these recommendations should be reviewed expeditiously. The Commission noted that since the 1991 Joint FAO/WHO Conference on Food Standards, Chemicals in Food and Food Trade, significant changes had been made in the Commission's priorities and programmes with increased emphasis on food safety issues. This emphasis had resulted in an increased output of health-related standards and was now being extended to the whole food chain; this process would continue to be developed.
5. Noting the Evaluation's recommendations concerning the Commission's mandate, the Commission was of the opinion that its existing **mandate** to protect consumers' health and to ensure fair practices in the food trade continued to be appropriate but might be discussed in the future. Within this mandate, the Commission emphasized that its first priority would be the development of standards having an impact on consumer health and safety.
6. In order to maintain the strong support from all Member Nations and stakeholders, the Commission **agreed** that in their response to the Evaluation, the Commission and its parent Organizations should work towards:

greater efficiency and effectiveness in the development of Codex standards, whilst maintaining transparency and inclusiveness and procedural consistency in the process of their development;

increased participation of developing Member Nations and Member Nations in economic transition in the work of the Codex Alimentarius Commission throughout the standards development process;

greater usefulness of Codex standards to Member Nations in terms of relevance to their needs and timeliness;

strengthening of the scientific base for risk analysis, including food safety risk assessment to improve the efficiency and effectiveness in providing expert scientific advice to the Commission and Member Nations and to improve risk communication; and

more effective capacity building for the development of national food control systems.

7. The Commission agreed that it should have greater independence, within the overall structure of FAO and WHO, for proposing and executing its **work programme and budget**, once approved by the two parent organizations.

8. The Commission concurred with the views expressed in the Evaluation Report that the Codex **Secretariat** was hard working, efficient and member-oriented but overworked and with insufficient resources to support the present activities of Codex. It strongly supported the recommendation that the Secretariat be expanded and that the seniority and composition of its staff should match the Commission's increased requirements.

9. On the matter of **expert advice** to Codex, the Commission agreed fully with the view that this was a very important element to all Member Nations and to the Commission itself. It expressed the view that there needed to be sufficient capacity within the parent Organizations to ensure that scientific advice was provided on a timely basis. It also agreed that this work needed to have greater identity within the Organizations, stronger links to Codex priorities, and internal coordination as well as significantly increased resources. Its independence from external influences and its transparency need to be further reinforced within FAO/WHO. The Commission stated that there should also be greater distinction between the function of risk assessment undertaken by experts and that of risk management undertaken by Codex committees, while noting the linkages that needed to exist between these functions. The Commission emphasized that the provision of expert scientific advice was a joint responsibility of FAO and WHO and should continue to be so. It strongly recommended that WHO markedly increase its contribution to health risk assessment carried out by FAO/WHO expert committees and FAO/WHO Expert consultations. It also recommended that FAO strengthen its input in areas reflecting its responsibility and expertise. The Commission welcomed the statement by Dr Brundtland in her opening remarks to the present session that FAO and WHO would prepare for and convene as an immediate priority, the consultation requested by the Codex Alimentarius Commission at its 24th Session¹ on strengthening scientific support for Codex decision-making.

10. In the area of **capacity building**, the Commission welcomed the valuable initiatives described in the report including the Standards and Trade Development Facility (STDF) operated by the WTO in collaboration with the World Bank, FAO, WHO, OIE, and in particular the new FAO/WHO Trust Fund to enable effective participation in Codex. It called upon FAO and WHO to undertake a major effort to mobilize extrabudgetary funds and foster coordinated bilateral assistance in capacity building. It also called for a more coordinated approach for capacity building between FAO and WHO and requested the parent bodies to urgently analyse their existing means of providing capacity building and inform the Codex Alimentarius Commission on how they will improve coordination and distribution of work drawing on their mutual strengths and synergies.

¹ ALINORM 01/41, paragraph 61.

11. The Commission called upon **FAO and WHO** to provide additional Regular Programme resources, supplemented with extrabudgetary resources where necessary, to strengthen Codex and Codex-related work throughout the two Organizations.

12. The Commission called upon **Member Governments** to support the follow-up to the Evaluation process including through their statements made and positions taken in the World Health Assembly and the Council and Conference of FAO.

13. The Commission reiterated its **commitment** to pursue with all speed full consideration of the recommendations addressed to it in the Evaluation report and in this regard:

- Invited **Member Nations** and interested international organizations to submit written comments to the Secretariat;
- Requested the Secretariat to analyse the comments dealing with the **Codex Committee structures and their mandates** and to provide options for consideration by the Commission at its next Regular Session;
- Requested the Secretariat to analyse the comments dealing with the functions of the **Executive Committee**, and to provide options for consideration by the Commission at its next Regular Session;
- Requested the Secretariat to analyse comments dealing with **standards management** and the procedures for **standards development**, including the establishment of priorities recommended by developing Member Nations, and recommend strategies for the early implementation of more efficient and effective processes, providing options for consideration by the Commission at its next Regular Session;
- Requested the Secretariat to identify a strategy for consideration by the Commission at its next Regular Session on the implementation of the recommendations dealing with the revision of the **Rules of Procedure** and other internal procedures; and
- Requested the Secretariat to analyse the comments on those recommendations in the Evaluation Report not covered by the above and to provide options on how to proceed.

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