



Council of the  
European Union

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ADD 1

LIMITE

AGRI 41  
CODEX 3  
FAO 6  
SAN 71  
VETER 8  
SUSTDEV 27  
CONUN 34  
RELEX 144  
WTO 14  
FOOD 11  
PHYTOSAN 6  
ENV 103  
CLIMA 56

**'I/A' ITEM NOTE**

|                 |                                                                                                                    |
|-----------------|--------------------------------------------------------------------------------------------------------------------|
| From:           | General Secretariat of the Council                                                                                 |
| To:             | Permanent Representatives Committee/Council                                                                        |
| No. prev. doc.: | 5405/1/22 REV 2                                                                                                    |
| Subject:        | Conclusions on the EU's commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow |
|                 | – Approval                                                                                                         |

## **DRAFT**

### **Council conclusions**

#### **The EU's commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow**

#### **THE COUNCIL OF THE EUROPEAN UNION:**

##### **RECALLING:**

- the Council conclusions of 26 May 2021 on the EU's priorities for the 2021 United Nations Food Systems Summit (9335/21);
- the Council conclusions of 19 October 2020 on the Farm to Fork Strategy (12099/20);
- the Council conclusions of 23 October 2020 on Biodiversity – the need for urgent action (12210/20);
- the Council conclusions of 17 June 2019 on EU action to strengthen rules-based multilateralism (10341/19);
- the Council conclusions of 8 July 2019 on Supporting the Sustainable Development Goals across the world (10997/19);
- the Council conclusions of 25 November 2019 on the fourth Progress Report on the Action Plan on Nutrition (14457/19);
- the Council conclusions of 10 December 2019 on Building a sustainable Europe by 2030 – Progress thus far and next steps (14835/19);

## THE STRATEGIC ROLE OF THE CODEX ALIMENTARIUS

1. HIGHLIGHTS the unique and critical role of the Codex Alimentarius as the joint FAO<sup>1</sup>/WHO<sup>2</sup> Food Standards Programme to protect consumer health and promote fair practices in food trade, with the Codex Alimentarius Commission as its central governing body;
2. WELCOMES the significant results achieved by the Codex Alimentarius and FULLY RECOGNISES the continued importance and worldwide relevance of consensus-based food standards adopted by the Codex Alimentarius Commission;
3. STRESSES the EU<sup>3</sup>'s long-established and prolific collaboration with all members of the Codex Alimentarius Commission, which for the EU, as one of the world's major food importers and exporters, remains as important as ever to promote and strengthen effective rules-based multilateral cooperation and to facilitate international trade;
4. REITERATES the strong commitment of the EU, drawing upon its comprehensive expertise in the field of food safety and the protection of consumer interests, to continue making an effective contribution to the Codex Alimentarius in all its dimensions, in full respect of the rights and obligations resulting from the EU's accession to the Codex Alimentarius Commission in 2003<sup>4</sup>;
5. RECALLS the continued commitment of the EU, including as the prime contributor to the FAO/WHO Codex Alimentarius Trust Fund, to facilitate the participation of developing countries and countries with economies in transition in Codex Alimentarius activities; in this regard, REITERATES the EU's strong desire to continue sharing its expertise, knowledge and experience with these countries and to support capacity-building activities in their specific national contexts, including through the EU's 'Better Training for Safer Food' programme and the Fit For Market SPS Programme;

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<sup>1</sup> Food and Agriculture Organization of the United Nations.

<sup>2</sup> World Health Organization.

<sup>3</sup> Throughout this document the use of 'EU' is not indicative of whether the competence lies with the EU, the EU and its Member States, or exclusively with the Member States of the EU.

<sup>4</sup> 2003/822/CE: Council Decision of 17 November 2003 on the accession of the European Community to the Codex Alimentarius Commission (OJ L 309, 26.11.2003, p. 14).

## **CONVERGING THE CODEX ALIMENTARIUS' AMBITION WITH THE GLOBAL SUSTAINABILITY AGENDA**

6. REITERATES the EU's full commitment to delivering on the United Nations 2030 Agenda for Sustainable Development and REAFFIRMS the EU's determination to work with all its partners to accelerate progress towards building sustainable food systems that ensure the world's lasting capacity to provide safe, nutritious and affordable food for all within our planetary boundaries;
7. In this regard, WELCOMES the momentum created by the 2021 United Nations Food Systems Summit towards food systems transformation and towards addressing with greater consistency the systemic and interlinked challenges food systems are facing, and SUPPORTS the Summit's follow-up through joint action at all levels, and strengthened cooperation in multilateral fora and international standard-setting bodies;
8. STRESSES consumers' expectations with regard to health, food and nutrition, with an ever-increasing focus on approaching the food system as a whole and on building a more equitable marketplace for food worldwide that duly recognises and rewards the sustainability efforts made by food producers;
9. ACKNOWLEDGES the evolving environment in which the Codex Alimentarius operates and the importance of responding in a proactive and timely manner to current and emerging issues, in line with the Codex Alimentarius Strategic Plan 2020-2025;
10. ACKNOWLEDGES the important contribution that the Codex Alimentarius Commission, together with the World Organisation for Animal Health (OIE) and the International Plant Protection Convention (IPPC), as worldwide standard-setting programmes recognised by the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures, can make to the global sustainability agenda through science- and evidence-based international standards;

11. In this regard, HIGHLIGHTS the EU's commitment to actively contribute to the work of the Codex Alimentarius to help address the challenges posed by climate change, biodiversity loss, the spread of antimicrobial resistance (AMR) and the increase in non-communicable diseases, and STRESSES the EU's strong willingness to explore, together with its partners, all pragmatic ways of integrating sustainability considerations into the work of the Codex Alimentarius Commission; in this regard, ACKNOWLEDGES that this approach is fully consistent with the sustainability commitments taken by Codex Alimentarius members in other international fora or multilateral processes;
12. HIGHLIGHTS the critical importance of strengthening the One Health approach in relation to the food system as a whole, including through strengthened collaboration between the OIE, the IPPC and the Codex Alimentarius Commission, in order to take due account of the systemic connection between human, animal and plant health and the protection of the environment; in this respect, WELCOMES the ongoing update of the FAO and WHO food safety strategies, which both duly acknowledge the link between food safety and the Sustainable Development Goals as well as the importance of applying a One Health approach throughout the risk analysis process;
13. STRESSES that analyses and data related to sustainability considerations, such as environmental protection and animal welfare, could usefully complement the risk assessment currently performed by the joint FAO/WHO expert committees;
14. HIGHLIGHTS that enhanced communication and cooperation between the joint FAO/WHO risk assessment bodies and other international or regional expert bodies could reinforce the scientific basis of Codex Alimentarius standards;

15. FULLY ACKNOWLEDGES the relevant role the Codex Alimentarius Commission can play in promoting new food sources and production systems that can contribute to the transition towards sustainable food systems, in line with the ambition to proactively address emerging issues as set out in the Codex Alimentarius Strategic Plan 2020-2025;

**CODEX ALIMENTARIUS WORKING METHODS AND PRACTICES FIT FOR THE CHALLENGES OF TODAY AND TOMORROW**

16. REAFFIRMS the EU's strong support for the fundamental principles underpinning the work of the Codex Alimentarius, including consensus-based decision-making to ensure the effective worldwide use and impact of the food standards adopted by the Codex Alimentarius Commission;
17. RECALLS the importance of the Codex Alimentarius Commission and its subsidiary bodies upholding an integrated risk-management approach in their decision-making process which gives due consideration to all relevant aspects and contributes to the development of a One Health approach;
18. HIGHLIGHTS that maintaining an up-to-date scientific methodology for risk assessment is key to ensuring the pre-eminence of the Codex Alimentarius in setting food standards; in this regard, STRESSES that innovative methodologies for risk assessment, and impact assessment of food standards, should be explored to facilitate the fit-for-purpose consideration of all scientific disciplines related to food systems within the Codex Alimentarius' standard-setting activity;
19. STRESSES the essential role of the Codex Alimentarius Commission in promoting the coordination of all standard-setting work regarding food by international and inter-governmental organisations; in this regard, HIGHLIGHTS the importance of ensuring adequate articulation with the work undertaken in particular by the United Nations Economic Commission for Europe (UNECE), the Organisation for Economic Cooperation and Development (OECD) and the International Standardization Organisation (ISO);

20. HIGHLIGHTS the importance of ensuring that the Codex Alimentarius Commission fully utilises the potential of its subsidiary bodies to prepare the decision-making process in an inclusive and transparent way; STRESSES, in this regard:
- the essential function of the Codex Executive Committee (CCEXEC) in carrying out the critical review of recommendations submitted to the Codex Alimentarius Commission regarding the elaboration of standards;
  - the relevance and importance of the work of the Codex Committee on General Principles (CCGP) in dealing with procedural and general matters referred to it by the Codex Alimentarius Commission, thereby contributing to ensuring optimal working practices for the Codex Alimentarius;
21. SUPPORTS undertaking new activities to monitor and evaluate the use of existing Codex Alimentarius standards, in particular in the context of the Codex Alimentarius Strategic Plan 2020-2025;
22. HIGHLIGHTS that proposals for new work need to be duly assessed against the criteria for the establishment of work priorities, in particular the ‘amenability to standardisation’ criterion, with a view to ensuring broad support from the membership;
23. STRESSES that the adoption of Codex Alimentarius standards by consensus should be the primary objective; RECOGNISES the difficulty for the Codex Alimentarius Commission to duly address situations where there is a major divergence of views due to other legitimate factors and considerations<sup>5</sup> to be taken into account; RECOMMENDS, in this regard, that the Codex Alimentarius Commission should seek a common understanding on available options to allow its members to abstain from the acceptance of a standard;

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<sup>5</sup> According to the EU legislation, such considerations include societal, economic, traditional, ethical and environmental factors and the feasibility of controls (see *Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety*).

24. ACKNOWLEDGES the great efforts made by the Codex Alimentarius Commission to ensure the continuity of its work during the COVID-19 pandemic; SUPPORTS the ongoing reflection on how to take full advantage of the experience gained during the COVID-19 pandemic, including with regard to the new working methods and meeting arrangements of the Codex Alimentarius Commission and its subsidiary bodies, and on the need to consider adjusting procedures and rules accordingly, and in this regard, HIGHLIGHTS the EU's commitment to contributing to the continued efforts of the Codex Alimentarius to remain a resilient and agile organisation;
25. STRESSES the importance of FAO and WHO providing adequate administrative and financial resources, preferably from their core budgets, for the activities of the joint FAO/WHO expert bodies that support the Codex Alimentarius; in this regard, REITERATES the EU's commitment to contributing its knowledge and expertise in this particular field, including through enhanced collaboration between the European Food Safety Authority (EFSA) and the joint FAO/WHO expert bodies;

#### **CONTINUED EFFECTIVE EU COOPERATION ON THE CODEX ALIMENTARIUS**

26. NOTES WITH SATISFACTION that, over the past two decades since the EU's accession to the Codex Alimentarius Commission in 2003, the Member States and the European Commission have developed solid and successful cooperation on Codex-related matters with a view to providing duly coordinated EU input on the work of the Codex Alimentarius;
27. ENCOURAGES Member States and the European Commission to explore, where appropriate, possibilities for enhancing the EU's effectiveness in the various strands of the Codex Alimentarius' work, including by proposing priority topics on which the EU could be a driving force, and assessing the range of options and tools which the EU can use to position itself with regard to the adoption of Codex Alimentarius standards, recognising that other Codex members may have different legitimate regulatory approaches that are adapted to their national or regional context;



28. HIGHLIGHTS the importance of ensuring that the Member States and the European Commission are adequately contributing to the work of the FAO/WHO expert committees, and the need to provide adequate expertise and resources to that effect;
29. ENCOURAGES strengthened collaboration between the European Food Safety Authority (EFSA) and the Secretariats of the Joint FAO/WHO Expert Committees that support the work of the Codex Alimentarius Commission;
30. STRESSES the importance of ensuring continued close cooperation between the EU and the other members of the Codex Alimentarius Coordinating Committee for Europe (CCEURO); in this context, WELCOMES Germany's candidature as the next CCEURO coordinator;
31. STRESSES that it remains important for the EU to continue to engage, in a concerted manner, with all the members of the Codex Alimentarius Commission with a view to enhancing mutual trust and promoting close cooperation; to that effect, ENCOURAGES Member States and the European Commission to continue and, where necessary, strengthen outreach efforts.

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