

New Zealand's Strategic Objectives in Codex

2010-2013



Te Pou Oranga Kai o Aotearoa

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Introduction and background

The term 'Codex' refers to the outputs and activities of the Codex Alimentarius Commission (Codex or the Commission). Codex plays a pivotal role in the development of sound international standards for health protection and ensuring fair practices in food trade. Codex was established in 1962 by the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO), as part of the Joint FAO/WHO Food Standards Programme¹. Since then Codex has established a large body of international standards and related texts for use by member countries for consumer health protection and international trade. This compilation of standards is called the Codex Alimentarius (Latin for 'food code'). The outputs of Codex range from standards for individual commodities, to maximum limits for residues of pesticides and veterinary drugs in foods, to standards and guidelines for food hygiene, nutrition and labelling. Codex also provides an important forum for discussion of contemporary and emerging food safety issues.

Codex's strategic plan for 2008-2013 articulates the core strategic priorities for the organisation and provides a sound basis for the development of its work programme². The Commission is the final decision-making body within the Codex system and the Executive Committee (comprising of the Chair and three vice chairs of the Commission, six regional coordinators and seven regional representatives) serves as a strategic and standards management body. The work of Codex is carried out by subsidiary bodies grouped along the lines of general subject committees, commodity committees, ad hoc task forces and regional coordinating committees.

Membership of Codex has been growing steadily in recent years.³ The participation of developing countries has continued to grow and now represents a majority of the membership; this growth has introduced new dynamics within the Codex system.

Codex and the World Trade Organization

As one of the three recognised international standards setting bodies, Codex is critical to advancing the objectives of the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) and the

Agreement on Technical Barriers to Trade (TBT Agreement). These Agreements are mutually reinforcing and provide a strong framework of rules and disciplines for technical standards and regulations at national and international levels.

SPS Agreement

The SPS Agreement places considerable importance on international harmonisation by encouraging countries to base their sanitary and phytosanitary measures on international standards, guidelines and recommendations.

The SPS Agreement also established important principles for the development and application of sanitary and phytosanitary measures. Signatories of the SPS Agreement are obliged to:

- base sanitary and phytosanitary measures on science and risk assessment
- ensure that their sanitary and phytosanitary measures are no more than necessary to meet the appropriate level of protection
- recognise the concept of equivalence and accept sanitary measures of other countries as equivalent if they are demonstrated to meet the importing country's appropriate level of protection.

TBT Agreement

Many of the components of food standards are about product description, for example, labelling, packaging, fair practices, quality criteria and consumer information. The TBT Agreement deals with the establishment of technical regulations and standards to ensure that these are not used as trade barriers. Although the TBT Agreement does not explicitly refer to Codex standards, it does encourage international harmonisation based on standards developed by relevant international organisations and sets out the essential disciplines relating to technical regulations to ensure that these do not constitute barriers to trade.

New Zealand is a signatory to both of these Agreements and promotes the principles of the Agreements in our Codex work and positions.

1 For further information refer to Understanding the Codex Alimentarius, FAO and WHO, Rome, 2006

2 Codex Alimentarius Commission, Strategic Plan for 2008-2013, FAO and WHO, Rome, 2007

3 Membership of Codex stood at 183 as at October 2009

New Zealand's strategic objectives in Codex 2010-2013

New Zealand attaches great importance to the work of Codex and has been a member since its formation in 1962. The New Zealand Food Safety Authority (NZFSA), as the lead agency, is responsible for managing New Zealand's input and participation in Codex. In 2009, NZFSA developed a new Statement of Intent which underlines New Zealand's commitment to a risk-based regulatory system and standards development programme, underpinned by sound science, and an effective government role in facilitating commerce and market access. This also provides a framework for challenging protectionism and technical barriers to trade in the global trading environment.

Therefore, in alignment with its domestic position, New Zealand has an interest in ensuring that Codex standards, and related texts, are risk-based and founded on sound science and that Codex is efficient and responsive to the needs of its members. Furthermore, as a trading nation, New Zealand sees the work of Codex as central to reducing technical barriers to trade and facilitating greater market access through the development of sound international standards with wide application.

To promote this approach and ensure New Zealand's efforts and resources are directed at those programme areas that are of greatest interest and significance to this country, the following objectives have been identified to guide our participation in Codex for the 2010-2013 period:

- 1. Influence Codex priority setting and work programmes**
- 2. Influence Codex standards and processes**
- 3. Strengthen the Codex system**
- 4. Build and maintain strategic alliances**

1 Influence Codex priority setting and work programmes

Rationale

The issue of prioritisation of the Codex work programme remains a major challenge for the Commission and its membership. Growth in the volume and complexity of international food trade and the growing awareness and interest in food safety matters has resulted in an intensification of the work programme, particularly among the horizontal committees. The larger and more diverse membership has also placed additional demands on the system.

A revised set of criteria for work priorities and the introduction of a structured project format has provided Codex with a more systematic framework for evaluating new work proposals. A number of subsidiary committees have also made substantive progress in the development of criteria and processes for prioritisation (eg the Food Hygiene Committee). However, these measures need to be replicated across all subsidiary bodies if Codex is to be successful in managing the competing demands from the membership. New Zealand sees the issue of prioritisation and the efficient management of the Commission's work programme as a critical area for ensuring the success of Codex, as is the need to employ our resources efficiently.

However, Codex does not operate in isolation and discussions of current and emerging food safety and broader public health issues are not confined to the Codex forum. As members we have an opportunity to influence the Codex agenda and priorities through greater awareness and links to discussions in other organisations on international food standards and public health issues. Critical to this process will be enhanced efforts in information gathering, research and the monitoring of other bodies to assess the alignment of their work with New Zealand's strategic objectives.

Strategies for achieving this objective

1.1 Information gathering

Organisations such as FAO, WHO, the World Organisation for Animal Health (OIE) and the Organisation for Economic Cooperation and Development (OECD) frequently discuss food safety and broader public health issues that have relevance for New Zealand's work at Codex. Augmenting the NZFSA information gathering system to allow early warning of emerging food regulatory and public health issues will ensure New Zealand has an opportunity to evaluate their relevance to New Zealand's Codex strategy and respond accordingly.

Action for achieving this strategy

- 1.1.1 Augment NZFSA's information gathering system to allow early identification of emerging food system approaches and food regulatory and public health issues.

1.2 Utilise external relationships

Utilising our external relationships with other government departments, international partners and industry will also lead to a greater level of awareness of issues being discussed at other international bodies that may have relevance for the New Zealand Codex strategy.

Actions for achieving this strategy

- 1.2.1 Work with other organisations and departments to maintain our contacts, improve our information resources and promote a whole of government approach to advancing New Zealand's interests in international food standards for health protection and trade.
- 1.2.2 Share relevant written briefings and attend pre and post international meeting briefings.
- 1.2.3 Work with our major trading partners and stakeholders to strengthen communication and information sharing.

1.3 Focus on work programmes of interest and significance to New Zealand

New Zealand, like many countries, has limited resources available to participate in Codex and our efforts are concentrated in those areas of work that are of greatest importance to New Zealand from a food safety and fair trade perspective. The critical evaluation of Codex agendas to assess their alignment with New Zealand's priorities and interests (as determined by the NZFSA Statement of Intent and broader government policy statements), and a well articulated strategy on how our delegates will seek to achieve New Zealand's objectives at meetings, is essential in ensuring efficient use of New Zealand's limited resources. Continuous critical reviews of New Zealand's participation will also ensure the ongoing relevance of Codex work against New Zealand's interests and priorities.

Actions for achieving this strategy

- 1.3.1 Continuously evaluate Codex Committee agendas and work programmes for alignment with New Zealand's economic and strategic objectives and NZFSA's criteria for participation in Codex work.
- 1.3.2 Develop strategies for advancing our interests prior to attending Codex meetings.
- 1.3.3 Perform regular post event reviews and evaluations of New Zealand's participation in Codex Committees and working groups to assess alignment with NZFSA's strategic framework and criteria for participation in Codex work.
- 1.3.4 Consult with New Zealand stakeholders (refer strategy 2.4) to identify matters in Codex of interest to them.

2 Influence Codex standards and processes

Rationale

New Zealand has achieved a high level of recognition, credibility and profile in Codex. It has also established an enviable track record through its demonstrated success in leading the work of the Codex Committee on Meat Hygiene and the Codex Committee on Milk and Milk Products. This success has provided a sound platform for the advancement of New Zealand's ideas and influence across a wide spectrum of Codex work ranging from food hygiene and nutrition to inspection and certification. Examples include New Zealand's co-leadership (with Sweden) in the development of new approaches and risk management strategies for dealing with *Campylobacter* and *Salmonella* in poultry meat, and our advocacy of new regulatory approaches to residues of pesticides and veterinary drugs in foods.

New Zealand is taking a lead role in advancing thinking on the concept of comparability, which is central to promoting uptake of the principle of equivalence. It also has a lead role in the areas of nutrition and labelling through our work relating to the implementation of the WHO Global Strategy on Diet, Physical Activity and Health.

New Zealand also had substantial input into the development of Codex's risk analysis principles, both for application in the framework of Codex and as guidance for member governments. It will continue its leadership in promoting science and risk assessment as a basis for making decisions. New Zealand will also give priority to contributing technical expertise in areas where we have a strong interest and comparative advantage.

However, influencing the process will be a challenging task, due in part to growth in the size and diversity of Codex membership, the intensification in the Commission's work programme and the emergence of new challenges and priorities. Successful advocacy of New Zealand's position calls for an increased investment in research, analysis and collaborative effort and a strengthening at the national level of the consultative process to ensure sound advocacy of our interests.

Strategies for achieving this objective

2.1 Take a leadership role in promoting science as the basis for food safety decision making

The tension between science and non-science continues to pose an ongoing challenge in Codex decision making and as the pre-eminent international body for food safety standards, Codex has a responsibility to ensure that its outputs are based on science, focus on essential provisions and meet the needs of consumer health protection. Codex standards also need to be supportive of product innovation and new technology and not be unnecessarily prescriptive or restrictive.

To support this approach, New Zealand will take a leadership role in advocating for adherence to the Commission's statements of principle on the role of science in Codex⁴ and will support the implementation of risk analysis principles in international food safety standards.

To advance its work programme, Codex relies heavily on the risk assessment support provided by the Joint FAO/WHO Expert Committee on Food Additives; the Joint FAO/WHO Meetings on Pesticide Residues and the Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment. However a combination of budgetary constraints and increased work load has made the task of securing timely risk assessment advice from these groups more difficult. The continued strengthening and resourcing of these risk assessment bodies, particularly through the effective implementation of the new Global Initiative, for Food-related Scientific Advice (GIFSA) will be critical to advancing Codex work.

⁴ Statements of Principle concerning the Role of Science in the Codex Decision-Making Process and the Extent to which other Factors are Taken into Account, Codex Procedural Manual 18th Edition, pages 171-172

The risk assessment bodies supporting Codex work also rely heavily on the support of members for scientific expertise. Over the years New Zealand has contributed substantially to ad hoc and permanent risk assessment activities where our knowledge and expertise are recognised. New Zealand will continue to share this knowledge and expertise to advance work in areas of interest to New Zealand.

Actions for achieving this strategy

- 2.1.1 Lead working groups in the development of draft standards of highest priority to New Zealand.
- 2.1.2 Evaluate standards to ensure they do not impede product development and innovation or New Zealand's trade interests.
- 2.1.3 Advocate for strengthened arrangements and resourcing for expert groups, including the area of nutrition,⁵ to facilitate the timely development of Codex standards.
- 2.1.4 Provide scientific data and research information in support of international standards setting.
- 2.1.5 Provide New Zealand technical expertise and/or appropriately qualified technical experts, to international expert consultations and scientific panels in areas of interest to New Zealand.

2.2 Promote sound risk management decision making

Domestically New Zealand is committed to standards based on sound science and risk assessment. NZFSA's Food Safety Risk Management Framework provides a systematic approach for managing the food safety risks that need to be addressed in the ever changing food chain environment. Our standards reflect the philosophy of 'minimal regulatory intervention' and recognise the fact that the primary responsibility for production of food that is safe and suitable for human consumption lies with industry. Our processes are fully transparent and the risk management framework allows decisions to be taken that are proportionate to the health risks involved, facilitate innovation and flexibility in the application of food safety measures, and take into account costs as well as benefits. This is an approach that New Zealand will continue to promote in all areas of Codex work. New Zealand will also be supporting efforts to promote the systematic application of risk analysis principles both in Codex and at membership levels.⁶

Actions for achieving this strategy

- 2.2.1 Identify opportunities to promote the principles of sound risk management decision making in the development of international standards and guidelines.
- 2.2.2 Contribute, through technical expertise and/or financial support, to Codex outreach training programmes which promote the understanding and uptake of risk analysis principles at national levels.

⁵ WHO Global Strategy on Diet, Physical Activity and Health, WHO May 2004

⁶ Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius, Codex Procedural Manual, 18th Edition, pg 68-72; and Working Principles for Risk Analysis for Food Safety for Application by Governments (CAC/GL 60-2007)

2.3 Promote the concept of comparability

New Zealand has had a high degree of involvement in the acceptance of equivalence in food safety control measures. However, the guidelines developed by Codex do not address judgement of food control systems as a whole, an area of high importance to New Zealand.

A Quadrilateral group⁷ initiative, that is led by New Zealand, aims to agree on the development of guidelines for the comparability and mutual acceptance of food control systems. The group is using meat hygiene as a case study. This work has a logical continuance in the Codex system and uptake of this concept will support New Zealand's trade and market access objectives.

Action

2.3.1 Promote, at the horizontal level and specifically at the Codex Committee on Food Import and Export Inspection and Certification Systems, the uptake and application of the concept of comparability in international trade.

2.4 Consult on Codex matters at a national level

Sound policy development and advocacy requires effective consultation at a national level. This will ensure New Zealand's positions are based on the input and involvement of as many interested parties as possible. New Zealand has a strong history of consultation in Codex matters and will continue this approach while also continually assessing and improving our systems.

Actions

2.4.1. Consult all interested parties on Codex matters.

2.4.2 Improve the New Zealand Codex website to allow better dissemination of information on Codex and ensure it is kept up to date.

2.4.3 Improve stakeholder knowledge and understanding of Codex, both within and outside of NZFSA, through targeted training and information workshops.

⁷ The Quadrilateral Group, or Quads as it is commonly known, comprises of New Zealand, Australia, the US and Canada, and was established in the mid nineties to promote collaborative effort in international food standards and related work.

3 Strengthen the Codex system

Rationale

A strong, efficient and responsive Codex system is essential in fulfilling the Codex mandate for the development of international standards for health protection and trade. Since 2003, Codex has made substantive progress in reforming the organisation and making it more responsive to the needs of its membership. This includes the strengthening of the Executive Committee as a strategic and standards management body, improved and more systematic processes for the evaluation of new work proposals, and monitoring the progress of work. The establishment of a trust fund has also helped enhance the participation of developing countries in Codex work. However the challenge is ongoing and continued efforts are needed to address the concerns around structure and the timely advancement of work. Many members continue to have concerns about the heavy workload arising from the number of meetings, but substantive reorganisation of the committee structure is largely unsupported.

In this environment, the priority must be to gain efficiencies through focussing work towards the horizontal committees and time-bound task forces. New Zealand is committed to supporting a reform process that is pragmatic and focuses on improved prioritisation and standards management as a way of enhancing the overall efficiency and responsiveness of Codex.

New Zealand will also monitor the growth in private standards as their expansion has implications for the systems and processes of international standards setting bodies as well as international agreements and trade.

Strategies for achieving this objective

3.1 Promote approaches that progress new work and standards development

New Zealand sees the uptake of new Codex criteria and disciplines as central to improving the overall responsiveness of Codex. To this end, New Zealand will be promoting the application of prioritisation principles and work management across all Codex committees.

New Zealand will be supporting the Commission in taking a firmer and consistent stand on work that is the subject of long standing debate and where there is little or no prospect of advancement or consensus. There are also renewed efforts to promote consensus-based decision making through the active implementation of the Measures to Facilitate Consensus.⁸ New Zealand sees gaining consensus as an integral issue in strengthening Codex processes and believes that work that shows no prospect of progression should be discontinued and we will continue to advocate for this.

Actions for achieving this strategy

- 3.1.1 Undertake inter-sessional work to maintain the momentum and advancement of Codex text in areas of interest to New Zealand.
- 3.1.2 Promote simplified work processes for cross-committee work.
- 3.1.3 Support the Commission's efforts to facilitate consensus.
- 3.1.4 Advocate for the deferral or discontinuation of work where there is clear lack of consensus on substantive issues and content.
- 3.1.5 Support the use of accelerated step processes to advance work.

⁸ Codex Procedural Manual, 18th Edition, pg 186.

3.2 Support collaboration between Codex and other international standards-setting bodies

Given the close links between animal health and food safety, collaboration between Codex and other international standards-setting bodies is essential to promoting a 'whole of food chain' approach. New Zealand welcomes the development of guidelines outlining cooperation between the Commission and relevant international standards bodies⁹ and is committed to practical collaboration in international standards development.

At the national level there is also a need and opportunity to work with MAF Biosecurity New Zealand in the sharing of information and strategies to progress food safety and animal health international standards.

Actions for achieving this strategy

- 3.2.1 Contribute, through technical expertise and/or financial support, to the OIE's Animal Production Food Safety Working Group to address food safety risks across the food chain.
- 3.2.2 Support collaboration between Codex and any other relevant international standards-setting bodies as appropriate.
- 3.2.3 Work with MAF Biosecurity New Zealand to share information and develop coordinated strategies for advancing New Zealand's interests on food safety and veterinary public health.

3.3 Monitor the growth of private standards

The growth and impact of private standards in international food trade has been the subject of debate in Codex and elsewhere. Some of the concerns include the legitimacy of private standards in regard to international agreements and the potential for private standards to impose higher thresholds and requirements, and with those, additional costs to producers. There is also a concern that, given the time it takes to develop international standards, there will be increasing pressure for the introduction of private standards. This would be of concern to international standards-setting bodies and New Zealand.

Actions for achieving this strategy

- 3.3.1 Monitor the growth of private standards, in areas that have a direct relevance for Codex work, and support pragmatic actions to deal with the challenges and opportunities of private standards.

⁹ Guidelines on Cooperation Between the Codex Alimentarius Commission and International Intergovernmental Organizations in the Elaboration of Standards and Related Texts, Codex Procedural Manual 18th Edition, pages 21-22

4 Build and maintain strategic alliances

Rationale

The membership of Codex has grown substantially in the last decade with developing countries now representing a significant proportion of total membership. The changing membership dynamics present new challenges and opportunities and there is a clear need to move beyond traditional linkages and build new relationships with the broader membership of Codex. Efforts may also be needed to assist the newer members to participate more effectively in Codex. Not only will this experience strengthen the Codex system, but application of this knowledge and experience will help newer members to improve their national food regulatory systems, achieve better food safety outcomes, and enhance their capacity to meet overseas market access requirements.

Strategies for achieving this objective

4.1 Maintain and enhance our strategic alliances and partnerships

The international standards development process calls for strong collaborative efforts to achieve common goals and objectives. New Zealand attaches great importance to such collaborative efforts and will continue our strong relationships. For example, the Quad relationship serves us well, particularly in terms of sharing expertise and strategies. The relationship also assists us in influencing debate and decision making at the Commission and subsidiary body levels.

However, beyond the Quad relationship, New Zealand has an interest in strengthening our current dialogue and cooperation with the enlarged European Community which now represents a significant group in Codex. New Zealand will actively pursue opportunities at the bilateral level for closer collaboration with the European Community with a view to exchanging information and exploring strategies for advancing the Codex agenda.

Actions for achieving this strategy

4.1.1 Work with the Quad countries on Codex matters through teleconferences and pre-session meetings.

4.1.2 Actively pursue opportunities to work with the European Community to advance our mutual interests in Codex and international food standards issues.

4.2 Relationship with Australia

New Zealand has a special relationship with Australia by virtue of geographical, political and economic ties. The Australia New Zealand Closer Economic Relations Trade Agreement (commonly known as CER) has promoted a high level of economic integration and provided the stimulus and springboard for collaborative efforts at the multilateral level.

As sovereign countries, New Zealand and Australia participate in Codex as members in their own right. That said, the Australia New Zealand Food Standards Code is a unique example of international harmonisation. It places the two countries in a strong position to influence international standards development work and the NZFSA Statement of Intent 2009-2010 attaches high priority to strengthening the trans-Tasman relationship both at bilateral and multilateral levels.

New Zealand and Australia have highly evolved regulatory structures and lead the world in many areas such as labelling, nutrition and safety assessment. There are clear advantages and opportunities for the two countries in collaborating on international standards development.

The two countries also have opportunities to collaborate closely on capacity-building and technical assistance programmes in the Asia Pacific region to ensure efficient use of our limited resources.

Actions for achieving this strategy

4.2.1 Work with Australia and Food Standards Australia New Zealand on Codex matters particularly in areas covered by the joint food standard setting system¹⁰.

4.2.2 Identify key areas where New Zealand and Australia can collaborate and lead.

10 Agreement Between the Government of Australia and the Government of New Zealand Concerning a Joint Food Standards System (signed 1995)

4.2.3 Work with Australia on the development and implementation of capacity-building programmes particularly in the Asia Pacific region.

4.3 Build relationships with the wider membership

The changed membership structure and dynamics in Codex calls for renewed efforts to build new relationships and look beyond traditional alliances and linkages. With this growth in membership has come recognition of a wider range of issues, different stages of economic development and varied technical expertise. This environment requires greater empathy, awareness and effort to identify issues and areas of interest that appeal to and meet the needs of the wider cross section of members. More targeted measures may also be needed through initiatives such as outreach seminars, workshops and pre-session informal meetings to improve understanding of issues and facilitate consensus based decision making.

Many developing nations are also looking to countries such as New Zealand for guidance and mentoring support in their quest to participate more effectively in Codex and apply international standards at the national level. These efforts will ultimately lead to more effective participation from the wider membership, more inclusive processes and greater uptake of Codex standards at the national level.

This has been the case particularly with the emerging states of the Asia region and these members now represent a significant grouping in Codex. New Zealand already enjoys good working relationships with many countries in the Asia region and has supported their efforts and aspirations through contributions to regional training workshops on Codex and broader food regulation matters. With the growing involvement of this region in Codex and the concerted efforts to strengthen national food regulatory systems, New Zealand has an opportunity to develop mutually beneficial relationships in support of the development and application of sound, internationally harmonised approaches to food regulation and trade.

New Zealand also has close historical ties with many of the small island states of the Pacific and assists them in applying international standards at a national level both for domestic health protection and international trade.

Actions for achieving this strategy

- 4.3.1 Build relationships and work with members of the Asia region on issues of mutual interest.
- 4.3.2 Provide mentoring support to Pacific Island countries and support the implementation of the North America and South West Pacific Regional Strategic Plan.
- 4.3.3 Build and maintain relationships with other like-minded countries as a way of sharing ideas and facilitating consensus.

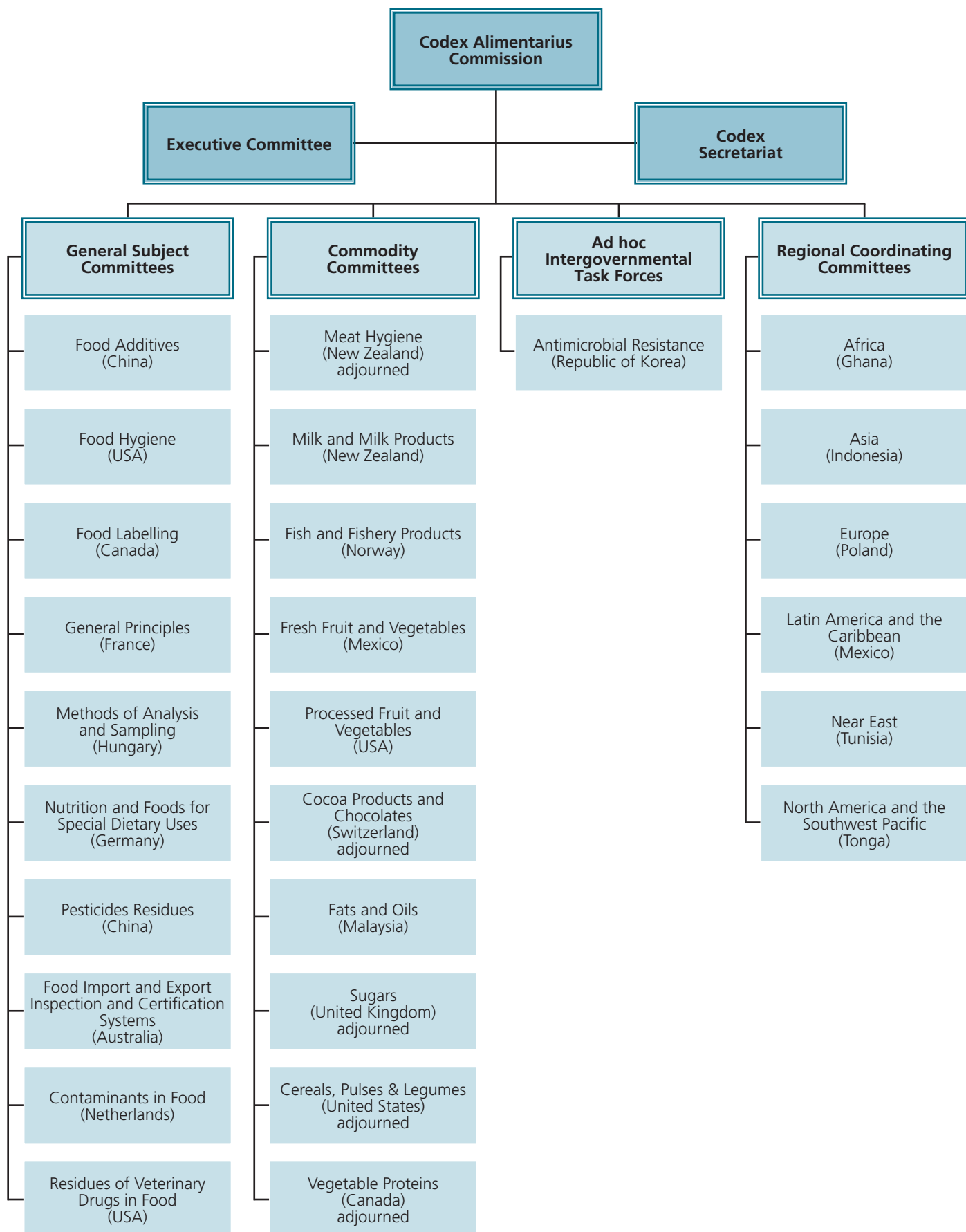
4.1 Support capacity-building programmes on Codex and food regulation

As a signatory of the SPS and TBT Agreements, New Zealand has a responsibility to assist developing countries with enhancing their capacity to meet their obligations under the Agreements. New Zealand has made significant contributions to international capacity-building programmes with the dual objectives of enhancing participation in Codex and assisting countries to strengthen national food control systems.

Actions for achieving this strategy

- 4.4.1 Promote New Zealand's ideas for improved systems and procedures as a way of achieving a coordinated approach to the delivery of technical assistance programmes at the international and regional level.
- 4.4.2 Contribute, such as through technical expertise and/or financial support, to bilateral and multilateral capacity-building programmes in line with our international obligations and broader national priorities.
- 4.4.3 Secure ongoing New Zealand Aid contribution to the Codex Trust Fund.

APPENDIX 1: Structure of the Codex Alimentarius Commission



Note: Regional Coordinator Positions rotate among members of the regions. Tonga is the Regional Coordinator for the NASWP Region for 2009-2011.

