



New Zealand's Strategic Objectives in Codex

August 2009

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INTRODUCTION AND BACKGROUND

The term 'Codex' refers to the outputs and activities of the Codex Alimentarius Commission (Codex). Codex plays a pivotal role in the development of sound international standards for health protection and ensuring fair practices in food trade. Since its establishment in 1962 by the World Health Organisation (WHO) and the Food and Agriculture Organisation of the United Nations (FAO), as part of a Joint FAO/WHO Food Standards Programme¹, 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 2010-2013 articulates the core strategic priorities for the organisation and provides a sound basis for the development of its work programme². The work of Codex is carried out by subsidiary bodies grouped along the lines of commodity committees, general subject committees, ad hoc task forces and regional coordinating committees. The Executive Committee, comprising of the Chair, three vice chairs, six regional coordinators and seven regional representatives, serves as a strategic and standards management body. The Commission is the final decision making body within the Codex system.

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 of the organisation. The growth of the developing country membership has introduced new dynamics within the Codex system.

Codex and the World Trade Organisation (WTO)

As one of the three recognised international standards setting bodies, Codex is critical to advancing the objectives of the WTO Sanitary and Phytosanitary Agreement (SPS) and the Technical Barriers to

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 182 as at September 2009

Trade Agreement (TBT). 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 SPS 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; and
- 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.

NEW ZEALAND'S STRATEGIC OBJECTIVES IN CODEX

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 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. The 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 have provided Codex with a more systematic framework for evaluating new work proposals and a number of subsidiary Committees have also made substantive progress in the development of criteria and processes for prioritisation (e.g. 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 an international standards setting body, 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 international 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 international bodies (e.g. FAO, WHO, OECD and APEC) to assess their alignment with New Zealand's strategic objectives.

Strategies for achieving this objective

1.1 Information gathering

Organisations such as the FAO, WHO, OIE, OECD and APEC 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 strategy and respond accordingly.

Action for achieving this strategy

- Augment the NZFSA information gathering system to allow early identification of emerging food systems 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

- Work with other organisations/departments (for example those that have lead responsibility for FAO/WHO/OIE/OECD/APEC in New Zealand) to maintain our contacts, improve our information resources and promote a Whole of Government approach to advancing New Zealand interests in international food standards for health protection and trade.
- Share relevant written briefings and attend pre and post international meeting briefings.
- 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 therefore our efforts have been concentrated in those areas of Codex 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 are 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

- Continuously evaluate Codex Committee agendas and work programmes for alignment with New Zealand's economic and strategic objectives and the NZFSA Criteria for Prioritisation of Codex work.
- Develop strategies for advancing our interests prior to attending Codex meetings.
- 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 Prioritisation of Codex Work.
- Consult with New Zealand stakeholders (refer Strategy 2.4) to identify matters of interest to them in Codex.

2 INFLUENCE CODEX STANDARDS AND PROCESSES

Rationale

New Zealand has achieved a high level of recognition, credibility and profile in Codex and 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, nutrition, and inspection and certification. Examples include the New Zealand leadership 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 also playing a key role in advancing thinking on the concept of comparability which is central to promoting uptake of the principle of equivalence. We are also playing a leading role in the areas of nutrition and labelling through our leadership of 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 Strategic Plan and the Risk Analysis Principles both for application in the framework of Codex and as guidance for member governments.

New Zealand will continue our leadership in promoting science and risk assessment as a basis for decision making and 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, not the least on account of the 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 increased investment in research, analysis and collaborative effort and New Zealand will also strengthen consultation processes at the national level to ensure sound advocacy of our interests.

Strategies for achieving this objective

2.1 Play 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 play a leadership role in advocating for adherence to the Commission Statements of Principle on the Role of Science in Codex⁴ and 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 JECFA, JMPR and JEMRA⁵. 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 on Food Safety Related Scientific Advice (GIFSA), will be critical to advancing Codex work.

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 we have recognised knowledge and expertise. New Zealand will continue to share this knowledge and expertise to advance work in areas of interest to New Zealand.

⁴Commission Statements of Principle on the Role of Science in Codex Decision Making Process and the Extent to Which Other Factors are Taken into Account.

Actions for achieving this strategy

- Lead working groups in the development of draft standards of highest priority to New Zealand.
- Evaluate standards to ensure they do not impede product development and innovation or New Zealand trade interests.
- Advocate for strengthened arrangements and resourcing for expert groups, including in the area of nutrition⁶ to facilitate the timely development of Codex standards.
- Provide scientific data and research information in support of international standards setting.
- Provide New Zealand technical expertise and/or appropriately qualified technical experts to international expert consultations/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. 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.

Actions for achieving this strategy

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

⁵ JECFA – Joint FAO/WHO Expert Committee on Food Additives; JMPR Joint FAO/WHO Meetings on Pesticide Residues; JEMRA – Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment

⁶ WHO Global Strategy

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 do not address judgement of the equivalence of the overarching systems; an area of high importance to New Zealand. The Quadrilateral country initiative, led by New Zealand, to agree guidelines for the comparability and mutual acceptance of food control systems, using meat hygiene as a case study, has a logical continuance in the Codex system and uptake of this concept will support New Zealand's trade and market access objectives.

Action

- Promote, at the horizontal level and specifically at CCFICS, the uptake and application of the concept of comparability in international trade.

2.4 Consult on Codex matters at the national level

Sound policy development and advocacy requires effective consultation at the national level and 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

- Consult all interested parties on Codex matters.
- Improve the New Zealand Codex website to allow better dissemination of information on Codex.
- Ensure the New Zealand Codex website is kept up to date.
- Improve stakeholders' knowledge and understanding of Codex both within and outside of NZFSA through targeted training and communications workshops.

3 STRENGTHEN THE CODEX SYSTEM

Rationale

A strong, efficient and responsive Codex is essential to fulfilling its 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. These include 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 to 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 Taskforces. 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 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 and also 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 from individual committees to the Executive Committee and the Commission.

In this context 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.⁷ 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

- Undertake inter-sessional work to maintain the momentum and advancement of work.
- Promote simplified work processes for issues that span multiple committees (e.g. CCFL and CCNFSDU).
- Focus on work in areas where there is common agreement.
- Support the Commission's efforts to facilitate consensus.
- Advocate for the deferral or discontinuation of work where there is clear lack of consensus on substantive issues and content.
- Support the use of accelerated step processes to advance work.

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, such as OIE, 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 bodies⁸ and is committed to practical collaboration in international standards development. At the national level there is also a need and opportunity to work with Biosecurity New Zealand in the sharing of information and strategies to progress food safety and animal health international standards.

Actions for achieving this strategy

- Contribute, such as through technical expertise or financial support, to the OIE's Animal Production Food Safety Working Group to address food safety risks across the food chain.

⁷ Codex Procedural Manual, 18th Edition, pg 186

⁸ Guidelines on Cooperation Between the Codex Alimentarius Commission and International Intergovernmental Organizations in the Elaboration of Standards and Related Texts

- Support collaboration between Codex, OIE and any other relevant international standards setting bodies as appropriate.
- Work with MAF Biosecurity 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, which would be of concern to international standards setting bodies and New Zealand.

Actions for achieving this strategy

- Monitor the growth of private standards, in areas that have a direct relevance for Codex work, and respond if necessary.

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 of Codex 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 effort and will continue our strong relationships with traditional Quad⁹ partners Australia, USA and Canada. The Quads relationship serves us well, particularly in terms of sharing of expertise and strategies and also assists us to influence debate and decision making at the Commission and subsidiary body levels.

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

Actions for achieving this strategy

- Work with the Quad countries on Codex matters through teleconferences and pre session meetings.
- 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 Closer Economic Relation Agreement (ANZCERTA) 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 and places the two countries in a strong position to influence

⁹ 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.

international standards development work and the NZFSA Statement of Intent 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 and 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

- Work with Australia and FSANZ on Codex matters particularly in areas covered by the joint food standard setting system¹⁰.
- Identify key areas where New Zealand and Australia can collaborate and lead.
- 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 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 countries 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.

¹⁰ Agreement Between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System

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 harmonized approaches to food regulation and trade.

New Zealand also has close historical ties with many of the small island states of the Pacific and in recognition of this special relationship NZFSA has established a Pacific Strategy to provide a policy framework for strengthening Pacific Island participation in Codex and assisting them in applying international standards at the national level both for domestic health protection and international trade.

Actions for achieving this strategy

- Build relationships and work with members of the Asia region on issues of mutual interest.
- Provide mentoring support and guidance to the PICs and support the implementation of the NASWP Regional Strategic Plan and the NZFSA Pacific Strategy.
- Build and maintain relationships with other like minded countries as a way of sharing ideas and facilitating consensus.

4.4 Support capacity building programmes on Codex and food regulation

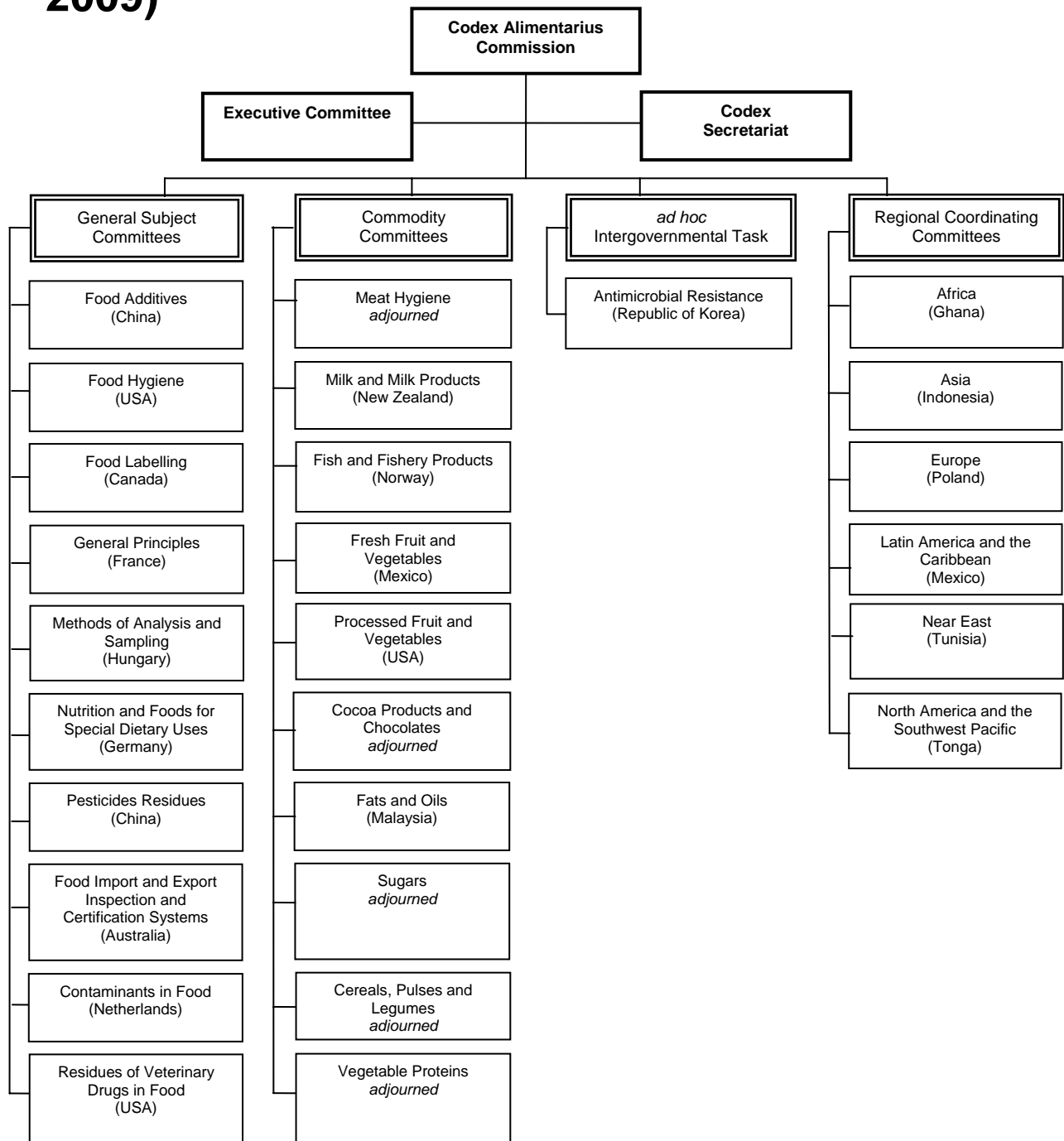
As a signatory of the WTO SPS and TBT Agreements New Zealand has a responsibility to assist developing countries with enhancing their capacity to meet their obligations under the Agreements. New Zealand has made significant contributions to international capacity building programmes with the dual objectives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

Actions for achieving this strategy

- 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.

- Contribute, such as through technical expertise or financial support, to bilateral and multilateral capacity building programmes in line with our international obligations, the NZFSA Pacific Strategy and broader national priorities.
- Secure ongoing NZ Aid contribution to the Codex Trust Fund.

APPENDIX 1: Structure of the Codex Alimentarius Commission (as at September 2009)



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

Appendix 2: Glossary of Terms

ANZCERTA	Australia- New Zealand Closer Economic Relations Trade Agreement
APEC	Asia Pacific Economic Cooperation
Codex	Codex Alimentarius Commission or the 'Commission'
CCNASWP	Codex Coordinating Committee for North America and the South West Pacific
FAO	Food and Agriculture Organization of the United Nations
FSANZ	Food Standards Australia New Zealand
JECFA	Joint Expert Committee on Food Additives
JMPR	Joint Meeting of Experts on Pesticide Residues
JEMRA	Joint Expert Group on Microbiological Risk Assessment
NZFSA	New Zealand Food Safety Authority
OIE	World Organization for Animal Health
OECD	Organization for Economic Cooperation and Development
PIC	Pacific Island countries
Quads	Food Safety Quadrilateral group; comprising New Zealand, Australia, USA and Canada
SPS Agreement	The Agreement on the Application of Sanitary and Phyto sanitary measures
TBT Agreement	The Agreement on Technical Barriers to Trade
WTO	World Trade Organization
WHO	World Health Organization