



Review of New Zealand's  
Strategic Objectives in Codex  
2005-2008

***IMPORTANT DISCLAIMER***

Every effort has been made to ensure the information in this report is accurate.

NZFSA does not accept any responsibility or liability whatsoever for any error of fact, omission, interpretation or opinion that may be present, however it may have occurred.

***Further copies***

Requests for further copies should be directed to:

New Zealand Food Safety Authority

P O Box 2835

WELLINGTON

Telephone: (04) 894-2500

Fax: (04) 894-2501

***Website***

A copy of this document can be found at [www.nzfsa.govt.nz](http://www.nzfsa.govt.nz)

## Table of Contents

<b>1</b>	<b>Introduction</b> .....	<b>3</b>
<b>2</b>	<b>Background</b> .....	<b>3</b>
<b>3</b>	<b>Comment</b> .....	<b>5</b>
	Codex and the World Trade Organisation .....	5
	Analysis of Current Objectives .....	5
	Strengthening the Codex System.....	6
	Promote Effective Representation of New Zealand Interests in Codex .....	8
	Consultation and Communication.....	10
	Summary of Analysis of Current Objectives .....	10
<b>4</b>	<b>A Revised Codex Strategy for New Zealand</b> .....	<b>11</b>
	Factors Leading to Revision .....	11
	Areas of strategic importance for New Zealand and NZFSA .....	11
	Changes within the Codex System.....	12
	Possible Objectives for a Revised Participation in Codex Strategy .....	13
<b>5</b>	<b>Appendix A</b> .....	<b>14</b>
	New Zealand's Work by Codex Committee 2005-2008 .....	14
	Executive Committees .....	14
	General Subject Committees.....	15
	Commodity Committees .....	25
	Task Forces .....	28

# 1 Introduction

In 2005, a strategy was developed (New Zealand's Strategic Objectives in Codex) to inform and guide New Zealand's participation in the international standards setting body, Codex Alimentarius (Codex). The New Zealand Food Safety Authority (NZFSA) is New Zealand's lead agency for Codex, and since the development of the 2005 Strategy there have been changes in NZFSA's strategic objectives, together with changes in the Codex system, which necessitate an update of the Strategy. This paper reviews New Zealand's participation and achievements in Codex, against the strategic objectives set out in the 2005 document, notes the new strategic and priority areas for inclusion and possible new objectives for a revised Strategy. A more detailed summary of New Zealand's achievements at Codex, by Committee, over the last three years is at Appendix A.

# 2 Background

Codex was established in 1962 by the World Health Organisation (WHO) and the Food and Agriculture Organisation (FAO) of the United Nations. Its primary purpose is to establish a body of international standards and related texts for use by member countries, for consumer health protection and international trade. Codex seeks to fulfil its twin mandate of health protection and ensuring fair practices in food trade through the work of its Committees. Codex standards are recognised as international benchmarks for many developed and developing countries.

Codex comprises several levels. The Codex Alimentarius Commission (CAC) is the governing body of Codex and makes the final decisions on all standards, texts and guides produced by the Codex system. The Executive Committee is a smaller group of countries and is responsible for providing standards management and strategic advice to CAC. General subject, or horizontal, committees consider standards applicable across the food chain (such as food hygiene, food labelling and contaminants and additives) and commodity committees are responsible for the development of commodity specific standards (such as fish, milk, meat, and fruits and vegetables). Codex also utilises task forces for specific pieces of work. There are also six regional coordinating committees to cover the globe and bring together regional members to discuss and further Codex work and priorities. New Zealand belongs to North America and the South West Pacific Committee. The current members of this regional committee are; Australia, Canada, Cook Islands, Federate States of Micronesia, Fiji, Kiribati, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Tonga, United States, and Vanuatu.

New Zealand has been a member of Codex since its inception and NZFSA is the lead agency for Codex in New Zealand. NZFSA's Mission is to protect consumers and enhance New Zealand's position as a trusted supplier of food.

To achieve this NZFSA has three chief outcomes:

- Improved safety and suitability of food
- Effective government role in facilitating commerce and market access
- Consumer good practices and choices that support better health

NZFSA as part of its mandate to enhance New Zealand's position as a trusted supplier of food seeks to 'utilise any capacity to improve business opportunities for domestic and export focussed food and related industries' and to 'work at the multilateral and bilateral level to ensure neither international standards nor importing country standards pose unjustified technical barriers to trade'. New Zealand achieves this in part through the positions it adopts at Codex and other international standard setting bodies.

In 1996, New Zealand formulated a Strategy to guide participation in Codex. This Strategy was revised and updated in 2001 and most recently in 2005. The 2005 Strategy outlined a number of objectives that a small, food producing nation with a focus on food safety, consumer protection and trade could reasonably expect to achieve within a large international organisation, often characterised by strong competing and divergent views.

The objectives identified in the Strategy were:

- Promote the application of sound science and risk assessment in Codex standards development.
- Promote fair trade principles in Codex standards and recommendations
- Strengthen the Codex system
- Promote effective representation of New Zealand's interests in Codex
- Consultation and communication

## 3 Comment

### **Codex and the World Trade Organisation**

In 1995, the World Trade Organisation (WTO) concluded a Sanitary and Phytosanitary (SPS) Agreement and identified three international standard setting bodies for the purposes of providing benchmark standards, regulations and guides for international trade. Codex is one of these three bodies. The other two are the World Organisation for Animal Health (OIE) and the International Plant Protection Commission (IPPC).

The SPS Agreement encourages the harmonisation of international standards and the use of standards, guidelines and text where they are already in existence. It places great importance on the role of sound science in standard setting, encouraging Members to base their measures on risk assessment, and to take no more measures than are necessary to meet an appropriate level of protection. The Agreement also provided formal recognition for the concept of equivalence.

Another WTO Agreement, the Technical Barriers to Trade Agreement (TBT Agreement), addresses the development of technical regulations and standards and via its mechanisms seeks to ensure that the regulations developed do not create technical barriers to trade or disguise unjustified barriers to trade.

The SPS and TBT Agreements provide a strong framework for the development of international standards at Codex and underpin the first two of NZFSA's objectives in the Codex Strategy

### **Analysis of Current Objectives**

#### ***The Promotion and Application of Sound Science, Risk Assessment and Fair Trade Principles in Codex Standards Development***

In recent years the primacy of science in the role of setting Codex standards has been repeatedly emphasised. New Zealand's reputation for highly effective and efficient food control programmes, and our experience and expertise in the international food safety arena, are well recognised and respected at Codex and provides an essential contribution in achieving our strategic objectives. Further, for a small country, we have had a very high level of influence on the content of Codex standards and texts over the last decade, especially in the area of risk analysis principles and their application in the various committees. This influence is highly reflective of New Zealand's interests and commitment to science and risk assessment as the basis for international standards.

Promoting this position at Codex has provided challenges as some member countries work to see standards adopted that reflect their local practices and/or legislation, rather than being objectively based on science and risk assessment. In clearly and consistently advocating for sound science and risk analysis as a basis for standard setting, New Zealand has demonstrated its ethical support for the principles of Codex at a high level. Consumer health protection has also been at the forefront of New Zealand's position on promoting sound science and risk analysis at Codex. It is considered that the most important contributor to clear and transparent protection of consumers (in relation to food in trade) is the systematic and objective application of good science and risk assessment in the development of standards.

Some countries also argue against updating standards to take better account of new science and risk assessment, gaining comfort from the older more prescriptive standards. However it is essential that international standards reflect the newer environment and facilitate cost-effective and innovative food production processes and regulatory controls. New Zealand has strongly supported and invested in the modernisation of outmoded standards where needed.

The work New Zealand has undertaken as part of the standards developed at the Meat Hygiene and Milk and Milk Products Committees, demonstrates New Zealand's commitment to sound science and risk assessment as a basis for standards development. The work undertaken by New Zealand in the important general subject Codex Committee on Food Import and Export Inspection and Certification Systems, has promoted fair trade principles through the development of international guidelines on the judgement of equivalence. Examination of New Zealand's representation at Codex shows delegates have consistently and successfully advocated for standards to be developed that follow this ethos. This is entirely consistent with the key provisions of the WTO SPS Agreement and TBT Agreement and ensures that consumer health is protected and trade facilitated.

## **Strengthening the Codex System**

Another of New Zealand's objectives was to support the strengthening of the Codex system. An international system is only as good as the extent and level of involvement of the international community. In 2003, Codex was evaluated by FAO/WHO and changes were subsequently made which sought improved efficiencies and better prioritisation of work throughout Codex. The majority of member countries supported the proposal to impose tighter time constraints on work with better critiquing of proposed work. Some members also encouraged restructuring and merging of Committees, however this measure received less support.

To achieve these efficiencies New Zealand has performed critical reviews of Codex work, supported closer collaborative efforts between Codex and other international bodies and contributed at all times to ensuring that, where possible, Codex standards have been focused on health and safety, represented cost-effective and efficient choices in respect of food control measures, thereby encouraging the widest possible application by members.

As noted in the 2005 strategy, New Zealand, along with other member countries, has had concerns about the efficiency of Codex and the length of time it takes to complete work. Helping to correct this was an important strategic goal. As an example of this aspect of the New Zealand strategy in action, New Zealand recently led the Codex Committee on Meat Hygiene (CCMH) through an extensive but highly targeted work programme to reduce five old meat hygiene codes into one and base this consolidation and rework on risk analysis principles. This work was completed in four sessions of the CCMH and the new Code of Hygienic Practice for Meat is held up as one of the best examples of a host country developing a contemporary and wide-ranging standard, which has relevance and application, and was developed in record time.

Codex has also shown some interest in complementing the Committee structure by higher utilisation of task force mechanisms which can operate in an ad-hoc and perhaps more efficient manner, where a specific food control issue needs to be urgently addressed. Further, a task force cannot easily extend its programme without getting approval from Codex, so there is more pressure on them to complete their programme within the timelines provided. In this context, New Zealand participated in the Task Force on Foods Derived from Biotechnology, which completed its work programme ahead of time. Much of this was attributed to the hosting/chairing by Japan but also to the preparedness by Members to undertake considerable intersessional work.

New Zealand is presently involved in the work of the Task Force on Antimicrobials, which is on target to meet its deadlines. The clear expectation is that the combination of reform to review new work proposals, expedite committee work with pre-determined timeframes and the introduction of task force mechanisms will serve to achieve the overall objective of transforming Codex as an efficient and responsive organisation.

Another area in which New Zealand has had a significant level of ongoing influence is through participation in CAC and the Executive Committee. In the Executive Committee, New Zealand has been able to significantly contribute to the development of sound processes for carrying out its responsibilities for strategic oversight on standards management. As part of this evolution, the move towards a critical review of new work proposals at the Executive Committee, determining whether they are important and meet the strategic objectives of CAC before they are approved, has already provided benefits. The application and monitoring of timelines has been part of this process.

As identified in the 2005 strategy, New Zealand attaches great importance to closer collaboration between Codex and other relevant international standards bodies, with particular reference to the World Organisation for Animal Health (OIE). Such collaborative links are important to avoid duplication of work and to ensure that international standards are risk-based to the extent possible and practical and cover the whole food chain. To this end, New Zealand has chaired an OIE committee dealing with zoonotic diseases (those diseases that transfer from animals to humans, such as BSE).

## **Promote Effective Representation of New Zealand Interests in Codex**

A key focus of the current Codex Strategy has been to provide a framework for channelling limited resources into areas of Codex that are most relevant to New Zealand from a food safety and international trade perspective. New Zealand attaches great importance to the work of the horizontal committees, given that their outputs strongly support systematic application of a risk-based approach to standard setting. From a commodity committee perspective, New Zealand attaches greatest priority to those committees that are most important to us from trade and economic perspectives.

In addition to hosting and chairing the Codex Committee on Milk and Milk Products (CCMMP), New Zealand also participates in the work of the following Codex commodity committees, out of nine currently active:

- Fresh Fruit and Vegetables (CCFFV)
- Fish and Fish Products (CCFFP)
- Fats and Oils (CCFO).

The work of CCMMP has been hugely valuable for New Zealand as one of the largest dairy trading nations in the world. Participation in other committees, such as CCFO, has nonetheless been important to protect the interests of a small, but growing, New Zealand olive oil industry and to uphold the principle that Codex standards should take due account of global variations in composition.

New Zealand, by virtue of its emphasis on addressing issues on the basis of science, risk assessment and ethics (and at times irrespective of their impact on New Zealand), has established a profile of high credibility and confidence in Codex. Even more importantly, New Zealand has demonstrated its commitment by providing a considerable amount of technical expertise, which has had a significant influence on the standards developed since the WTO SPS and TBT Agreement came into force.

This reputation and contribution has worked very well for New Zealand in the following ways:

- the notice taken of our interventions during plenary sessions of Codex committees considering that we are a very small country in relative terms;
- the high level of influence we have established at CAC and the Codex Committee on General Principles (CCGP) level;
- the acceptance of New Zealand's contribution to the large body of horizontal work that now constitutes the risk analysis principles and guidelines which underpin the work of Codex in a modern food safety world;
- the leadership demonstrated in the milk and meat hygiene committees through developing comprehensive, high utility commodity standards in these areas; and
- the ability to influence standards setting by leading and contributing to taskforces and working groups on an ad hoc basis.

Our credibility has also enabled us to broker solutions between large country blocs when entrenched positions, based on trade considerations, have prevented progress in standards setting.

Consistency of attendance has also been important in advancing New Zealand's interests. New Zealand's interests have been protected by our regular attendance at meetings and the experience and technical expertise of our delegations. Attending Codex meetings has provided excellent opportunities to establish international networks, both at the risk management (regulator) and risk assessment (technical expert) level. With the vast amount of science and risk assessment now available in the global food safety environment, fully and rapidly accessing these sources of information has provided an advantage to NZFSA in its desire to be a cutting edge and cost-effective organisation. This has also informed our domestic work (for example the *Campylobacter* strategy) and provided early access to expert opinion and assistance when emergency food safety issues arise, either in the domestic setting or for food in trade (import and export).

Some NZFSA staff are also members of the expert committees providing the Codex system with the expertise it requires to fulfil its work and mandate. This enhances many of the above benefits to New Zealand.

New Zealand has a traditionally strong relationship with Australia and this is reflected in many international settings and our joint food standards setting body Food Standards Australia New Zealand. In addition, New Zealand has also developed close working relationships with the USA and Canada and collectively Australia, New Zealand, Canada and the USA forms the Food Safety Quadrilateral group that represents a strong coalition of interest. More recently New Zealand and the other Quad countries have sought to establish closer dialogue and links with the members of the

European Community to achieve our common interests and to more regularly include the Pacific Island countries in discussions.

## **Consultation and Communication**

NZFSA fully recognises that to effectively represent New Zealand at Codex, engaging with other New Zealand stakeholders and interested parties, and actively seeking their contribution to our Codex work is important. Government departments, industry and consumers have all contributed on a regular basis with technical expertise and submissions on standards, pre and post adoption by Codex.

Regular, pre and post Codex meeting briefings for interested parties are held and there is extensive informal discussion between NZFSA staff and external parties on many aspects of work programmes and standard setting. Codex standards can have a high cost impact on industry sectors and NZFSA takes its responsibilities very seriously in informing industry sectors of progress in specific standard developments and their possible compliance costs and trade implications. NZFSA has also benefited from obtaining a consumer perspective (via members of the Consumer Forum) and having these reflected in our policy positions at Codex.

The NZFSA website is of high utility in engagement with external parties and the Codex section is regularly updated. The Codex Contact Point for New Zealand also proactively engages with third parties encouraging their participation and contributions.

These processes have ensured that New Zealand's advocacy at Codex meetings has been based on sound consultation and in line with our strategic and policy interests. New Zealand has also had non-governmental representatives (industry, consumer and public interest groups) participate in Codex meetings in an observer capacity and this contributes to a wider experience base.

## **Summary of Analysis of Current Objectives**

A number of New Zealand's strategic objectives for participation in Codex have been met by New Zealand's activity at Codex Committee meetings and intersessionally. New Zealand delegations have consistently advocated for the application of sound science and risk-based analysis, as a basis for international food safety standards developments, for health protection and trade in line with our objectives and in accordance with the WTO SPS Agreement. Our regular and considered attendance at Codex has seen our profile and credibility repeatedly confirmed on the international stage. And while some of the objectives contained in the 2005 Strategy remain relevant for New Zealand, others have been completed or objectives are no longer significant.

## 4 A Revised Codex Strategy for New Zealand

New priorities have emerged over time which necessitates an updating of the Codex Strategy for New Zealand and it is timely to revisit the current objectives and consider whether they can be improved or changed to take into account the changing global situation.

### **Factors Leading to Revision**

In carrying out this review, new areas of strategic importance for New Zealand and NZFSA have been identified; there have also been significant changes within the Codex system. All of these factors will be considered in the context of our ongoing Codex work and incorporated into the updated strategy. These developments include:

### **Areas of strategic importance for New Zealand and NZFSA**

#### **Recognition of NZFSA's new Statement of Intent**

Since the development of the 2005 strategy, NZFSA has been established as a fully fledged department of state, with its own Statement of Intent, setting out the high level priorities and outcomes for food safety, health protection and trade. A revised Strategy for New Zealand's participation in Codex needs will take into account these priorities and complement and further develop the outcomes and outputs identified in the Statement of Intent.

#### **Appropriate application of science and risk assessment in developing standards**

New Zealand has identified a number of areas in Codex work where there is reluctance to genuinely incorporate risk assessment in development of standards. This particularly relates to the basis for establishing maximum residue levels (MRLs) for chemical hazards in foods and the lack of promotion of an appropriate risk-based regulatory response to non-compliances for food in trade.

#### **Mutual acceptance agreements**

New Zealand played a leadership role in the development of international guidelines on the judgement of equivalence of sanitary measures. This continues to be an area of priority interest to New Zealand and its Quad partners. Work in Codex is needed to deliver a horizontal standard on the development of mutual acceptance agreements between countries, recognising the experience, trust and confidence that exist around many trading arrangements.

---

## **Changes within the Codex System**

### **Revised CAC Strategic Framework for 2008-2013**

CAC has adopted a revised strategic framework covering the 2008-2013 period. CAC has gone through a substantive period of change over the last few years, brought about by the phenomenal growth in membership and the intensification of work. Codex also has to deal with new and emerging food safety issues and technological developments.

A key priority for New Zealand has been to support strengthened strategic and standards management capabilities and better resourcing of the Codex Secretariat to ensure that it continues to fulfil the mandate and expectations of the membership.

New Zealand has a strong and ongoing commitment to support coordinated strategies and action plans to achieve these objectives. Further, New Zealand has joined with Australia in presenting a new draft business plan to CAC in 2009.

### **Changing membership dynamics in Codex**

The developing countries now constitute a majority of the membership of the Commission. The establishment of the FAO/WHO Trust Fund has enabled greater participation of members in the work of the Commission and its subsidiary bodies. This development has brought new challenges and opportunities. Codex standards now reflect and benefit from the input of a wider range of members. However, there are now new challenges in terms of work management and consensus building. The changing membership dynamics call for new approaches in terms of outreach, relationship building and advancement of work. For New Zealand, and other likeminded countries, there is a need to think beyond traditional relationships and linkages.

### **Science and Risk Analysis**

Since the development of the 2005 Strategy, there has been substantial progress in the development of international guidance on risk analysis principles for application in Codex and at the national level. New Zealand has a high interest in promoting science and risk analysis principles in Codex work. In addition we have led the debate internationally for the development of risk-based standards addressing specific commodity hazard combinations and promoting New Zealand thinking on a new risk management framework. New Zealand will be looking to strengthen the strategic initiatives in support of sound international systems and standards for health protection and trade.

## **The increasing profile and relevance of nutrition in Codex**

Although Codex has always had some input into nutrition related standards, there is now a greater recognition of the linkages between the work of Codex and broader concerns around diet and physical activity and health. Governments around the world are grappling with the challenges arising from obesity, micronutrient deficiency and changing dietary patterns and lifestyles. Tackling these issues will require a multifaceted approach, including the provision of better guidance to consumers in terms of labelling and consumer information to help with healthy choices.

## **Possible Objectives for a Revised Participation in Codex Strategy**

The updated Strategy and objectives will align with NZFSA's Statement of Intent, and any other relevant programmes, and take into account that in our ongoing Codex work, it is in New Zealand's interests to:

### **Exercise an influence on the Codex Standards Setting Process**

This incorporates the current Codex objectives of promoting the application of fair trade principles and sound science and risk assessment as a basis for the development of international systems and standards. It also incorporates the interface between Codex and other international standards setting bodies.

### **Ensure a strong and effective Codex System**

This continues the work New Zealand has been doing for many years in seeking to strengthen the Codex system and increase its efficiency. It also recognises the revised Strategic Framework for Codex and the need for coordinated strategies to ensure Codex can deliver on its objectives.

### **Respond to Emerging Global Health and Safety Issues**

This new objective recognises the increasing focus of global health and safety issues on Codex work and the broader concerns internationally around diet, physical activity and health.

### **Build and Maintain Strategic Alliances**

This objective recognises the changing membership dynamics in Codex and the need for New Zealand to not only maintain its current relationships, but to look beyond traditional linkages and establish relationships and alliances with new members and groups.

## 5 Appendix A

### **New Zealand's Work by Codex Committee 2005-2008**

#### **Executive Committees**

##### **Codex Alimentarius Commission (CAC)**

CAC is the governing body of Codex and as well as agreeing strategic plans, policies and procedures, it conducts the final step in adoption of Codex standards. It also ratifies work programmes and reviews the operational decisions of the Executive Committee.

Given the extent and importance of the NZFSA Codex programme, attendance at CAC to represent NZFSA strategic objectives is of high importance. As well as actively advocating New Zealand's position we have seen the successful adoption of a significant number of standards of importance to New Zealand. Of significance to New Zealand has been the standards developed by the Codex Committee for Milk and Milk Products (hosted by New Zealand), and the adoption of the new Code of Hygienic Practice for Meat by the Codex Committee on Meat Hygiene (also hosted by New Zealand). Ensuring that the final adoption of such standards is not disrupted at the final step (and consequently requiring more resources) is a key objective of attendance.

Other standards that represented a high level of prioritisation and resourcing included the:

- Working Principles for Risk Analysis for Application by Codex;
- Working Principles for Risk Analysis for Application by Governments;
- Principles and Guidelines for the Conduct of Microbiological Risk Management;
- Principles for Traceability / Product Tracing As A Tool Within A Food Inspection And Certification System; and
- Guidelines on the Judgement of Equivalence of Sanitary Measures Association with Food Inspection and Certification Systems.

The acceptance of risk analysis as a basis for setting standards is a position promoted by New Zealand and consistent with the SPS Agreement. It has also benefited New Zealand by improving market access given its compatibility with New Zealand systems and regulations.

We also led the discussions, at CAC, on governance issues, including the Codex budget. This advocacy has helped to sustain the Codex programme in the face of cutbacks which could have weakened the system and slowed progress of standards through Committees or indeed seen work declined.

Given that CAC is attended by high level officials from the major Competent Authorities around the world, it provides an essential opportunity for networking and informal liaison with significant world players in the Codex work programme.

### **Executive Committee (CCEXEC)**

CCEXEC comprises a Chair, three vice-Chairs and elected regional representatives and is a strategic and standards management body that acts on behalf of CAC.

New Zealand is the Member for the South West Pacific Region and was actively involved in the revision of the CAC Strategic Plan for 2008-2013. The original Plan, adopted in 2001, was drafted by New Zealand. New Zealand also works closely with Quad partners (Australia, USA and Canada) on the Committee on matters of common interest.

New Zealand has established a strong and well recognised profile in the Executive Committee through our strategic approach and clear advocacy of regional, New Zealand and wider membership interests. New Zealand has specifically advocated the development of improved standards management procedures; reviewed new work proposals and work progress and supported a risk-based approach to standards development. New Zealand has also advocated for additional resources for the Codex programme to ensure the continuity of work.

### **General Subject Committees**

General subject committees cover subjects affecting all Codex committees, issues such as labelling, food additives, systems and general principles for operation. As Codex has attempted to move away from highly prescriptive commodity standards, the work of the general subject committees has increased in importance as they facilitate a risk-based approach to the development and application of food standards.

### **Codex Committee on General Principles (CCGP)**

CCGP deals with procedural matters which are referred to it by CAC and supports the implementation of any actions arising from evaluation of the Codex process. It also deals with procedural and policy issues. As a result, it operates as an advisory Committee for both CAC and CCEXEC.

New Zealand has been at the forefront of international discussions on risk analysis and has actively promoted the development of these principles within Codex and at the national level. The finalisation of the two documents on working principles<sup>1</sup> at CCGP, after almost eight years of debate, represented a major achievement for New Zealand. New Zealand contributed at all stages of the process. This was in an effort to ensure that the risk management principles and language on precaution were aligned with New Zealand's approach to risk assessment without constraining trade. In this, the principles also fulfil the expectations of Article 2 of the WTO SPS Agreement in terms of providing risk analysis guidance for member governments. New Zealand is also leading work on the development of risk analysis terms by clarifying the terminology related to risk analysis.

Substantial reforms have been implemented in recent years to provide tighter and clearer criteria for new work and improved procedures for prioritisation. New procedures have been established by CCGP for the CCEXEC and CAC to exercise a critical review of work programmes and progress with standards development. New Zealand has played an instrumental role in these reforms and the outcomes have been substantially in line with our objectives. Specific areas of input have included contribution to the development of revised criteria for prioritisation of work across commodity areas and the implementation of a new project framework for consideration of new work proposals.

As noted above, New Zealand has been instrumental in the development and adoption of risk analysis principles and their application at CCGP.

### **Codex Committee on Food Hygiene (CCFH)**

CCFH works on hygiene provisions as they relate to all food, and particularly focuses on control of microbiological hazards in food. As such, it has overall responsibility for these issues for all Codex commodity committees. Given that almost all foodborne illness is of microbiological origin and food in trade is subject to very detailed (and costly) microbiological requirements, this Committee is of key ongoing interest to New Zealand.

Given the uptake of risk analysis in Codex, there has been an increasing trend towards establishment of microbiological criteria for specific pathogens for food in trade. While supporting the move to 'enabling' science and risk-based standards in this area, there is also a significant threat to trade if trading blocs capture the standard development process. This could mean influencing the establishment of quantitative limits that are neither soundly based nor reflective of world-wide conditions and experiences. New Zealand has therefore had a vital interest in these processes.

---

<sup>1</sup> *Working Principles for Risk Analysis for Food Safety for Application by Governments and Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius*

Most of the standards finalised by CCFH over the last three years have been of high interest to New Zealand and have included the new standard for *Listeria* in ready-to-eat foods. On this standard New Zealand successfully negotiated a position that emphasised the application of the risk-based approach and this now constitutes an important foundation on which to progress NZFSA's *Listeria* strategy work. *Cronobacter sakazakii* in infant formula is another example, along with several international codes of practice for food commodities.

Of particular importance to New Zealand in this Committee is its work on the '*Proposed Draft Guidelines for the Control of Campylobacter and Salmonella spp in Chicken Meat*'. New Zealand is co-leading this work with Sweden. New Zealand has a high incidence of campylobacteriosis and NZFSA has set a public health goal of a 50% reduction in the reported annual incidence of foodborne campylobacteriosis after five years. Co-leading this work provides New Zealand with access to the best technical expertise from around the world to develop and inform our domestic strategy.

It is also the first opportunity for New Zealand to oversee the writing of a code which reflects our position on standards being risk-based, where appropriate, and not being overly prescriptive. The draft code contains several innovative approaches to standard-setting including the development of a web-based decision tool for risk managers making decisions at the national level. This opportunity to promote New Zealand's dedicated approach showcases the risk-based approach internationally and demonstrates how international food standards might be developed in the future.

New Zealand had a strong influence on achieving a risk-based and pragmatic microbiological standard for infant formula, an essential outcome given New Zealand's extensive international trading of this product. Without this, all trade in milk powder would have faced rejection at the borders, although there was no justification in food safety terms. This would also have had disastrous impacts on the availability of infant formula in specific areas. If this standard had gone forward, as proposed by some countries, it would also have had a significant impact on the global trading dairy industry, including the New Zealand dairy industry who manufactures significant volumes of follow-up formula. It could have created a precedent for the application of 'precautionary measures' in trade without justification or commensurate benefits in terms of health protection.

Currently, work is before the Committee on developing codes of hygienic practice on leafy green vegetables and pathogenic *Vibrio* species in seafood. These areas are important for domestic and export industries in New Zealand and New Zealand will continue to advocate for science and risk-based principles as foundations of the Codes as they are developed.

## **Codex Committee on Food Additives (CCFA)**

CCFA is a key horizontal Codex committee with responsibility to ensure provisions for the safe use of food additives. Its main work is development of the Codex General Standard for Food Additives (GSFA), endorsement of additive provisions in commodity standards e.g. milk products, and prioritising requests for expert committee JECFA evaluations and specifications. This is ongoing work for all Competent Authorities. CCFA also considers the need for guidance concerning additives e.g. guidelines on the use of flavourings and processing aids.

New Zealand has actively supported the development of the GSFA at plenary and working group sessions. Most recently this support was exercised at the CCMMP where New Zealand's input on food additives assisted in the endorsement of milk standards through to adoption at CAC. New Zealand interventions were particularly important in the revision of the procedural manual and the preamble to the GSFA.

New Zealand has taken care to ensure that provisions for additives in the GSFA are not unnecessarily restrictive to trade, whilst maintaining the necessary safety protection. In particular New Zealand and Australia have both resolved provisions that would have been more restrictive than those in the Australia New Zealand Food Standards Code, or are otherwise essential for New Zealand industry. New Zealand has successfully argued that technological justification to use some additives may differ regionally and New Zealand's representations were instrumental in ensuring that the levels set for preservatives in soft drinks, food acids in wine, bleaching agents for whey powders (benzoyl peroxide), paprika oleoresins and annatto extracts in processed cheeses were scientifically justified and not restrictive of trade. Significantly New Zealand supported the inclusion of the new sweetener neotame in the GSFA, including seeking a JECFA evaluation and specification.

New Zealand has worked to ensure that CCFA incorporates adequate provisions for processing aids. New Zealand has successfully argued that CCFA must take processing aids into account while focusing its efforts in the medium term on completing the GSFA.

Participation in CCFA has enabled New Zealand to gain profile and develop expertise on additive issues and extend international contacts including with international industry bodies and other government agencies. This has been particularly relevant when dealing with topical additive issues such as those concerning antimicrobial agents (e.g. surface treatment alternatives to chlorine, preservatives, artificial colours, colouring foodstuffs, aspartame and sulphites, nitrites etc).

## **Codex Committee on Contaminants in Food (CCCF)**

CCCF considers naturally occurring contaminants and recommends on provisions for threshold levels where appropriate. In this Committee New Zealand's principal interest has been to ensure that the maximum limits established for various contaminants are based on sound risk assessment and risk management principles.

Given the variability of contamination levels for various food products (e.g. fish and red meat), this approach has been important to ensure that the maximum levels established by Codex did not adversely affect New Zealand's trade interests while also protecting human health.

Participation in this Committee has also allowed New Zealand to monitor and keep up to date with international best practices regarding contaminants in foods and to make contacts and have access to information which informs our own domestic work.

## **Codex Committee on Pesticide Residues (CCPR)**

CCPR establishes maximum residue limits (MRLs) and guidance for pesticides in specific food items or in groups of food and processes that are traded internationally. The Committee processes approximately 500 MRLs a year. It also considers limits for environmental contaminants such as DDT and limits for pesticide residues in animal feeds where these are traded internationally. The programme of work for Codex also includes a regular review of older pesticides. The work of CCPR is therefore important to New Zealand.

Unlike many countries, our legislation allows for imports of foods that are compliant with a Codex MRL. This stance makes the best use of international expertise in the setting of standards and avoids duplication of this effort at the national level – an important aspect of technical resourcing for a small country. Every effort is made to encourage other countries to adopt New Zealand's approach of recognising Codex MRLs 'by reference' (for imported food) and New Zealand's position has been formally recognised as being leading best practice on a number of occasions.

New Zealand provides major input to CCPR to support food production systems in New Zealand and ensure that the use of pesticides is not prejudicial to food safety and market access. By working to closely align Codex standards with Good Agricultural Practice in New Zealand, fewer non-compliance situations and the loss of product at border inspection are likely to arise. There is a continuing presence by New Zealand industry (Zespri and the citrus and horticulture industry) in this Committee and prioritisation of pesticides of interest ensures the horticulture industry has access to a wide range of pesticides and can comply with any importing country's requirements. This, along with the rapid progress of Codex MRLs, supports our fresh produce exports in developing markets in Asia, where national food safety legislation often includes recognition of Codex MRLs.

---

New Zealand is part of the priority setting working group which considers both the old and new pesticides for review. Requiring reviews to be subject to the availability of new data ensures scientific rigour prevails. New Zealand has also participated in a Working Group to develop a proposal for a pilot scheme in work-sharing initiatives. Experience gained from this pilot project will determine whether work-sharing and joint reviews can be extended to become an international activity rather than just a bilateral one. If adopted there would be the potential for a significant reduction in the time and cost to register a product in New Zealand in the future.

### **Codex Committee on Residues of Veterinary Drugs in Food (CCRVDF)**

CCRVDF reviews residue management of veterinary drugs, recommends MRLs and develops codes of practice related to veterinary drug residues.

The context and advantages of New Zealand's involvement in CCRVDF are the same as for CCPR. Some member countries seek to have standards and residue levels set at the Committee to reflect their local agricultural practices or political perspective. New Zealand seeks to limit this approach, since if implemented, many veterinary drugs commonly used in New Zealand would be deleted from the accepted list of veterinary drugs and New Zealand's ability to trade according to Good Agricultural Practice in this country would be adversely affected. Some countries also routinely ban drugs outright whereas New Zealand strongly advocates a science and risk-based approach.

New Zealand chaired the working group which produced a guideline that addresses the way countries approach the management of residues in food products derived from animals. This includes the way violations of MRLs on imports are detected and handled at the border. The Paper (*Draft Guidelines for the Design and Implementation of National Regulatory Food Safety Assurance Programmes Associated with the Use Veterinary Drugs in Food Producing Animals*) includes appendices that specify how sampling programmes for various products and commodities are to be conducted.

The progression of this document is important for New Zealand, as it provides for a consistent risk-based approach to the implementation and design of residue assurance programmes, residue sampling and the management of non conformance. This reduces the possibility that residue testing systems can be designed to function as a trade barrier.

New Zealand has also been instrumental in introducing a new process that has expedited the acceptance of MRLs. Previously, if a country was trying to block a measure, Codex had to refer the information to the expert committee JECFA, so that it could make a determination. As there was no time limit, many measures stalled due to lack of information. With the new process (proposed by New Zealand and accepted by Codex), if no information is received within a certain time period then the measure progresses. This has led to a large number of MRLs being progressed and set, which has led to benefits internationally and nationally.

---

## **Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)**

CCNFSDU addresses specific nutrition issues and advises on general horizontal nutrition issues, such as the implementation of the WHO Global Strategy on Diet, Physical Activity and Health. It also develops guidelines or texts for special dietary uses.

New Zealand has been heavily involved, through the working group process, in the development of concepts and principles for nutritional risk analysis to guide the work of CCNFSDU. Traditional risk analysis principles, as related to chemical and microbiological hazards, deal with risks to human health arising from over exposure to chemicals and microbiological hazards. Their application in the area of nutrition is intended to address risks arising from over consumption and inadequate intakes of various nutrients. These principles will be important to guiding the work of CCNFSDU against the background of technological developments and the growth of novel/functional foods. The development of these principles will be of benefit in particular to the New Zealand dairy industry and other innovative food companies which produce new products and which make health claims.

New Zealand has played an important role in working within various working groups and the plenary sessions to progress work on Infant Formula (including methods of analysis); dietary fibre; substantiation of health claims and nutritional risk analysis. An example of the benefit of our role was in relation to a proposal before the Committee to alter the nitrogen to protein conversion factor in infant formula thereby altering the calculation of protein in the formula. The proposal presented no human health benefits and could have damaged our industry as the milk protein in our dairy-based product would not have been adequately recognised and companies would have had to add extra protein to achieve the same analytical result. New Zealand was successful in opposing the measure. Considerable work was also done on the infant formula methods of analysis table which was out of date and not based on current best practice. New Zealand led the work to update it to reflect all the modern methods of production, thereby ensuring producers did not have unnecessary compliance costs imposed upon them.

## **Codex Committee on Food Inspection and Certification Systems (CCFICS)**

CCFICS establishes horizontal standards around the systems necessary for food in trade and as such it is an essential Committee to New Zealand. Standards that have been subject to a high level of influence from New Zealand include those for import and export systems, certification arrangements and certificates, judging the equivalence of control measures in different countries, traceability, and imported food inspection.

As an exporting country, New Zealand had a major interest in the work on the Generic Model Official Certificates and provided significant input into the development of the Certificates to ensure that they were not duplicative of other certificates used by New Zealand, nor overly prescriptive. The traceability work before the Committee presented challenges for New Zealand as some member countries applied significant pressure to develop more prescriptive provisions for traceability systems without sound justification in terms of science and consumer health protection. The principles finally adopted by Codex are in line with New Zealand's approach to traceability and do not place unnecessary pressures or costs on exporters and importers.

Prior to the development of the 2005 Strategy, New Zealand led the work on getting guidelines on the judgement of equivalence accepted. The acceptance of these guidelines has informed a lot of the subsequent work, including that of an annex to the guidelines to expand on what is meant by 'an objective basis of comparison and judgement'. Much of New Zealand's focus has been on ensuring that the Committee keeps to the principles of risk analysis and sound science in the development of this annex.

Work has also commenced on national food control systems. If Codex has guidelines on national systems it will assist in equivalence determinations and will give countries something to judge against. These guidelines are also important to promoting sound approaches to imported food inspection based on the principles of science and risk assessment.

## **Codex Committee on Food Labelling (CCFL)**

CCFL develops provisions on labelling for all packaged foods and New Zealand has contributed to the development of standards that are informative, pragmatic, not overly onerous or placing unnecessary and increased costs on producers. In recent meetings, New Zealand has succeeded in preventing the development of prescriptive labelling provisions regarding the declaration of ingredients, while still ensuring an appropriate level of consumer information and the prevention of fraud and deceptive labelling. A more prescriptive labelling requirement would have imposed significant additional cost to industry without commensurate benefits to consumers.

New Zealand also successfully opposed proposals to initiate new work in CCFL to introduce mandatory country of origin labelling. This is in line with New Zealand's position that it should be a voluntary decision for producers, since a mandatory standard would increase costs but not increase food safety standards. New Zealand's clearly defined policy position on this issue led to the adoption of the individual cheese standards developed by CCMMP with the specific recognition that the mandatory country of origin labelling provision for specific named cheeses was a special case and that the general provisions continue to apply in all other circumstances.

A recent focus of the Committee has been to examine how Codex labelling standards and guidelines may assist with the implementation of the WHO Global Strategy on Diet, Physical Activity and Health and reducing the burden of obesity. New Zealand is playing a leadership role in CCFL discussions on proposals for revision of the Codex Guidelines on Nutrition Labelling. As part of a multi-pronged strategy, Codex is considering how it might contribute to addressing the concerns around diet and the growing incidence of obesity and non-communicable diseases through the provision of appropriate guidance to consumers to help them make informed choices. New Zealand is also leading the CCFL work on the list of nutrients that must be declared taking into account the global variations in diet, nutrient deficiencies and incidence of non-communicable diseases.

Other ongoing work is the role New Zealand is playing in the development of the international guidelines for the labelling of foods derived from biotechnology. New Zealand, along with the Quad countries, has concentrated on containing pressures from within Codex to establish guidelines for mandatory labelling of all foods derived from biotechnology. Mandatory labelling of these products, without adequate justification, would have undermined the scientific basis of Codex standards and imposed additional burden on Members in terms of implementation. Ensuring a principle based approach to the labelling of biotechnic products is important given the innovative approach to product development by New Zealand industry.

New Zealand's strategic interest has always been to ensure that non-safety related labelling requirements for GM labelling are consistent with the General Standard for Labelling of pre-packaged foods and the provisions of the WTO TBT Agreement. New Zealand participated in a physical working group meeting in early 2008 and assisted in developing alternative approaches for advancing this work.

New Zealand has also managed to successfully argue for the revision of the organic guidelines to recognise the use of ethylene gas for the ripening of kiwifruit. This system is used in New Zealand and it was necessary to have recognition of this if New Zealand kiwifruit exports were to continue.

## **Codex Committee on Methods of Analysis and Sampling (CCMAS)**

CCMAS serves as a coordinating body for Codex working in methods of analysis and sampling and on quality assurance systems for laboratories. It also sets the guidelines for evaluating acceptable methods of analysis. The area of analysis and sampling of exports and imports can be a contentious matter and is compounded by the fact that many countries have issues with sample integrity and laboratory quality assurance. New Zealand achieved considerable success when CCMAS undertook work on settling disputes.

Disputes can arise when an importing country's testing regime indicates a product does not meet its standards, whereas the exporting country's system shows that when exported it did meet the standard. Prompt resolution is necessary as often the shipment in dispute is perishable. There was considerable disagreement at the Committee during the drafting of dispute settlement guidance as a lot of the material forwarded by member countries for dispute resolution was not statistically sound. New Zealand believed the proposed procedure for settling disputes was too prescriptive and the results would be inconclusive and instead developed an alternative proposal. New Zealand's proposal reached consensus and was included in the guidelines. These guidelines are now going through their final stages to be adopted by Codex. This achievement will lead to better outcomes for New Zealand exporters, should their shipments be in dispute, by helping to avoid time-consuming and expensive delays and rejections.

New Zealand is currently undertaking work on the development of guidelines for evaluating acceptable methods of analysis. Successful completion of this work will see methods based on fitness for purpose and cost effectiveness thus giving greater flexibility to choose low cost and rapid methods.

## **Codex Committee for North America and the South West Pacific (CCNASWP)**

New Zealand has been heavily involved in capacity building and other initiatives aimed at enhancing the participation of Pacific Island countries in the Codex process. NZFSA has successfully secured substantive contributions from NZAID to the Codex Trust Fund to help Pacific Island countries to participate in Codex. New Zealand led the revision of the Regional Strategic Plan which was endorsed by the 10<sup>th</sup> session of CCNASWP held in Tonga in October 2008. New Zealand has also been actively helping the regional coordinator and other developing country members through mentoring support and guidance thereby enhancing the region's profile and influence in Codex.

## Commodity Committees

Commodity committees develop standards for specific food groups and their by-products and follow the guidelines of the general subject committees.

### Codex Committee on Meat Hygiene (CCMH)

The CCMH adjourned *sine die* in 2006 but prior to that, New Zealand chaired four sessions that led CCMH through an extensive but highly targeted work programme to consolidate and update five old meat hygiene codes into one. This consolidation and rework was strongly based on risk analysis principles and was the first example of a Codex commodity committee taking an approach that is now bedding in throughout Codex. The work was completed in record time and the new Code of Hygienic Practice for Meat is held up as one of the best examples of a host country developing a contemporary and wide-ranging standard that has high utility.

The new CCMH code underpins most of New Zealand's bilateral and multilateral market access negotiations and has provided a hugely useful baseline to improving meat hygiene as it relates to international trade for all countries. The adopted standard closely reflects New Zealand legislation, which benefits New Zealand producers. Some other member countries have also altered their domestic standards to align them with this Code. This Code also underpins the CCFH work on the control of *Campylobacter* and *Salmonella* in chicken meat.

New Zealand's high level of technical input and efficient approach to the management of CCMH has been strongly recognised by CAC and has enhanced our international position as world leaders in meat hygiene knowledge, practice and innovation.

### Codex Committee on Milk and Milk Products (CCMMP)

CCMMP does not set food safety standards, but instead focuses on suitability and commodity description requirements. As such, it essentially determines the non-food-safety conditions of trade and is of essential importance to New Zealand. As host, New Zealand has been able to advance the work of the Committee in a timely and efficient manner.

The recent revision and adoption of 14 individual cheese standards represented a major achievement for New Zealand as host country of CCMMP. The standards cover a wide range of cheeses of interest to New Zealand and other major cheese producers. New Zealand also succeeded in ensuring that the standards are consistent with WTO principles by simplifying and removing non-essential provisions and ensuring they are soundly based in science.

The New Zealand dairy industry is highly innovative so it is of high importance that international dairy standards are flexible, non-prescriptive, focussed on essential provisions and recognise developments in technology. New Zealand delegates are instrumental in supporting this and a recent example concerned fermented milks. It was the policy of the Committee to make the list of ingredients more flexible than it had been in the past. New Zealand supported this approach and sought to have dried milk listed as an ingredient (even though traditionally those products are made from fresh milk) as scientific data supported its inclusion. That was accepted and adopted by Codex and led to New Zealand being able to maintain its markets, such as in Taiwan.

A Model Export Certificate has also been developed by CCMMP that describes the essential information relating to the health protection and ensuring fair practices in trade. It covers the requirements that are specific to dairy products, but is also aligned with the overarching guidelines for design, production, issuance and use of generic official certificates established by CCFICS. In addition to specifying the minimum certification requirements for products entering international trade, the document also provides for the issuance of electronic certification where possible. This provides benefits for exporters by ensuring that requirements on them for exporting are not overly prescriptive.

### **Codex Committee on Fish and Fishery Products (CCFFP)**

CCFFP develops standards for fish and fishery products that involve both food safety aspects and suitability aspects.

The context of New Zealand's involvement in development of these commodity standards is the same as for CCMH and CCMMP. As an example of this, New Zealand was able to have a strong influence on the recent microbiological standard for molluscs. Europe and the USA were each using a different standard and were unable to reach consensus. New Zealand put forward a standard used in New Zealand which incorporated both systems and this was accepted as a compromise. This provides benefits for New Zealand and its producers since the standards and systems are already in place.

New Zealand also works to ensure that the standards adopted are appropriate for the product. For example, a current issue is members attempting to have grazing molluscs treated as if they were filter-feeding bivalve molluscs which present quite different risks. Adoption of inappropriate standards could impact negatively on both trade and human health.

## **Codex Committee on Fresh Fruits and Vegetables (CCFFV)**

New Zealand has been attending CCFFV since 2000 primarily to contribute to the work on apples, but also to support the development of other standards for fresh fruits and vegetables of interest that are principled, non-prescriptive and focus on essential provisions. Several international organisations develop standards on fresh fruit and vegetables and it is important to ensure that these and Codex standards are in accord and as far as possible do not disadvantage New Zealand exports as this sector continues to grow.

Much of the work at the Committee on apples is around the description of how an apple should look (its shape, colour, size and condition). While this is a quality and not a safety issue, it is of importance because of New Zealand industry's innovative breeding programmes (for example one company is developing cocktail size apples), and if size is specified in the standard then it could potentially create barriers to trade.

## **Codex Committee on Fats and Oils (CCFO)**

New Zealand has not traditionally had involvement in CCFO but when the Committee commenced work on revising the olive oil standard and proposed a lower than current level of linolenic acid on the advice of the International Olive Council (IOC), New Zealand needed to protect our trade interests and to ensure that the Codex standard took due account of global variability in olive oil composition.

Analysis of New Zealand oils suggested that there was a risk that high quality olive oils produced in New Zealand wouldn't be able to comply with the proposed lower level for linolenic acid. New Zealand olive oils are predominantly sourced and marketed from single orchards (which leads to linolenic level variability depending on the climatic, varietal and agronomic conditions) whereas in Europe, olive oils are taken from several locations and blended together so there is far more uniformity in levels. New Zealand succeeded in having the CCFO proposal returned to the Committee for further consideration taking into account new data from all olive oil producing countries.

## **Task Forces**

Ad-hoc intergovernmental task forces are similar to commodity and general subject committees, but are generally established to deal with a specific issue or subject area and have a clear timeline for completion of work.

### **Codex Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology**

The Task Force on Foods Derived from Biotechnology was established to develop international principles and guidelines for safety assessment of foods derived from biotechnology. New Zealand was heavily involved in the work of the task force and contributed significantly to the development of international principles for risk assessment of foods derived from biotechnology and the development of more specific guidelines for safety assessment of foods derived from recombinant DNA plants and animals. New Zealand co-chaired the working group on nutritionally enhanced GM foods and prepared the working draft of an annex to the r-DNA plants guidelines dealing with food safety assessment. New Zealand also succeeded in ensuring that the provisions relating to traceability were justifiable in terms of food safety considerations and did not impose unjustified costs through onerous regulatory requirements. The Task Force completed its work ahead of schedule.

### **Codex Ad Hoc Intergovernmental Task Force on Antimicrobial Resistance**

The Task Force was formed by Codex to develop science based guidance on the risk assessment and risk management of antimicrobial resistance in food. The Task Force has a mandate to complete its work programme by 2011 and is on track to complete its work within the allocated time. The final document will provide guidance for countries on how to assess and manage the risks to humans from antimicrobial resistance arising from the use of antibiotics in animals and food production. New Zealand has a strong interest in making sure the final document is consistent with New Zealand's risk-based guidance principles. The work will provide a framework for each country to make its own risk management decisions. As a result it will promote a global approach to the responsible management of antibiotics and reduce the probability that antimicrobial resistance will become a trade issue.