

STANDARD-SETTING ACTIVITIES RELATED TO THE SPS AGREEMENT

Submission by the World Health Organization (WHO)

WHO

1. The World Health Organization, a specialized agency of the United Nations System, is the directing and coordinating authority for international public health. It comprises 191 member states, a secretariat with headquarters in Geneva, six regional offices, over 100 country offices, and liaison offices with major regional institutions. The organization is governed by the World Health Assembly, in which delegates from all member states participate, an Executive Board, made up of members from each of the six WHO regions, and six regional committees, composed of representatives of the countries concerned. Its activities are financed by its regular budget, made up of member's contributions, and extrabudgetary resources provided by donors, which also include extra funding from member states for specific activities.

WHO's constitutional responsibility in standard setting

2. A core function of WHO, set out in its Constitution (Article 2), is to "develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products". Provision is also made (Article 21) for the Health Assembly to adopt regulations concerning, among other, "sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease".

3. With regard to **food safety**, the standards, recommendations and guidelines of the Joint FAO/WHO Codex Alimentarius Commission (CAC) on food additives, veterinary drugs and pesticide residues, contaminants, methods of analysis and sampling, and codes and guidelines of hygienic practice are recognized as the international reference for food safety requirements. Based on scientific risk assessment, they are regarded as a benchmark for national food safety legislation in terms of both protection of human health and promotion of international trade. Compliance with Codex requirements is therefore a key to acceptance of foodstuff on the international market.

4. WHO concentrates on cooperating with developing countries to strengthen their food regulatory systems so that they can meet Codex requirements. Its member states recently reiterated their support for these efforts through Health Assembly resolution WHA53.15 (20 May 2000), which not only encouraged active participation of members in the work of CAC, but also urged WHO:

- to provide support for capacity building, especially in developing member states, and to facilitate their full participation in the work of CAC and its different committees, and in the food-safety risk-analysis process;
- to promote the largest possible use of information from developing countries in risk assessment for international standard-setting, and to strengthen technical training in developing countries;

- to help assure that the level of technological development in developing countries is taken into account in the adoption and application of international food safety standards.

WHO is currently preparing its food-safety strategy, which emphasizes tangible support to developing countries in drawing up national food safety legislation.

5. In terms of **sanitary regulations**, the International Health Regulations are a legally binding instrument that sets out sanitary and quarantine requirements and other procedures to be observed by member states. These requirements are designed to prevent the international spread of disease with minimum interference with world traffic and trade.

Examples of current standard-setting activities

(a) Codex Alimentarius Commission

6. CAC is an intergovernmental body that adopts food standards recommended by its subsidiary committees. Meetings, where decisions are made, are attended mostly by non-scientists who represent their governments, including of a growing number of developing countries (see attached chart). Is it now proposed:

- to increase the involvement of developing countries in drafting standards (Annex 1 indicates the developing countries presenting positions in selected CAC committees);
- to convene more sessions of Codex committees in developing countries (Annex 2 shows developing countries that have hosted committee meetings);
- to organize technical seminars in conjunction with Codex meetings;
- to create a trust fund to support participation of developing countries in CAC.

(b) Independent expert advisory bodies (JECFA and JMPR, JEMRA, JECFoB)¹

7. CAC relies for its scientific advice on WHO and FAO joint committees, which are not part of the CAC but are convened by the two organizations. These joint scientific committees are composed of scientists drawn from an expert panel, who serve in their individual capacity as experts, not as representatives of their governments or employers. Efforts are under way:

- to seek experts from developing countries, through a "Call for Experts" disseminated through the diplomatic missions;
- efficiently to collect scientific data from developing countries, through a "Call for Data";
- to select experts taking into account geographical balance (Annex 3 indicates geographical representation in the four expert advisory bodies and the expert panel).

(c) National capacity building

8. Facilitating participation of developing countries in the work of CAC should not be interpreted only as the physical presence of delegations at international meetings; they should also be in a position actively to take part in the standard-setting process. In the longer term, capacity building

¹ JECFA: Joint FAO/WHO Expert Committee on Food Additives
JMPF: Joint FAO/WHO Meeting on Pesticide Residues
JEMRA: Joint FAO/WHO Expert Meeting on Microbiological Risk Assessment
JECFoB: Joint FAO/WHO Expert Consultation on Food derived from Biotechnology.

is the most important prerequisite for such participation. WHO, together with FAO, is currently providing technical support in areas such as:

- strengthening of national Codex committees and Codex activities at national or regional levels;
- training in risk analysis;
- building up capacity in surveillance of foodborne diseases;
- updating food legislation and improving food-safety control systems.

(d) Revision of the International Health Regulations

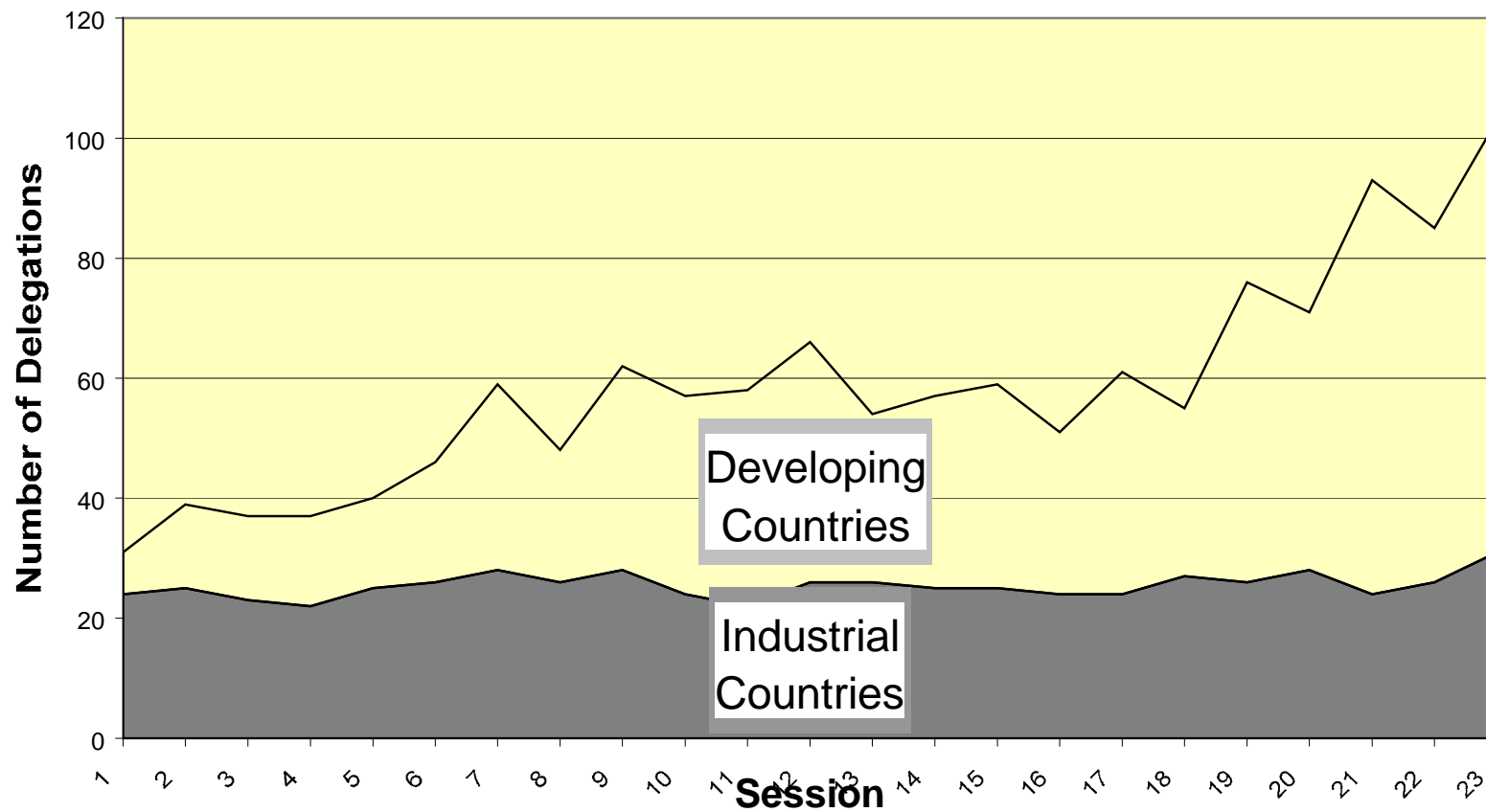
9. WHO has actively sought the opinion of developing countries by sponsoring their involvement in field trials for the revision of the International Health Regulations. The revised instrument will provide an international standard for notification and response to urgent international disease risks, including foodborne diseases.

Future action

10. It is proposed to pursue activities in support of developing countries along the following lines:

- to convene joint seminars and workshops for capacity building, such as seminars on risk analysis and the SPS Agreement, and a short course on the public health implications of the multilateral trade agreements;
- to improve the exchange of information on the capacity-building work of WHO, FAO and WTO;
- to launch joint fund-raising for training in risk analysis, and for improving surveillance of foodborne diseases;
- to organize joint information or training sessions with the SPS Committee on application of the revised International Health Regulations and the SPS Agreement.

Participation in Codex Alimentarius Commissions 1963-1999



ANNEX 1

LIST OF COUNTRIES DEVELOPING POSITION/DISCUSSION PAPERS IN SELECTED COMMITTEES (AS OF JUNE 2000)

Codex Committee on Residues of Veterinary Drugs in Foods

Risk analysis principles and methodologies of the CCRVDF:

France, Poland, Australia, **Brazil**, Canada, **Chile**, Japan, **Mexico**, Netherlands, New Zealand, **Philippines**, Sweden, Switzerland, **Thailand**, USA, JECFA Secretariat, EC, OIE, WHO, CI and COMISA.

Antimicrobial resistance and the use of antimicrobials in animal production:

Australia, **Brazil**, Canada, **Costa Rica**, Denmark, Finland, Germany, **Thailand**, UK, USA, EC, OIE, WHO, CI and COMISA.

Criteria for the selection of methods of analysis:

Canada, USA, Australia, **Costa Rica**, France, Netherlands and COMISA.

Codex Committee on Food Hygiene

Discussion Paper on Proposed Draft Guidelines for the Hygienic reuse of Processing Water in Food Plants:

Australia, France, Germany, Netherlands, **India**, US, IDF;

Proposed Draft Code of Hygienic Practice for the Primary Production and, Harvesting and Packaging of Fresh Fruits and Vegetables :

Argentina, Chile, Denmark, **Guatemala**, **Honduras**, **India**, Japan, **Mexico**, Netherlands, Spain, Sweden, UK, US;

Proposed draft Code of Hygienic Practice for Milk and Milk Products:

Argentina, Australia, Canada, France, Germany, **India**, New Zealand,, United Kingdom, **Uruguay**, US, IDF;

Codex Committee on Food Export and Import Inspection and Certification Systems

Guidelines for Food Import Control Systems:

Australia, Canada, France, **India**, Japan, **Mexico**, **Morocco**, UK, USA.

Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates:

Australia, Canada, France, **India**, the Netherlands, New Zealand, **South Africa**, UK, USA, EC.

Guidelines for the Utilization and Promotion of Quality Assurance Systems to Meet Requirements in Relation to Food:

Australia, Canada, Denmark, France, **India**, the Netherlands, New Zealand, **South Africa**, Switzerland, USA, EC.

Discussion Paper on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems:

New Zealand, **Argentina**, Australia, Canada, France, Japan, **Morocco**, USA, EC.

Discussion Paper on the Judgement of Equivalence of Technical Regulations Associated with Food Inspection and Certification Systems:

Australia, France, **South Africa**, USA.

Position Paper on the Potential Need for Guidance on Food Export Control Systems:

Morocco

Codex Committee on Food Additives and Contaminants

Revised Sampling Plan for Aflatoxins in Peanuts:

Argentina, **China**, **India**, Italy, Netherlands, **South Africa**, **Thailand**, Turkey, USA, EC.

Application of Risk Analysis Principles for Food Additives and Contaminants: Australia, Netherlands, Sweden, **Thailand**, UK, USA.

General Code of Practice for the Prevention of Mycotoxin Contamination in Cereals:

Argentina, Canada, Norway, **South Africa**, Sweden, USA.

Codex Committee on Pesticide Residues

Problems relative to pesticide residues in food in developing countries: **South Africa** .

Methods of analysis: Netherlands.

Feasibility of establishing MRLs for genetically modified crops and for metabolite residues:

Canada, Australia, **South Africa**, USA, Commission of EC, GCPF.

Feasibility of establishing specific MRLs for cereal-based foods and infant formula:

Germany, USA, Commission of EC, CI.

Need for EMRL for camphechlor in fish:

Germany.

MRL restrictions when the chronic dietary intake estimate(s) exceed the ADI: Australia, Canada, New Zealand, USA, EC.

ANNEX 2

**CODEX COMMITTEE MEETINGS CONVENED IN DEVELOPING COUNTRIES
(AD HOC BASIS)**

Committee	Year	Regular Host Country	Developing Country
Committee on Food Hygiene (planned)	2001	USA	Thailand
Committee on Food Additives and Contaminants	2000	Netherlands	China
Committee on Food Additives and Contaminants	1996	Netherlands	Philippine
Committee on Residues of Veterinary Drugs	1996	USA	Costa Rica
Committee on Pesticide Residues	1993	Netherlands	Cuba

ANNEX 3

PARTICIPANTS FOR THE MEETING OF FOUR EXPERT ADVISORY BODIES AND THE EXPERT PANEL
(Participants from developing countries / Participants)

Expert Bodies	Africa	The Americas	South East Asia	Europe	Eastern Mediterranean	Western Pacific	Total
JECFA (June 2000)	0/0	0/3	0/0	0/8	1/1	1/3	2/14
JMPR (September 2000)	0/0	1/4	0/0	0/6	1/1	1/4	3/15
JEMRA (July 2000)	1/1	2/6	1/1	0/3	0/3	1/3	4/14
JECFoB (May 2000)	1/1	1/6	0/0	0/3	1/1	1/2	4/13
Expert Panel (as of December 2000)	4/4	4/16	2/2	0/18	0/1	2/4	12/45

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Expert Panel: WHO Expert Advisory Panel on Food Safety
