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## The Codex Alimentarius

by J. H. V. DAVIES\*

*(Ministry of Agriculture, Fisheries and Food, Whitehall Place, London, S.W.1)*

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As the Codex Alimentarius Commission has now been in existence for the best part of eight years, it seems unlikely that anyone with an interest in the development of food standards has not heard a little about it or is unaware of its general aims and intentions. However, in trying to explain the present position and the possible future of the work on international food standards, I propose to say a word or two about the origins and history of the Codex Alimentarius even though this means repeating things that are probably very familiar.

The need for international food standards has always been very readily recognised, at least in the abstract. Most advanced countries have a considerable body of legislation going back for 100 years or more and those less-advanced are doing their best to acquire legislation as fast as they can. If all the rules and regulations are different, it is bound to have an adverse effect on international trade. The more the weight of legislation increases, the more need there is for harmony; there seems no sense, to take the obvious example, in the widely divergent lists of permitted colouring matters in the main countries of the world. The more governments concern themselves with consumer protection (and this is a trend that should certainly be continued), the more care must be taken to ensure that international trade does not get stifled amid all the different provisions they produce. Further, the creation of food laws is an expensive business and the more the toxicological, chemical and analytical work can be shared out among the countries the better. For newer and poorer countries, much of the work is simply beyond their resources and they naturally find it easier to accept help and advice from an international body than from the former colonial powers.

There is, therefore, a clear need for some international action on food standards and this need has been recognised, in theory at least, by many governments as well as food producers, traders and consumers. But the fact that something is needed does not in itself mean that it can be obtained. Even

\* Assistant Secretary, Ministry of Agriculture, Fisheries and Food: Chairman of the Codex Alimentarius Commission from 1968 to 1970.

if there is virtual unanimity, no progress can be made unless there is some organisational framework into which the flow of good will can be channelled and can be put to work.

It was really only after the second world war that there was a sufficient channel. This was provided by the establishment of the Food and Agriculture Organisation of the United Nations with food problems as one of its primary areas of concern. All the activities of this organisation in its first ten years played a considerable part in preparing the climate of opinion in which international work could begin. There was also a certain amount of work carried out by the World Health Organisation on food additives and food hygiene which also paved the way.

The first steps were really taken in 1958 when two events took place which led directly to the establishment of the Codex Alimentarius Commission. The first was the creation by F.A.O. of the Committee on the Code of Principles for Milk and Milk Products. This Committee was in some sense a milk protection committee and started by preparing the code of principles. It went on to the elaboration of standards for the main dairy products. These standards now look fairly crude and the Committee never really enquired too closely into what it meant when a country said they accepted a standard—in many cases in fact practically nothing—and now after 12 years the Committee's close links with the International Dairy Federation, its obscure procedures and its peculiar pride in its seniority are bringing its work almost to a halt, so that its contribution to the general Codex advance in 1970 is comparatively small. None the less, the method adopted empirically by the Committee of referring of draft standards to governments for comments, and finally of completed standards for acceptance, does form the basis of the Codex procedure. Furthermore, it was the experience of working in this Committee that convinced a number of people that there was a way of moving towards agreement on international food standards that might be successful in a wider and perhaps more neutral forum than the Milk Committee. Although, in the opinion of many people, the Milk Committee is now showing signs of advanced age, I am quite sure that without its original and pioneer work, there would never have been a Codex at all.

The other body which began its work in 1958 was the Codex Alimentarius Europaeus. This body was set up jointly by the International Commission on Agricultural Industries and the permanent International Bureau of Analytical Chemistry. The inspiration came largely from the late Dr. Frenzel, a former Austrian minister, who considered that the system of the Codex Alimentarius Austriacus could be adapted to the whole of Europe and perhaps ultimately—though not for a very long time—to the whole world. This 'code' is not easy for anyone brought up on what might roughly be called an Anglo-Saxon system of law to appreciate. The Austrian Food Codex was not part of the law and was not in fact the work of the government at all. It was none the less accepted by the courts as establishing the identity of particular foodstuffs. The first difficulty was that most countries in Europe had not organised their law on a

basis which could readily incorporate a codex system and, although it is now being talked about in a number of fairly recondite food law circles, it has had little influence outside German-speaking countries. It seemed to be the hope of the progenitors of the European Codex that once they had completed their great book covering all foods it would be so impressive and comprehensive that governments would be bound to accept it or, even if they did not, their courts would; failing this the standards would still be useful for quotation in contracts between buyer and seller. But these problems were never really thrashed out. The progress made by the Codex was not rapid, its funds were limited and it never managed to resolve the numerous controversial points that arose on individual standards. It completed a very generalised text on general principles and sampling and a standard for edible fungi. This was in fact all that was ever finished and naturally its practical influence was limited. None the less it had a very great importance in suggesting to the European countries that work on international food standards should be undertaken and in providing a place where they could be discussed.

But this tentative beginning rapidly showed the need for some wider forum which would not be confined to European countries and which would have the backing of a major international organisation with the necessary funds and staff to organise the work efficiently. Therefore, at their fourth annual meeting in June, 1961, the Council of the European Codex Alimentarius passed a resolution suggesting that the work should be taken over by F.A.O. and W.H.O. The moment was indeed ripe and those who had for some years been advocating a truly international effort in this field led by Francis Townshend of F.A.O. (who became the first Secretary of the Codex, but unfortunately only for a brief period), took positive action at what, for international organisations, was really a breathtaking speed. The F.A.O. conference passed a resolution in November, 1961, to set up the Codex Alimentarius Commission and this was confirmed by the Executive Board of W.H.O. in January, 1962: the inaugural conference was held in Geneva in October, 1962. The record of this meeting still makes interesting reading and, though much has happened in the last seven and a half years which the founding fathers did not anticipate, the report does sketch the lines of advance which the Codex Commission has largely followed up to the present time.

This was how it all began. The first session was held in June, 1963, and in some ways it was a fairly muddled affair but it did do two very important things. It laid down the rules of procedure which, although they have been amended in a fairly radical manner in the succeeding years, did provide a good workable basis for the operations of the Commission. The second important decision that the Commission made was to do the actual work of drafting standards in Committees for which individual countries would take the responsibility and the Chair. This method of working is, I think, unique to the Codex and, on the whole, it has worked very well. Of course, the amount of effort that governments are prepared to make differs, but the Committees run by governments have shown themselves markedly more successful than the Committees

for which no country has taken responsibility. The fact that a government has taken the responsibility gives it an interest in the Committee's success from the point of view of its own prestige and also a clear financial interest in getting the work completed as rapidly as possible. By spreading the organisational and financial responsibilities the Codex was able to take on far more work than it otherwise would have done, to reduce the burden falling directly on the budgets of F.A.O. and W.H.O. and also—and this is far from unimportant—to give opportunities for many people in the countries concerned connected with food standards or with the product under standardisation to find out something about the Codex even if it were only by meeting the delegates at a party.

The alternative methods of drafting standards (and many were considered—and even tried—in the days when the Codex was on the stocks, such as building on work done by other international organisations, or using trade organisations or individual countries to provide drafts), were soon proved to be insufficient. These methods might be used and have been used to provide an original draft but to get the standard to a point where it is fit for adoption and submission to government needs the process of consideration by an international Committee.

The selection of the subjects to be dealt with was in the early days fairly haphazard, according to the wishes of a particular government, but the amount of work taken on at the first two sessions was fairly severe. At recent sessions the Commission, has very wisely been reluctant to increase its work load, since the meetings already take up a fair proportion of the year and the burden placed on the Commission of passing on the standards is becoming increasingly formidable. There are now strict criteria that a commodity must pass before it is considered for codex standardisation and it is not contemplated that any new work will be launched in the next year.

The allocation of the Committees at the first session may have been a little haphazard, but it has provided a fair distribution among the countries which were prepared to take Committees, though one or two others would probably now be prepared to undertake the task. The United Kingdom organised the Committees on Sugars and on Fats and Oils, but both these Committees have been so successful that they have finished their work—at least for the time being. It is unfortunate that the country that has been one of the most—if not the most—successful runner of Committees should not be employing itself at all on Codex matters for the next three years. It would clearly be unwise for the Commission to extend its work any further, but it must be acknowledged that the standards produced by the United Kingdom Committees have met the least trouble in passing through the Commission—with the possible exception of that for margarine, a subject which can never be discussed, apparently, without fairly powerful emotions being aroused.

The other Commodity Committees have been divided up as follows: The Federal Republic of Germany has Meat, and Denmark, Meat Products—this was originally a Sub-Committee of the Meat Committee but was raised to the status of a full Committee at the last session of the Commission. The United States has Processed Fruit and Vegetables—a wide-ranging and fairly successful

Committee. Norway discusses Fish and Fish Products and Switzerland is dealing with Cocoa and Cocoa Products—a Committee that has the unenviable distinction of having had its standard sent back twice by the Commission. Switzerland also has a European Regional Committee on Natural Mineral Waters. This is probably now moribund though the Natural Mineral Water standard has still not been brought into port and doubts have been expressed as to its seaworthiness.

The Committees on Fruit Juices and Quick-Frozen Foods are not in the hands of any country but are run jointly with the Economic Commission for Europe. This is the sort of fact of international life which it is impossible to ignore. The E.E.C. was already in the field and as they could not be ordered off they somehow had to be absorbed. At least, the joint Committees have fully adopted Codex procedure and they are not working at all badly; nevertheless, they do lack the solidity which they would have with a national chairwoman and secretariat who could devote themselves to advancing the work—particularly when the Committee is not in session. It is very gradually being integrated into the Codex structure. This is a slow business and it would be better if it could be given to a country to run but this hardly seems within the area of practical international politics.

There is also a Co-ordinating Committee for Europe, which meets in Vienna since the Co-ordinator is an Austrian though it is gradually ossifying for lack of business.

As well as the Commodity Committees, there are the General Subject Committees. The Federal Republic of Germany has a Committee on Foods for Special Dietary Uses which, in a sense, lies half way between the two types of Committee. Of the five General Subject Committees, the Federal Republic is responsible for Methods of Analysis and Sampling; the Netherlands has Food Additives and Pesticide Residues; the United States, Food Hygiene; Canada, Food Labelling; and France, General Principles.

There is, I think it will be agreed, a fair scope within the fields of activity of these Committees. Their level of performance naturally varies but it is hard to deny that the total achievement has been considerable.

Of course, in the early days, there was a lot of scepticism on whether anything could be achieved—it was freely said that no sort of agreement would ever be reached—that the squabbles of the Europeans and the rest would tear the Commission to bits. References were made to the immense gestation period of the Common Market where a Commission with positive executive powers has only been able to get two standards agreed in 12 years when the Roman treaty signatories envisaged that the whole field of food products would be completely standardised before the beginning of 1970. Of course, the true testing time for the Codex is yet to come, but at least it is some comfort to reflect that it has already done better than many people expected.

The Second Session, which was held in Geneva in September, 1964, set it on the rails with a thorough revision of the Rules of Procedure and an amicable and fuller integration of the European element into the organisation. Perhaps

the most important single achievement was the laying down of a procedure for actual elaboration of standards. In the early days, this procedure was largely criticised for being almost grotesquely cumbersome but, now that it has been fully used, this criticism has died away and it seems to some people almost too streamlined. In fact it looks as if it is just about right. The essential point is that no purpose is really served in spending a great deal of time in drawing up a standard, however brilliant, which no country will actually accept or one at such a minimum level that it will make no difference to anything whether countries accept or not.

The procedure does its best to avoid this by giving governments a full opportunity to study and comment on each standard while it is still in draft and by giving the Commission a chance to look at it and to see that it is being prepared in the right way before it is too late. The procedure is therefore set out in ten steps which allow two considerations by the Codex Committee concerned, two rounds of comments by governments and two references to the Codex Commission itself. Step one is the decision by the Commission to deal with a certain commodity; step two is the drafting of a standard by the Codex Committee concerned; step three is the first round of government comments; step four is reconsideration by the Codex Committee in the light of government comments; step five is the first reference to the Codex Commission; step six is the second transmission of the standard to governments for comment; step seven is the final consideration of the standard by the Codex Committee in the light of these comments; step eight is the final consideration of the standard by the Commission and its adoption as a Codex Standard; step nine is the sending out of the standard to governments for acceptance and step ten is its printing in the Codex itself, when the Commission determines that it is appropriate to do so in the light of the acceptances received.

It looks a fairly long haul and several voices were raised in the early days to suggest that the procedure was so intolerably cumbersome that nothing would ever get finished. In fact the Commission has already moved 42 standards and three Codes of Practice as far as Step 8. None of these was easy, and some were highly controversial, but with a fair amount of good will, a genuine desire for co-operation and compromise, and a certain amount of iron at critical moments, these standards have all been brought to their final stage.

Secretarial problems (not all of which have I been able to follow thoroughly) have prevented any standards being sent out to governments for acceptance until 1st April, 1970. It does seem reasonable to expect, however, that the rest of the 42 will be despatched in the fairly near future.

Of course, the procedure by which governments accept standards has now become of crucial importance and has already exercised the Codex Commission considerably. This procedure has been worked upon by the Codex Commission on General Principles and by the Committee itself. They started with somewhat empirical deductions from what appeared to have been the procedure of the Milk Committee, and refined these considerably over the years though, in fact, rather theoretically, with little in the way of practical experience

to act as a guide. However, the procedure that was adopted at the sixth session does look reasonable though, of course, it will be subject to amendment in the light of experience. The basic type of acceptance is full acceptance. This means that the country concerned will ensure that a product to which the standard applies will be permitted to be distributed freely under the name and description laid down in the standard, if it complies with all the relevant requirements of the standard—and equally that products not complying will not be permitted to be distributed under the name and description laid down in the standard.

This would be the classic type of acceptance but it is too much to hope that countries will be prepared to scrap all their laws and habits and accept the Codex standards as a new revelation. Equally many developing countries with the best will in the world may not have the necessary organisation and facilities to enter into the obligations required for full acceptance. To meet these problems the Commission developed two further forms of acceptance. First, "target acceptance" where a country would undertake to give full acceptance after a stated number of years and would meanwhile not hinder the distribution of products conforming to the Codex Standard within its territorial jurisdiction. Secondly, acceptance with minor deviations, where the country concerned can adopt the greater part of the standard but cannot accept certain minor points. These minor deviations must be declared, and have to be accepted as such by the Commission.

In addition, countries which do not accept the standard are asked to indicate whether standardised products can be distributed freely within their territorial jurisdiction and in what way their regulations differ from the Codex standard and, if possible, why.

Of course, the proof of this procedure will be in the way governments operate it and how much effort the Secretariat, the F.A.O. and W.H.O. are prepared to put into bringing governments up to the mark. Obviously, the most enthusiastic governments are bound to take some time in accepting if this requires changes of their existing law and regulations, so that to stop the whole concept falling flat on its face enthusiasm must be maintained in the next few years. An attempt has been made to steer a middle course between a procedure which makes acceptance extremely rigorous and one that makes it too easy. The advantage of rigour is that you will know that the few acceptances you do get are genuine—the advantage of ease is that it enables a country to take a first step from which it may be persuaded to advance further and may be shamed so to advance by having to justify its particular differences from the majority of the rest of the world. The aim is clear enough—to get as many genuine acceptances as possible. If every country simply notes the differences between their own law and the standard the whole exercise will have been at the best academic; at the worst it will be a total waste of time and money. If, on the other hand, no country can accept a satisfactory standard simply because of some very minor provisions, the whole procedure will be equally abortive. The acceptance procedure does offer scope for successful develop-

ment and the mere responses of governments to differences between Codex standards and their own laws will provide useful information and an indication of where advances can be made. Of course, no such pointers can be used to overthrow major differences of policy and intention but much could be gained if minor differences were brought into the open, provided that this is not made an excuse for comfortable inaction. The first aim is to gain a sufficiency of acceptances and the second is to have a good and efficient system of dealing with government replies, particularly in respect of minor deviations. This is a task which is still before the Commission.

However, in the approach to the hoped-for period of achievement, the Commission has done everything it can to produce an adequate procedural basis for its activities. The importance of this cannot be over-estimated. Meetings, and in particular international meetings, can easily degenerate into general chats in which the highest sentiments are expressed and a good deal of genial drinking takes place, but nothing is actually achieved.

The Commission has laid down for the Committees careful guidelines which seem to be fairly comprehensive, though as yet have not always been completely honoured. It has also drawn up a format for Codex standards which, while not imposing any sort of strait-jacket, provides for a reasonable level of uniformity, prevents the wilder eccentricities and compels the Committees to consider the sort of sections that, it would appear, are reasonably required in any standard.

I have already mentioned the establishment of criteria for the undertaking of new work which will form a central part in the forward planning of the Codex programme. The Commission has already looked ahead and produced a procedure for amending Codex standards and it has also worked out a special procedure for dealing with standards at Step 8 when the Commission sees them for the last time.

The Step 8 standards, together with the question of acceptance were the two great hurdles that the Commission faced. It may be encouraging that it does seem to have cleared the first one fairly satisfactorily. This really did look a problem of major dimensions and not one with an easy solution. In a talk I gave on the Codex before a single standard had been considered at Step 8, I said the following:

"The great problem that lies before the Commission is what will happen to the standards when they come to the Commission for the last time at step eight. These standards will then have been considered by the leading government and other experts on the subject for the best part of four years. But it will be the absolute last chance for any amendments to be made. Most countries will not be able to field delegations of a size to cover all the detailed problems likely to arise; many countries send delegations to the Codex Commission but cannot do the same to all the Codex Committees. So there will be a fair number of problems. The countries who only attend the Commission are

bound to wish to make their views known and the Commission will have to find a procedure that will enable them to do so effectively without causing too much delay and without going over too much of the old ground again and, of course, without wrecking the standards. A great deal of responsibility will rest on the Codex Commission to get a good procedure for final adoption but it is really not going to be easy."

And when the first Step 8 documents came before the Commission at its fifth session in 1968, the difficulties did seem acute. No one quite knew how to take the standards and all sorts of amendments were proposed that were either too obscure for the unbriefed delegates to understand or were so obvious that they had already been discussed half a dozen times in the Committees. There was also a feeling among some delegates that, while discussion about international food standards was a good thing, it would be wildly precipitate to finish any standards and to thrust them under the noses of governments. The procedure also became hopelessly tangled and the Commission was frequently almost whirled off its feet. At one stage, the Secretariat seemed to be advising the Chairman to rule that a vote should be taken on whether a vote should be taken. The complete day that was given over to discussing—if that is not too strong a word—the draft margarine standard is still regarded by the *cognoscenti* as the worst day in the whole history of the Codex Alimentarius.

However, good sense slowly triumphed and by dint of leaving the two most controversial standards for another year the Commission got 11 standards and 2 Codes of Practice through. When at last the first one—it was in fact canned tomatoes—tottered past the post, the Commission burst spontaneously into a prolonged round of applause. When the 42nd was seen off last month it hardly seemed to merit even a mild grimace of satisfaction. But it is really worth underlining how much progress has taken place during two years from that dreadful day on margarine.

All the delegates saw that the procedures were still not right and the Executive Committee was asked to see if it could find a way of modifying them. The basic solution was to put the Step 8 comments on points of substance as far as possible into writing. They would then be circulated reasonably in advance of the meeting, with an indication of whether the amendment had already been proposed to the Codex Committee concerned, and if so with what result and, if not, why not.

At the sixth session the procedure was only partially in operation, but it already provided an admirable discipline and concentrated the minds of the delegates on the real issues. Of course, there was still a powerful brigade saying: "Let us leave all these difficult issues until next year and have another round of government comments." However, it was essential (at least in the view of the most informed Codex-watchers), to get a fair body of standards through, particularly the most controversial, namely the general standards for labelling, margarine and honey. By dint of voting when the views could not be reconciled, all obstacles to the controversial standards were

overcome and, in total, 21 standards and one Code of Practice were passed to Step 9.

This really created a Codex Alimentarius but it seemed unlikely that this sort of pressure could or should be kept up. At the seventh session in April this year, although the papers were not in all cases sent out early enough to ensure that all the proposed amendments were in the hands of all countries before the session, and some countries, in putting forward their amendments, did not fully comply with the requirements laid down, the well-prepared schedule of amendments did allow countries to see the points of difficulty and permitted a fair measure of agreement to be reached before the standards were actually discussed. As a result, it was not necessary to take a vote on any part of any of the Step 8 standards and there was a remarkable consensus on which standards were ready to be sent forward to governments and which required further consideration. Ten were completed. Those on fruit juices were clearly in a fair confusion, and those concerning natural mineral waters were in a particularly controversial state—in which controversy the U.K. had wisely not joined. These proposals should never have been put before the Commission while the differences were unresolved and were rightly returned to a previous step.

Apart from what appears likely to become a perennial question of the use of the Spanish language in Codex Committees, this session of the Commission settled the last procedural issue waiting to be dealt with, which was the revised statement of the relation of the Milk Committee to the Commission. It was rather a compromise but was a big step forward in the laborious task of bringing the Milk Committee into the Codex system and the Codex procedure. The Commission also took the bold step of issuing an instruction to the Milk Committee about what it should do, a thing that has never been managed before.

So the Commission stands at the end of its seventh session with all the preparatory work completed and nothing remaining but to produce more standards and to have them accepted by governments.

A very legitimate question at this point would be: "Are the 42 standards any good? Do they represent something that governments could be reasonably asked to accept?" I think on the whole they do. The work started with a certain amount of difference of intention between the Committees, but in the end a fair uniformity has been attained and I think this body of standards would really make an excellent, if partial, food law for any country, provided it had also an adequate basic food law, a sufficient enforcement organisation and adequate facilities to do the necessary analytical work.

In the future everything, it seems to me, is going to depend on three factors. Firstly, the will of the governments actually to do something to harmonise their regulations. Secondly, the efficiency and persuasive power of the Secretariat, and thirdly, the vigilance and intelligence of the delegates to future sessions of Codex Committees and of the Commission. The will of the governments is obviously of cardinal importance. If all that governments are prepared to do is to compare Codex Standards with their own legislation and accept the ones

that are exactly the same, we shall only be left with a complex memorial to a wasted effort. The resolution of governments to make reasonable concessions in the interests of international harmonisation is indispensable. It is only too well known that all governments tend to have two faces—on one side a wild unco-ordinated activity and on the other a terrible inertia. It is the inertia that is normally shown on matters of food standards. It will be the duty of the Secretariat to keep shaking them so that they cannot subside into torpor. The Secretariat must act the part of the importunate friend in the Gospels and ensure that the standards are accepted by importunity if the honey of logical persuasion is not successful. I hope the increasingly large and disparate Secretariat are full of this missionary fervour. The future of the Codex will certainly depend on it.

The delegates must also be constantly vigilant. A moment's inattention, a fudging of the procedure to gain a five-minute advantage or to satisfy a particularly loquacious delegate and the stuffing will begin to run out and the Codex will turn into an empty dummy. The next few years will be crucial—no organisation can stand still, it must change and it can change in a helpful or unhelpful way. The Codex Commission has gone as far as it has done really on the original enthusiasm and the original direction that the founding fathers gave it. It has solved its internal problems and now has to face the reactions of the hard world to its endeavours. It has to take on a new lease of life in the next decade or it will become senile and increasingly farcical. It will need vigilance, patience and goodwill.

Good-will it certainly seems to have at the moment. Many countries, including some of the most important, have already shown that they propose to take the question of acceptance seriously. The developing countries—particularly those in Africa—see their work as a way of elaborating a food law which they themselves can use and which will allow their manufactured foodstuffs to pass freely in international trade. The E.E.C. clearly hopes to use Codex standards as the basis of at least some of its future directives and the United States (perhaps the country that generally has the greatest difficulties in amending its laws in the light of international activities), has already taken some steps which clearly show Codex influence, before it had even received any standards for acceptance, and it evinces every sign of taking an extremely constructive attitude. I hope that the United Kingdom, which has always been among the leaders in the work of the Codex, will also be among the leaders when it comes to acceptance.

Of course, the whole Codex programme with the necessity of two rounds of government comments and translation into two languages does produce a prodigious mass of paper. The recent Codex session outdid in weight of paper and number of documents the F.A.O. Conference itself. All the facilities are stretched to breaking point and the Secretariat has to keep the paper moving as well as carrying out its directive and missionary functions. The task may simply be too much for them even if the host countries of the Codex Committees carry out all the functions that are assigned to them. Of

course, unless the papers are circulated in good time for every meeting, the Codex cannot proceed. The Commission will need to find the right rhythm. It should not meet so frequently that the work cannot be properly prepared but its meetings should not be so infrequent that the desire and enthusiasm to push on with the work become dissipated.

The Commodity Committees are certainly uneven in their performance but there seems to be no reason why, given co-operation and vigilance, they should not all in time bring their work to a successful conclusion. The general subject Committees would probably repay a closer watch.

All these Committees have vast areas to cover and the meetings of experts do provide a temptation to discuss the subjects rather than to get on with the sometimes tedious work of building the Codex. The Additives Committee is showing a tendency, which I cannot believe is in the best interests of the Codex in the long term, simply to pass on the evaluations of the Expert Committee on Food Additives. This will mean, in the end, that these are approved additives from which governments can take their pick. It hardly needs an International Committee of government delegates to do this; it could be done just as effectively by an intelligent Scientific Assistant. The Committee shows no great disposition at the moment to deal with what I would regard as one of its main, if not *the* main one of its functions, the problem of harmonising the lists of permitted additives throughout the world. Of course, complete harmony may be neither possible nor desirable but the present wide disparities are an obvious scandal which restrain trade and must put the consumer at risk. I should be much happier if I saw more disposition in the Additives Committee really to attack this problem.

The Pesticides Committee also tends to wander away from dealing with the essential problem. Of course, the basic principles that govern the control of pesticide residues do need to be established but I have the feeling that, so far in the Committee, even after the employment of additional *ad hoc* groups, they have been over-discussed and under-decided.

The Food Hygiene Committee continues, to the apparent delight of food hygienists, but to a layman it does seem that some of the Codes so far elaborated (I am thinking particularly about the Code for tree nuts), are in such general terms that they cannot be as useful as they should be to, say, public health officials of a West African state who have to start from somewhere near scratch and who cannot assume that the people actually handling the nuts have any inbuilt presuppositions about food hygiene at all.

The Methods of Analysis Committee also presents its problems. It has a vast field to cover but it has a tendency to consider subjects which are not really germane to the work in hand. I really wonder if the delegations to this Committee contain, at least in an active capacity, sufficient real enforcement analysts with experience of actually assisting in the operation of food laws and participating in the dust and heat of legal proceedings. I have a feeling that the Committee rather looks on itself as a symposium on the application of methods of analysis to Codex standards rather than as a part of the mechanism

for producing the standards. I hope this is only a temporary phase and things will go forward more swiftly in future with better briefing and selection of the delegates and better assistance and direction from the Secretariat.

It is perhaps worth noting, however, that the meticulous check on the standard methods of analysis which had to be made before they could be used for Codex standards has revealed a number of obscurities and ambiguities which have caused the author or sponsoring organisations to undertake some necessary revisions. Of course, the Methods of Analysis form a vital part of Codex standards but I would expect them to be revised and varied more quickly and more often than the standards themselves.

What is there to say in conclusion? Only, I think, to repeat that it is a question of will. The work of the last eight years has provided a machine which clearly can do the job if people want it to and do not tamper with it too much. This job needs doing and most people think it is worth doing. Indeed, one hardly has to argue about its value. I do not think that there is any need to alter the conclusion which I gave to a talk when the Codex had much less to show for its work and when the possibilities of achievement were much less certain. I said then: "If we can succeed we shall have achieved something of great benefit for all the people of the world and will have done almost no harm to anyone. We can really say this about the Codex Alimentarius and there are not many other human activities about which it could be said."

#### DISCUSSION

J. H. HAMENCE: *What is the prospect of unanimity of approach between nations in regard to additives, bearing in mind the differing views on toxicology?*

Mr. Davies: Agreement is bound to be a slow process, but the work of the Codex Committee on Food Additives should at least enable the areas of disagreement to be identified. It is probably not reasonable to think in terms of international regulations given the differences of eating habits in different countries. But toxicology ought to be a neutral subject and it ought to be possible to agree on the significance of data. It does seem absurd and to hamper trade unnecessarily that the lists of permitted colours in different countries should vary so extremely. This is the sort of thing that the Codex ought to be able to put right.

E. C. WOOD: *How might the tolerances for pesticide residues be decided? For example how would the range of figures applicable to European and African countries be fixed bearing in mind questions of analysis and of the rate of degradation of the residues?*

Mr. Davies: It may not be possible to devise a single set of tolerances that will suit all conditions but this is a matter which is under active study by the Codex Committee on Pesticide Residues. There are also differences between what have been dubbed the "low residue" and the "high residue" countries, but these may well rather be differences in the way the residue tolerances are applied

than real differences of view as to the tolerable residue that may safely be ingested by the actual consumers of the food. The Pesticide Residue Committee is dealing with this problem urgently.

L. E. COLES: *Could Mr. Davies say whether he considers the analytical arrangements for enforcement of legislation are satisfactory?*

Mr. Davies: I doubt if the analytical arrangements for the enforcement of food legislation will ever be wholly satisfactory. There are always bound to be differences of view on the extent to which compositional provisions should be included in legislation when the analytical methods are not entirely secure and also on whether analytical methods should be included in regulations or left to the discretion of the analyst. I think analytical arrangements will improve as the techniques available to the analyst improve. Certainly the Codex Committee on Methods of Analysis has already surveyed a fair part of the analytical field and the consideration of methods of analysis in connection with Codex standards has already led to the removal of significant ambiguities in the description of one or two well established and long-published methods.

G. B. THACKRAY: *What would be considered an appropriate number of acceptances at "Step 9" for creation of an International Standard?*

Mr. Davies: The procedure for the elaboration of Codex standards lays down that a standard may be printed in the Codex as a world-wide Codex standard when the Commission determines that it is appropriate to do so in the light of the acceptances received. The decision cannot be made simply on the receipt of acceptances from an arbitrary number of countries but will have to depend on the circumstances of each specific standard and particularly on whether the most significant producing and consuming countries have accepted the standard.

R. SINAR: *If Mr. Davies is not in favour of "regional" differences applied to international standards, how is it proposed to deal, for example, with differing requirements for preservatives in food of member countries?*

Mr. Davies: I am not opposed to regional standards or regional variations where these are required. However, where a product is of major importance in international trade, it seems to me best to make it the subject of a world-wide standard. Problems such as the possible need for different requirements for preservatives could be dealt with either by alternative provisions in the standard or by leaving the particular point to be dealt with in national legislation, or by countries taking a minor deviation where necessary in their acceptance of the standard.

J. H. SHELTON: *Various proposals for dried milk products (in particular for dried skimmed milk) have been agreed by the United Kingdom at certain stages of the Codex negotiations. Can these in any way over-ride the existing legislation in this country? Could definitions of dried, skimmed milk devised for the purposes of the Codex Alimentarius be held to apply to products governed by the Dried Milk Regulations, 1965?*

*Mr. Davies:* No, a Codex standard would not acquire any legal validity in the United Kingdom simply because the United Kingdom Government has accepted it and it certainly cannot over-ride current regulations. When the United Kingdom accepts a Codex Standard, it will not become effective until it has been embodied in a regulation under the Food and Drugs Act.

*E. H. W. J. BURDEN:* *Would exporting countries be expected to ensure that their exports complied with the Codex Alimentarius standards?*

*Mr. Davies:* No, acceptance applies only to goods sold or distributed within a country's territorial jurisdiction. As far as exports are concerned, countries should be prepared to offer advice and guidance to exporters and processors of products for export to promote understanding of and compliance with the requirements of importing countries which have accepted a particular Codex standard.

*R. A. DALLEY:* *What mechanism will the United Kingdom use in deciding whether or not to accept a Codex Standard? Will the Standard be circulated to interested parties before a decision is reached?*

*Mr. Davies:* I cannot say what precise procedure will be adopted by the United Kingdom. However, the Codex Standard will have to be embodied in regulations to become effective and they must be the subject of proposals for regulations which will be circulated to interested parties for comment in accordance with the Food and Drugs Act procedure.

*E. C. WOOD:* *It is felt that there ought to be closer liaison between our representatives on the various Codex Committees and the Committees of Local Authorities Joint Advisory Committee on Food Standards. Take for example, the case of canned fruits and vegetables. Ever since the Codex Committee began to study this subject it had based its specification for fill on drained weights, whereas the L.A.J.A.C. Code of Practice was based on filled weights. To have one kind of standard for international trade and another kind for internal use would be quite impracticable, and if L.A.J.A.C. had known much earlier what was going on in the Codex discussions they could have faced the problem at the beginning of their negotiations. It was true that the definition, in the Codex specifications, of drained weight was based on a sampling plan that required the examination of at least 13 cans and was stated specifically not to be intended for enforcement purposes at the point of retail sale; but this did not alter the fact that manufacturers could not be expected to work to two standards involving different criteria.*

*Mr. Davies:* Certainly it would be wrong to have two standards involving different criteria. There may have been insufficient consultation in the early days of Codex work but every effort is now made to keep all the interests concerned in touch with all developments both directly and through the National Codex Committee and its sub-committees.