

Conclusions on the EU's commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow - position paper

- 1. We support the EU ambition to act on global environmental issues in the framework of international fora such as the United Nations Convention on Biological Diversity and animal welfare via the sister organization to Codex with competence for animal health, the OIE¹.**
- 2. We call on the European Union to follow sound scientific evidence in setting Codex Alimentarius standards.**
- 3. The integration of non - consumer safety and non - food trade related factors in Codex risk management could create unjustified barriers to trade or even block the important work of Codex.**

Context:

On 21 February 2022, the European Union's Ministers of Agriculture recognized “the continued importance and worldwide relevance of consensus-based food standards adopted by the Codex Alimentarius”². The Agriculture and Fisheries Council's Conclusions also “stressed that analyses and data related to sustainability considerations, such as environmental protection and animal welfare, could usefully complement the risk assessment”³.

Our position:

We support the EU ambition to act on global environmental issues in the framework of international fora.

We support the EU ambition to act on global environmental issues. The best way to address global challenges is at the global level, via international fora that have been established to provide a proper framework for multilateral discussions and decision-making. We also welcome recognition of work done by Codex Alimentarius Commission, which was established by the Food and Agriculture Organization (FAO) of the United Nations (UN) and the World Health Organization (WHO).

We call on the European Union to follow sound scientific evidence in setting Codex Alimentarius standards. The integration of non - consumer safety and non - food trade related factors in Codex risk management could create unjustified barriers to trade by allowing members to rationalize potential domestic protectionist measures with sustainability considerations.

Codex Alimentarius is “a collection of internationally adopted food standards” that is “intended to guide and promote the elaboration and establishment of definitions and requirements for foods to

¹ <https://www.oie.int/en/home/>

² Council Conclusions 21.02.2022: Conclusions on the EU's commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow; <https://data.consilium.europa.eu/doc/document/ST-6298-2022-INIT/en/pdf>

³ Council Conclusions 21.02.2022: Conclusions on the EU's commitment to an ambitious Codex Alimentarius fit for the challenges of today and tomorrow; <https://data.consilium.europa.eu/doc/document/ST-6298-2022-INIT/en/pdf>

assist in their harmonization and in doing so to facilitate international trade.”⁴ For almost 60 years, Codex Alimentarius has provided a consistent, transparent, and effective framework to evaluate scientific evidence and facilitate risk management decision. Codex membership represents about 99% of the world’s population. The success of Codex is based on work of independent, international expert scientific advice from panels and consultations convened by FAO and WHO.

European Union’s members are hugely benefiting from the work done by Codex as the EU is the largest partner in international trade of agricultural products. In 2020, the EU agricultural exports accounted for €185 billion and since exports were higher than imports there was a trade surplus of €43 billion. Therefore, the EU has a vested interest in harmonized, transparent, science-based trade rules.

Current EU ambitions to incorporate sustainability considerations in Codex standard setting could undermine the scientific integrity of Codex risk assessment and create unjustified barriers to EU food exports, without providing added global sustainability benefits. The scope of Codex food standards, guidelines and other recommendations is limited to assuring the quality and safety of the food supply and is based on the principle of sound scientific analysis and evidence. According to the General Principles of the Codex, any revision of “Codex standards and related texts” must be “consistent with and reflect current scientific knowledge”⁵. As explained by FAO, “the foundation of Codex standards is sound scientific evidence”⁶.

When members of Codex agree on the necessary level of protection of public health, but hold differing views about other considerations, members already have flexibility to abstain from acceptance of the relevant standard.

Furthermore, the reference made to Codex food safety standards in the World Trade Organization (WTO)'s Agreement on Sanitary and Phytosanitary measures (SPS Agreement) means that Codex has far reaching implications for resolving trade disputes⁷. Opening the door for other factors in the risk analysis could impact the EU’s ability to seek successful resolution to future market access concerns in the WTO setting.

Finally, the global agri-food industry is still struggling to recover from the significant impact of COVID19 in the last few years. The current high commodity prices, high inflation, and further impact on commodities’ supply due to the Russia/Ukraine crisis are already presenting serious challenges to the system. According to OECD’s 2020 “Non-tariff measures in agriculture” study, existing Sanitary and Phytosanitary (SPS) and technical barriers to trade (TBT)⁸, together can increase import prices of agricultural products by almost 15% and adding additional stress and uncertainty to the global food system could severely impact global food prices and jeopardize global food security.

⁴ General Principles of the Codex Alimentarius, <https://www.fao.org/3/w5975e/w5975e05.htm>

⁵ General Principles of the Codex Alimentarius: <https://www.fao.org/3/w5975e/w5975e05.htm>

⁶ FAO/WHO, “Understanding Codex”, 2016, p. 29 <https://www.fao.org/3/i5667e/i5667e.pdf>

⁷ The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) https://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm

⁸ OECD Food, Agriculture and Fisheries Papers No. 147 Non-tariff measures in agriculture, page 4; <https://www.oecd-ilibrary.org/docserver/81933f03->

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