



CODEX CAPSULE 3

Codex Mandate and Statutes

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Codex or the Codex Alimentarius Commission is the organization that develops international standards.

It was created as part of the Joint FAO / WHO Food Standards Program and is one of the components of this program, tasked with the development of international food standards.

Being a Global body entrusted with international food standard development, Codex has agreed upon statutes and Rules of Procedures that govern its operations.

All this information is included in this very important document that is the procedural manual.

The procedural manual is available in all UN language and is somewhat the “constitution” and the rules of management of Codex.

Now Codex through the Commission can amend its Rules of Procedure and other text in the Codex Procedural Manual, but only the FAO Conference and the Health Assembly of WHO can amend The Codex Statutes.

The Codex Procedural Manual is available online on the Codex Website

http://www.codexalimentarius.net/web/procedural_manual.jsp

The statutes of Codex provide the **legal basis** for the Commission's work. They:

- provide its **mandate** or terms of reference.
- describe the **formal operating procedures**.

There are 10 articles in the Commission's Statutes which provide the legal foundation for the Commission's operations.

In short: The Statutes cover the mandate, membership, observers, reports and recommendations, the Executive Committee, Rules of Procedure, the establishment of Subsidiary Bodies and allowable operating expenses.

The Statutes can be found in Section I of the *Codex Procedural Manual*, available on line at:

http://www.codexalimentarius.net/web/procedural_manual.jsp

The mandate of the Codex Alimentarius Commission is clearly specified in the first article of its Statutes.

Article 1 - Mandate

- (a) Protecting the health of consumers and ensuring fair practices in the food trade.
- (b) Coordinating all food standards work undertaken by international governmental and non-governmental organizations.
- (c) Determining priorities and initiating and guiding the preparation of draft standards.
- (d) Finalizing standards and publishing them in a Codex Alimentarius either as regional or worldwide standards.
- (e) Amending published standards, after appropriate survey in the light of developments.

The second article of the Statutes provides guidance as to who may become members of Codex.

The updated list of the Codex Commission's Member Countries is available online at:

http://www.codexalimentarius.net/web/members_area.jsp?lang=EN

In order to become a Member of the Codex Alimentarius Commission, there are two conditions that must be met:

1. The country must be a Member of either FAO or WHO.
2. The country must notify either the Director-General of FAO or of WHO of its wish to become a Member.

It should also be noted that membership is limited to countries only – the exception being regional economic integration organizations (i.e. the European Community).

Another important article of the Statutes is the sixth, which provides for the establishment of an Executive Committee which functions as the executive organ of the Commission.

This Article provides for ongoing management of the Codex process between sessions of the Commission.

The Executive Committee cannot make decisions on behalf of the Commission (e.g. authorize new work, adopt standards), but it has responsibility for strategic planning, budgeting and managing the standards elaboration process.

Let us Summarize this Session:

- FAO and WHO have established the Joint FAO/WHO Food Standards Programme, for the elaboration of international food standards.
- The CAC is an intergovernmental body established to develop food standards under the Joint FAO/WHO Food Standards Programme.
- The collection of food standards and related texts adopted by the CAC is known as the *Codex Alimentarius*.
- The Codex Procedural Manual contains the Statutes of the Commission, its Rules of Procedure, and additional procedural information relevant to how the Commission and its subsidiary bodies function.
- One of the primary mandate of the Codex Commission is to protect the health of consumers and ensure fair practices in the food trade.
- In order for a country to become a member of the CAC, the country must be a member of either FAO or of WHO and it needs to notify either the Director-General of FAO or of WHO that it wishes to become a member.