

THE FOURTH ARAB CODEX COLLOQUIUM

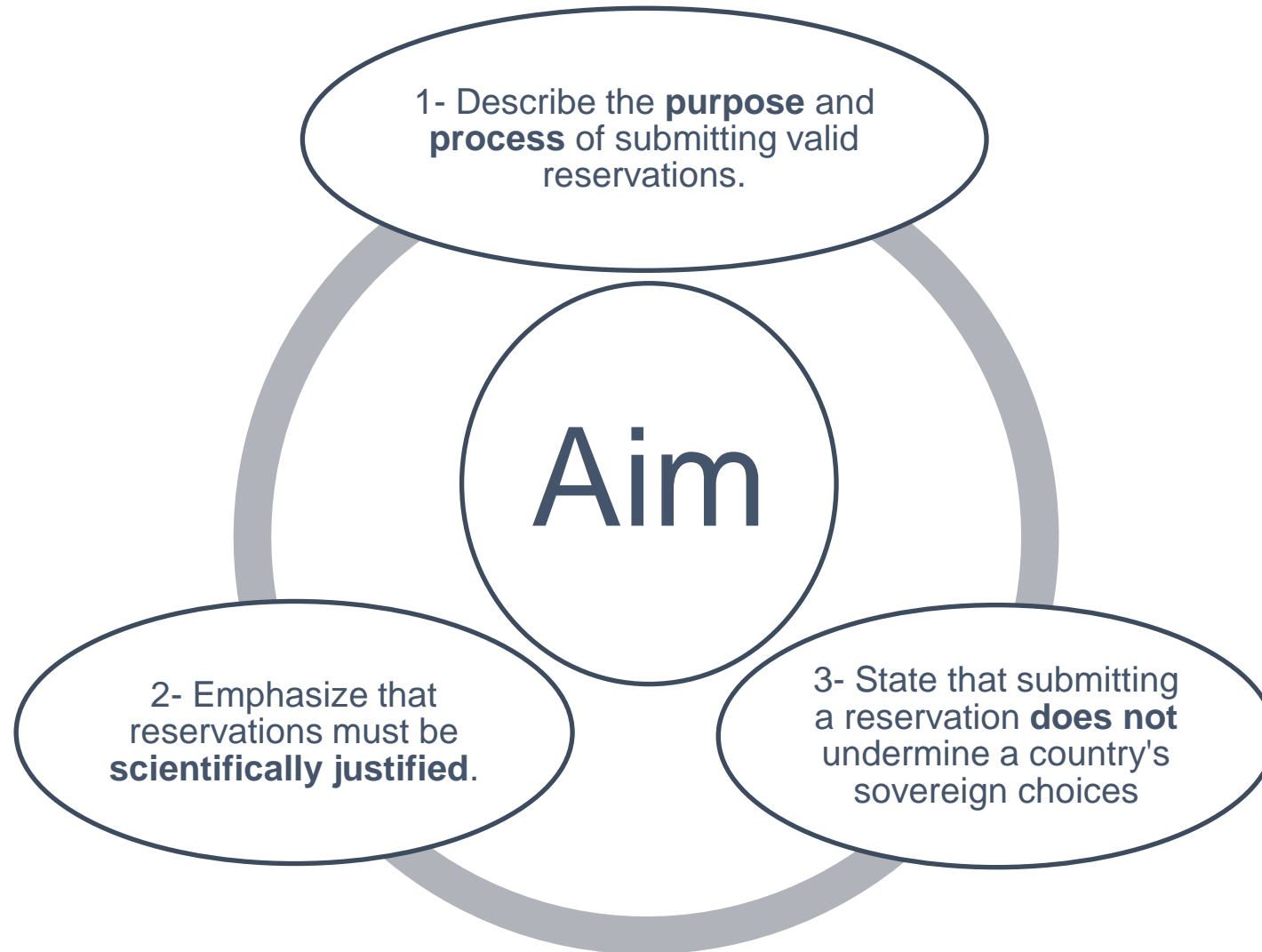


“Reservations” in the Framework of the Codex Alimentarius

Dr. Mustafa Sultan, GFORSS

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Introduction



Keep in Mind

“Adopted Codex Standards are Not mandatory and do not require national implementation unless a country chooses to do so.”

What are the Codex Acceptance Criteria?

General Principles of the Codex Alimentarius

Type of Acceptance	Definition	What It Means in Practice	When It's Used
Full Acceptance	The Codex standard is adopted exactly as it is	The national regulation mirrors the Codex standard with no changes	When the Codex text fits national needs and there's high trust in its content
Acceptance with Specified Deviations	The standard is adopted but with clearly stated and justified modifications	Some parts are adjusted (e.g. limits, terminology), but the intent is preserved	When Codex standards need minor changes to fit local conditions
Free Distribution	The standard is not adopted into law but is allowed to be used voluntarily	The government permits industry or stakeholders to use it , e.g. as a guideline	When a standard is useful but formal adoption isn't feasible or necessary

What is the Codex Committee on General Principles (CCGP)?

Reviews and enforces Codex procedural rules.

Manages cross-cutting issues such as consensus and reservations.

Promotes transparency, inclusiveness, and efficiency in Codex standard setting.

Codex Alimentarius Commission Procedural Manual

CODEX ALIMENTARIUS COMMISSION PROCEDURAL MANUAL

Advancement of standards and related texts

78. In determining the level of consensus when progressing through the step process, chairpersons should typically propose a conclusion for consideration by Members, which may be modified and presented as revised to achieve consensus. The same practice should be followed by CWBCs. For example, a chairperson could propose a conclusion to advance a standard by asking a specific question, such as: “Is there any objection to advancing the draft standard to Step X?”

Food and Agriculture Organization of the United Nations
World Health Organization
Rome, 2024

What is a Reservation?

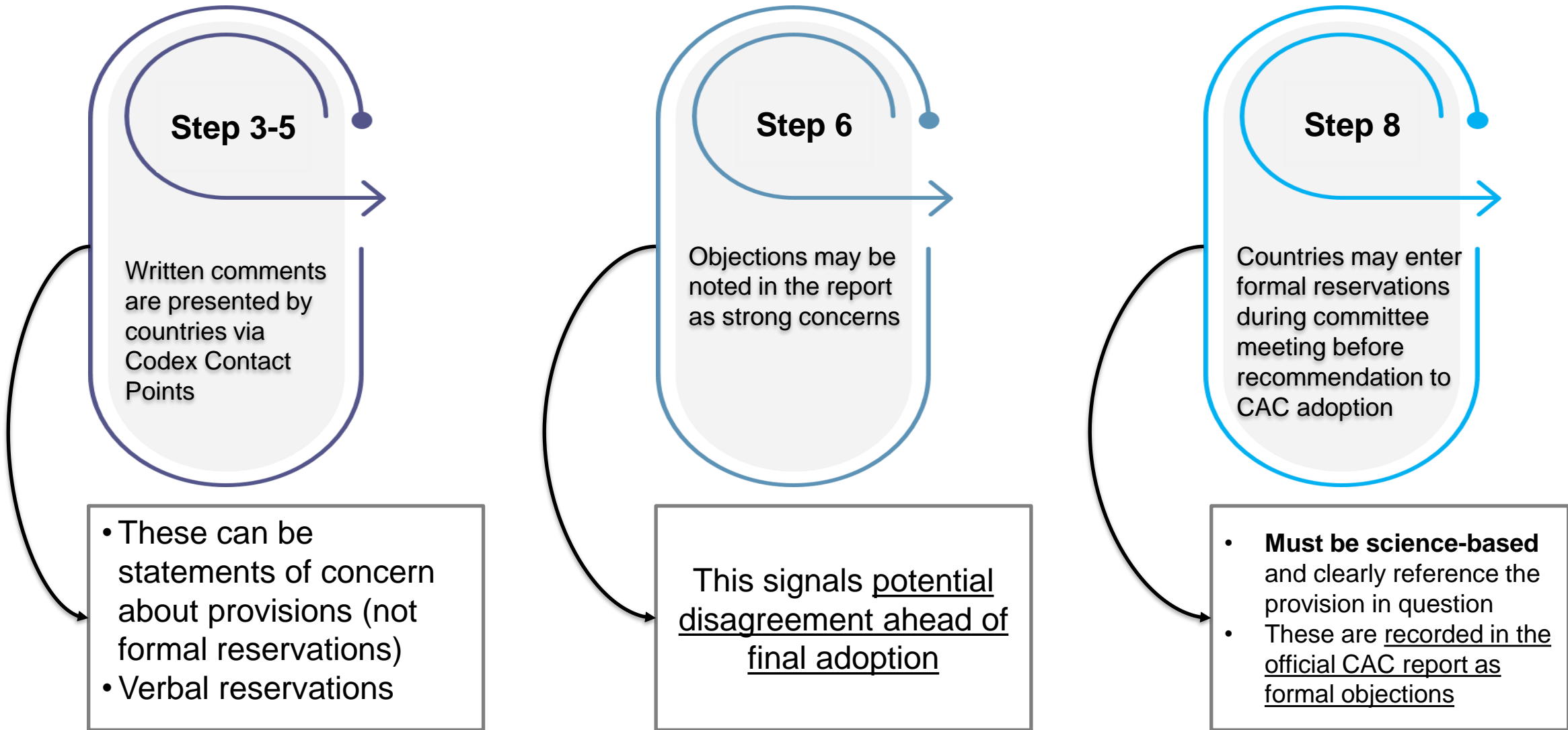


A formal, **science-based objection** to a Codex provision.



Used when a standard may not align with national science or public health data.

When and How Member Countries Express Reservations in Codex



Elements of a Proper Reservation

Clarity

- What provision are you reserving against?

Justification

- Use national risk assessments, scientific evidence, or legal context.

Context

- Explain why this doesn't work nationally.

Constructive Suggestion

- Recommend an adjustment if possible.

Timeliness

- Submit within Codex procedural deadlines.

Common Mistakes in Reservations



Vague language.



No scientific basis.

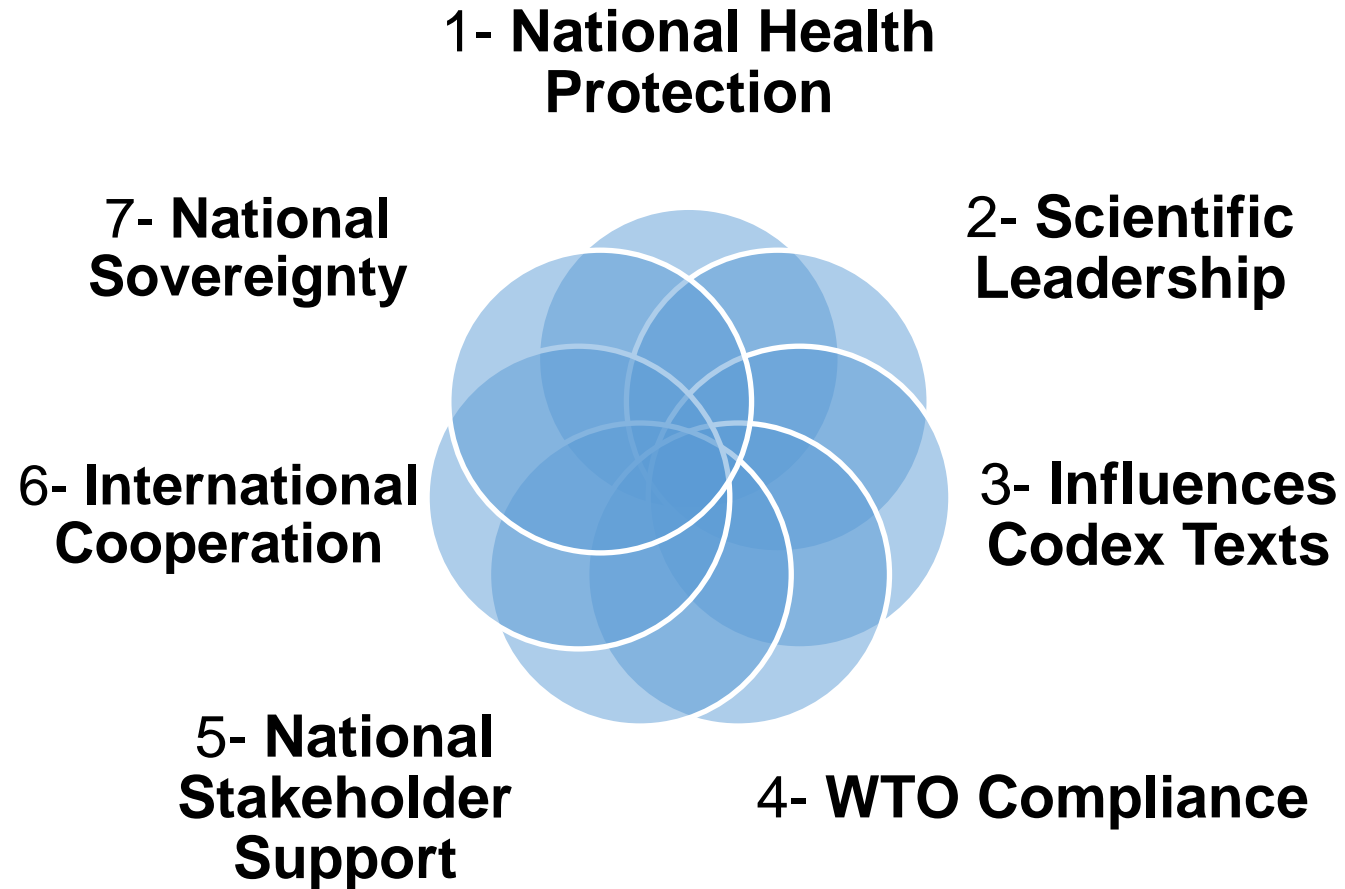


Motivated by trade or politics.



Submitted too late in the process.

Key Benefits of Valid Reservations



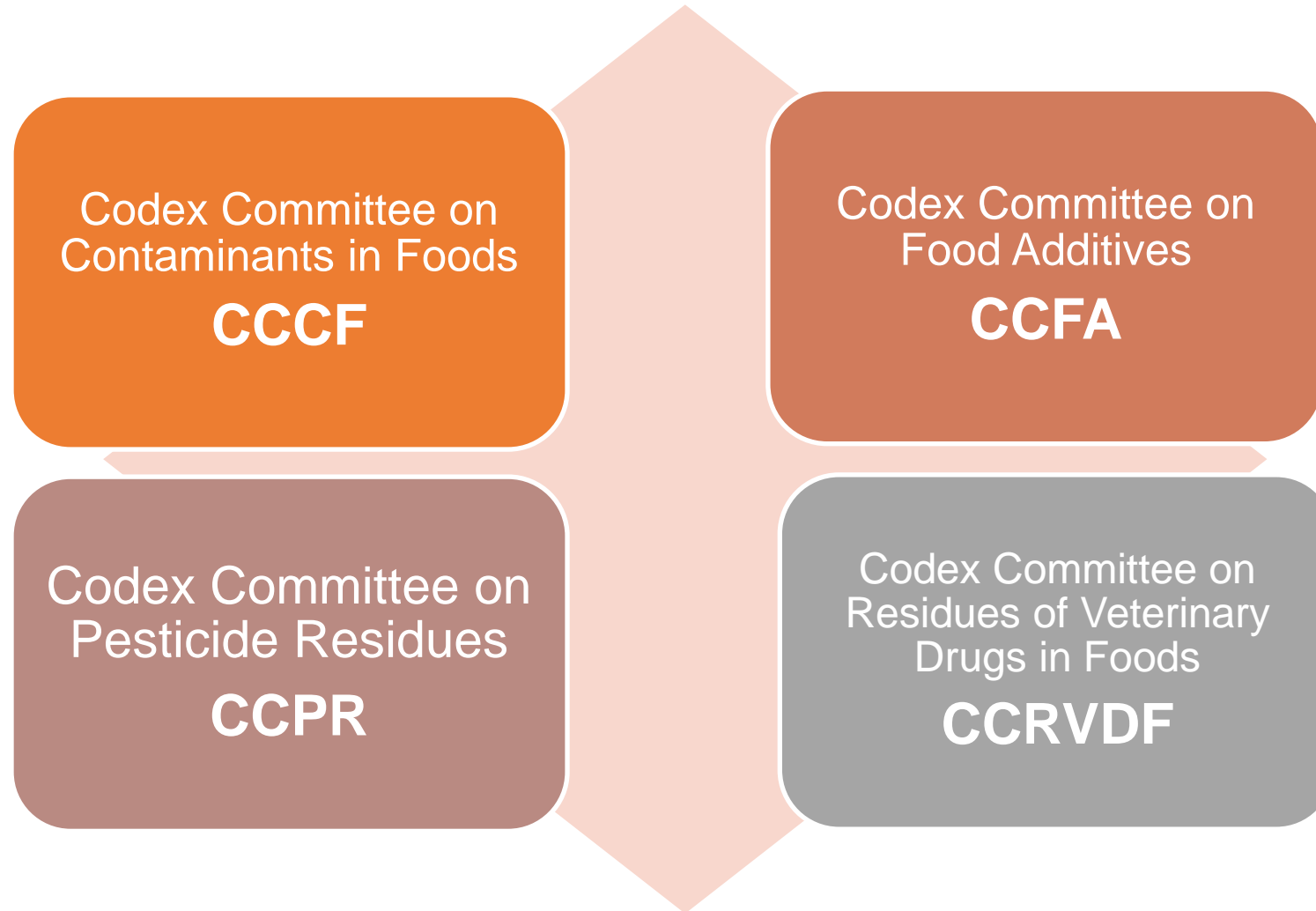
Key Takeaways

- ❑ Valid reservations **strengthen our position**, when used responsibly.
- ❑ **Science** must be the foundation.
- ❑ Codex respects national sovereignty, this process improves **mutual understanding and consensus**.
- ❑ We need **internal coordination** to support valid, timely input.

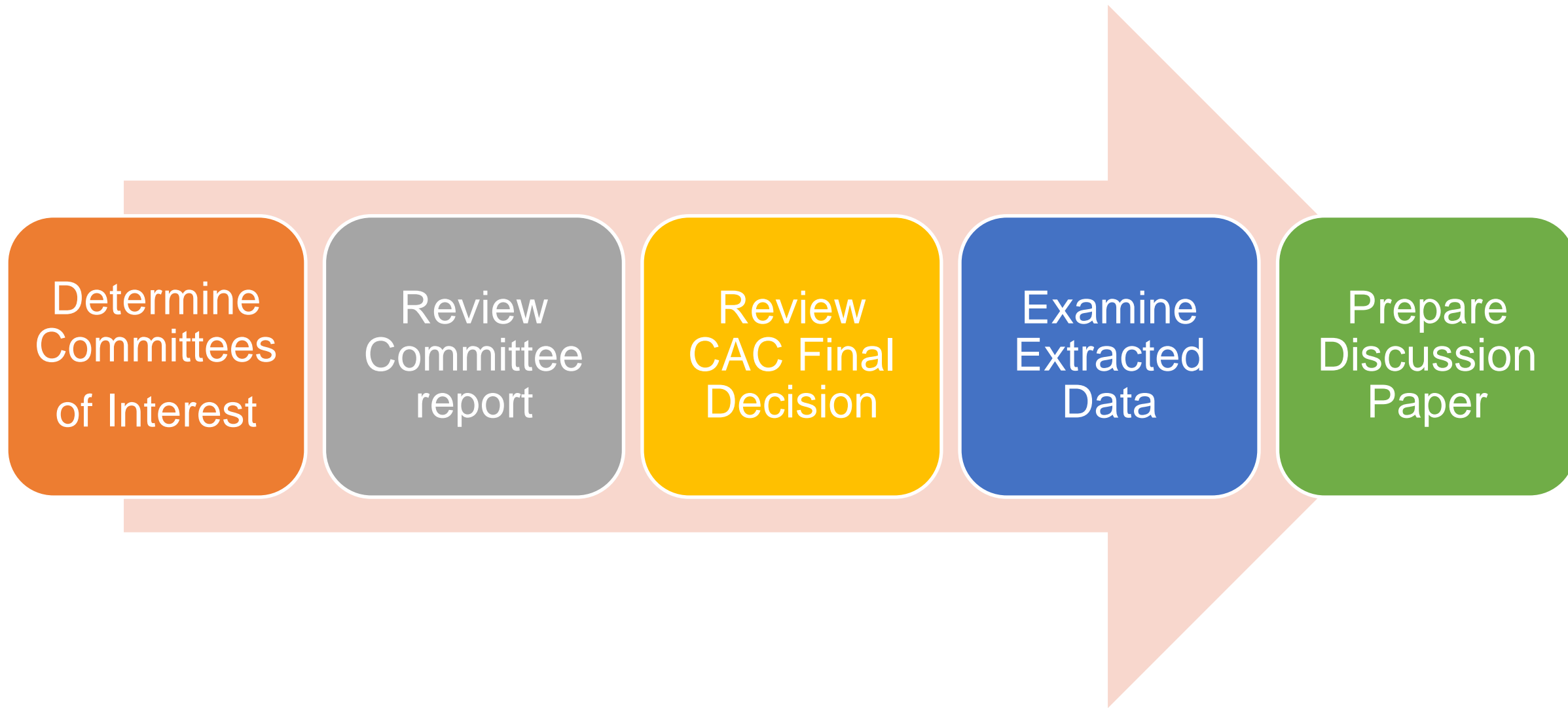
Objectives

- ❑ To sensitize the Issue “*rocking the boat*” and triggering the discussions on the better use for reservations.
- ❑ To develop a **Discussion Paper** to be submitted to **CCGP** next meeting, that will be held on June 2nd, 2025 - in France.

Committees of Interest



Methodology



Why the European Union?



Participation of the European Union

The European Union (EU) is the only Member Organization (MO) of Codex and participates in Codex sessions in accordance with paragraph 9 of Article II of the FAO Constitution and Rule II of the Rules of Procedure of the Codex Alimentarius Commission¹.



the EU must coordinate with its Member States to establish a common position before committing to international standards.



When internal consensus has not yet been reached, the EU enters a reservation to maintain flexibility for future decision-making.



This approach ensures that the EU does not prematurely commit to standards that may later conflict with its internal legal frameworks or policies, allowing time for necessary internal consultations and legal reviews.



Extracted Data Spread Sheet Outline

	A	B	C	D
1	Committee	Agenda Item	Member/s Submitted Reservation and Rationale	CAC Final Decision
2	CCCCF13 (2019)	Item 6: Proposed draft maximum levels for cadmium in chocolates and cocoa-derived products	<p>EU and Norway reservation on <u>advancing the ML of 0.3 mg/kg</u> for chocolates containing or declaring <30% total cocoa solids on a dry matter basis for adoption at Step 5/8 by CAC42.</p> <p>In the EU a more conservative HBGV was in place. For the EU risk assessment, it had been shown that for certain vulnerable groups, the HBGV could be exceeded up to six-folds; and therefore, in terms of exposure of children to cadmium, strict levels had been set in the EU for chocolate products containing less than 50% total cocoa solids on a dry matter basis and for cocoa powder which was used as an ingredient in chocolate milks consumed by children.</p>	CAC42 (2019) agreed to adopt the proposed <u>ML of 0.3 mg/kg at Step 5</u> , and noted the reservations of EU, Norway and Switzerland.

Timeline and Roadmap

Step	Due Date
Assign Committees	20- April
Review Committee Report and CAC's related Decisions	4-May
Reviewing Extracted Data and Spread Sheet	8-May
Develop a Discussion Paper Draft	15-May
Review and circulate Discussion Paper	22-May

Committees of Interest

Codex Committee	Interested Arab Expert
CCFA	Oman + Algeria
CCPR	Morocco + UAE
CCRVDF	Qatar + Tunisia

