

CODEX (BHUTAN)

National Codex Procedural Manual



Bhutan Agriculture and Food Regulatory Authority (BAFRA)

Ministry of Agriculture and Forests

Second Edition

2022

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DEFINITION

“Act” means the Food Act of Bhutan 2005.

“BAFRA” refers to the Bhutan Agriculture and Food Regulatory Authority.

“CAC” refers to Codex Alimentarius Commission; joint Food and Agriculture Organisation/ world Health Organisation food standard programme.

“Chairperson” means Chairperson of the National Codex Committee (NCC) and Codex sub-committee, as the case may be.

“Codex (Bhutan)” is comprised of the NCC, National Codex Contact Point (NCCP), Codex-Sub-Committee & Codex (Bhutan) Secretariat.

“Codex Sub-Committee” means the Committees constituted by National Codex Committee to provide technical opinion on national food safety issues and to follow the works of the corresponding Codex Committees of the CAC.

“Delegate” means person whose nomination is approved as a member of the Bhutanese delegation to participate in CAC or Codex works.

“Delegation” means a group of delegates representing Bhutan.

“Food” means any article or substance, intended for human consumption, whether processed, semi-processed or raw, including water and beverages which may contain any flavouring matter or condiments, except for pharmaceutical drugs, tobacco and cosmetics;

“Member” means member of the National Codex Committee, Codex Sub-Committee, Bhutanese delegation, as the case may be;

“MoAF” refers to the Ministry of Agriculture and Forests;

“NFQSC” refers to National Food Quality and Safety Commission, established by the Food Act of Bhutan 2005 as the highest decision-making body on food quality and safety;

“National Codex Contact Point of Bhutan (NCCP-Bhutan)” is the central coordination point for all Codex activities within the country and the contact point to the CAC;

“National Codex Committee of Bhutan (NCC-Bhutan)” is a technical advisory body responsible to provide technical opinion on food safety issues in Bhutan and coordinate Codex related works at the national level;

“Standard” is a document approved through consensus by a recognized (standardization) body, that provides, for repeated and common use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory.

“Technical Regulations” is a government document that lays down product characteristics or their related processes and production methods with which compliance is mandatory to ensure safety of food. It may be drawn from national standards but not necessarily identical adoption.

All other words and expression used herein and not defined, but defined in the Act, Rules or Regulations made there under, shall have the meanings assigned to them in the Act, rule or regulations, respectively, and Codex Alimentarius Commission Procedural Manual.

INTRODUCTION

Bhutan has been a Member of the Codex Alimentarius Commission (CAC) since the year 1999. The CAC is a joint body of Food and Agriculture Organization of the United Nations (FAO) and World Health Organization (WHO) set up in 1963 with the mandate to develop international food standards, code of practices, guidelines, and other recommendations to protect health of consumers and provide assurance of fair practices in food trade. The CAC has over 189 Member Countries and one Member Organization (EU). The World Trade Organizations, in its Sanitary and Phytosanitary Agreement, recognizes the standards elaborated by the Codex Alimentarius Commission as the global reference standards for consumers, food producers, processors, national food control agencies and all others involved in international food trade.

Bhutan Agriculture and Food Regulatory Authority (BAFRA), under Ministry of Agriculture and Forests has been functioning as the National Codex Contact Point (NCCP) since 2003. The National Codex Committee (NCC) was established in 2005 through the Food Act of Bhutan 2005 and its Regulation 2017. The NCC and its sub-Committees with broad representation of national experts from relevant agencies serves as the technical advisory body to provide technical opinion on food safety and quality issues in Bhutan and coordinates Codex related works at the national level.

The Procedural Manual for Codex Bhutan is intended to guide the National Codex Contact Point (NCCP), NCC, sub-Committees and Codex (Bhutan) Secretariat to:

- (i) Contribute towards strengthening Bhutan's national food control systems.
- (ii) Effectively manage the works of Codex in Bhutan; and
- (iii) Actively participate in the elaboration of international food standards to play a meaningful role as a member of the CAC.

The Manual is useful for Chairs and Members of the NCC to understand their roles and responsibilities for smooth and successful conduct of the Committee meetings. It will also be useful to the Leader and Members of delegation from Bhutan to effectively present Bhutan's position to the electronic and physical meetings of CAC and its Committees.

The Manual consists of three sections:

- **Section I** details the Codex structures in Bhutan along with their key roles and responsibilities. **Section II** outlines working procedures for Codex Committees, towards efficient and smooth operation of National Codex Committee and Codex sub-committee (s) of Bhutan to:
 - formulate mandatory Food Standards (Technical Regulations) and
 - formulate national positions on Codex Works.
- **Section III** defines the procedure for selection of the Leader and Members of Bhutanese delegation for participation to Codex meetings.

SECTION I

CODEX STRUCTURES IN BHUTAN

The Codex Standards and Texts have been referenced in the Food Act of Bhutan 2005 as one of the key references for establishment of national Standards and Technical Regulations on food quality and safety. The structures that have crucial role to play in promoting Codex related works in Bhutan are as described below and as depicted in the Figure 01:

1. **National Food Quality and Safety Commission (NFQSC)**
Highest decision-making body on food quality and safety.
2. **Bhutan Agriculture and Food Regulatory Authority (BAFRA)**
 - a. Head of BAFRA is the **National Codex Contact Point (NCCP)**
 - b. **Bhutan (Codex) Secretariat** is established in BAFRA to manage the works of Codex in Bhutan.
3. **National Codex Committee (NCC)**
Comprises of national experts from relevant agencies to provide technical opinion on food safety, quality and standards.
4. **Codex Sub-committee (s)**
Comprises of national technical experts to assist works of NCC and function as shadow committees to Codex Committees of CAC.

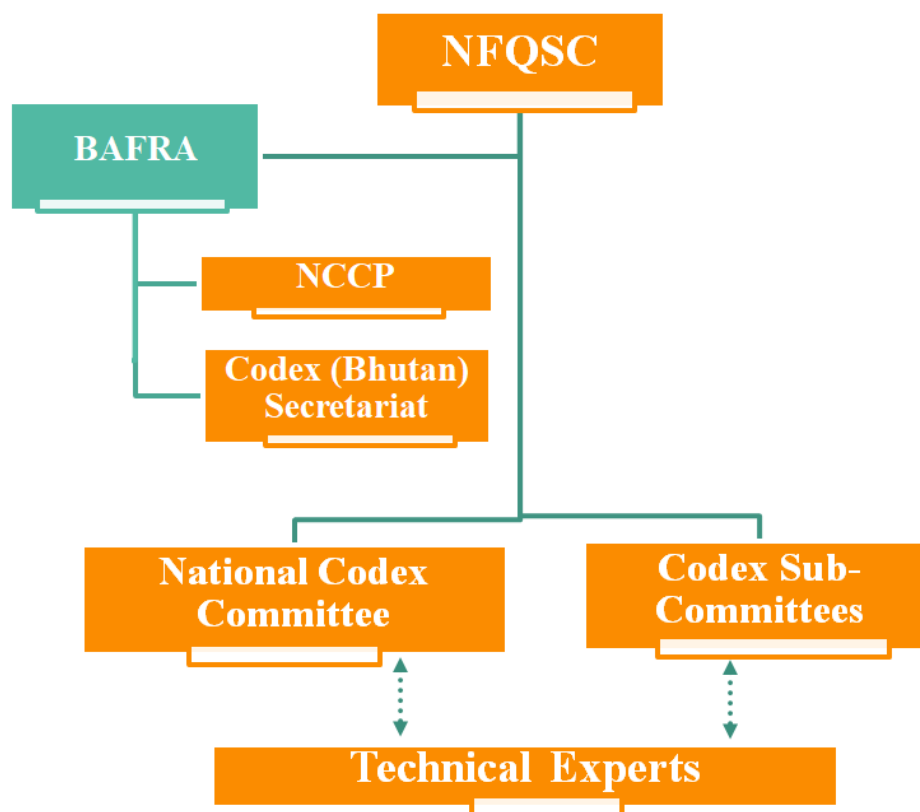


Figure 01: Codex structures in Bhutan

1. NATIONAL FOOD QUALITY AND SAFETY COMMISSION

National Food Quality and Safety Commission (NFQSC) is the highest policy level decision making body responsible to maximize industry development, protect consumers, foster trade, and improve food control in the Kingdom.

National Codex Committee is required to provide technical opinion and recommendations related to food safety to NFQSC for decision making.

NFQSC is responsible for reviewing and approving the work of the National Codex Committee regarding:

- i. Development and acceptance of national Technical Regulations (mandatory food Standards) regarding food quality, food safety, ingredients, additives, adulterated food, weights and measures, laboratories and other technical issues.
- ii. Preparation of standards, rules and regulations, orders, and notices under the Food Act of Bhutan 2005.

- iii. Policy decisions related to all Codex activities and issues.

The composition of NFQSC, scheduling of its meetings shall be convened as per the provisions of the Food Act of Bhutan 2005.

2. BHUTAN AGRICULTURE AND FOOD REGULATORY AUTHORITY

Bhutan Agriculture and Food Regulatory Authority (BAFRA) under the Ministry of Agriculture and Forests (MoAF) is primarily responsible to ensure food safety and prevent foodborne diseases, both of which are of importance to national and international public health.

2.1 NATIONAL CODEX CONTACT POINT OF BHUTAN

BAFRA has been designated as the National Codex Contact Point (NCCP) since 2003. As the NCCP, BAFRA fulfils the national mandates conferred by the Food Act of Bhutan 2005 and also maintains contact with the CAC to ensure timely exchange of information, respond to queries participate and contribute to meetings and activities of the Codex Alimentarius Commission NCCP (Bhutan) serves as the secretariat to the NFQSC, the National Codex Committee (NCC) and its various Sub- Committees /Shadow Committees of the NCC.

The contact details are:

The Head,

*Bhutan Agriculture and Food Regulatory Authority (BAFRA)
Ministry of Agriculture & Forests, Royal Government of Bhutan
PO Box No. 1071, Thimphu: Bhutan
Tel# +975 2 327030 (Direct)+ 975 2 327031/325790/331349 (PABX)
Fax # +975 2 327032/335540
Email:bhutancodex@gmail.com
Web site: <http://www.bafra.gov.bt/www.bafra.gov.bt>*

2.2.1 CORE FUNCTIONS OF NCCP (BHUTAN)

Keeping in view the functions entrusted by the Food Act of Bhutan 2005 and also considering the roles outlined in the CAC's Codex Procedural Manual, the NCCP (Bhutan) has to undertake following core functions:

- 3.1 Serve as the Member Secretary to the NFQSC, the highest policy level decision making body on food quality, safety and other food control matters in the Kingdom.
- 3.2 Serve as the Secretary to the NCC, an advisory body responsible to ensure that the government is provided with an appropriate balance of policy and technical advice on which to base decisions relating to the acceptance of Codex standards and to provide technical opinion on all other food control matters in the Kingdom.
- 3.3 Coordinate the formulation of Technical Regulations to promote food safety and protect public health.
- 3.4 Coordinate the Codex activities within the country:
 - a. Act as the link between the Codex Secretariat (Rome) and Bhutan;
 - b. Liaise with host countries of Subsidiary bodies/Task Forces functioning under the CAC;
 - c. Receive all Codex final texts and working documents of Codex Sessions and ensure that these are circulated to those concerned within the country;
 - d. Send comments on Codex documents or proposals to the CAC or its subsidiary bodies and/or the Codex Secretariat within the time frame;
 - e. Act as liaison point between food industry, consumers, traders, and all concerned to ensure that comments on codex documents are based on appropriate balance of policy and technical advice;
 - f. Act as a channel for the exchange of information and coordination of activities with other Codex Member countries and Codex sub-Committees /working groups;
 - g. Set up an adequate and effective information management system for the collection, dissemination and exchange of information on Standards and other related texts adopted by the CAC;
 - h. Receive invitations to Codex Sessions and inform the relevant Chairpersons and the Codex Secretariat of the names of participants representing Bhutan;
 - i. Promote Codex activities throughout the country to improve understanding of Codex and its relevance for domestic food regulation (standards development) and trade.

- j. Build capacity of all the key players in country to effectively participate, and contribute to codex works and also benefit from Codex.

2.2 BHUTAN (CODEX) SECRETARIAT

- The NCCP is assisted by the “Codex (Bhutan) Secretariat” comprising of three or more supporting staff to manage the work of Codex in Bhutan.
- Codex (Bhutan) Secretariat is established in BAFRA to serve as the Secretariat to the National Codex Contact Point (NCCP) and the National Codex Committee (NCC) and its sub-Committees in carrying out the works of Codex.
- An e-mail address bhutancodex@gmail.com is used for smooth and quick “to and fro” communications with the stakeholders.
- A National Codex Resource Centre (NCRC), a digital Codex library is set up in BAFRA office.
- A section devoted to the Codex (Bhutan) is maintained in BAFRA’s website to ensure transparency in the work of NCCP, NCC and sub-Committees as well as to enable all the interested stakeholders to get updated information on the subjects concerning progress of Codex works in Bhutan.

2.2.2 CORE FUNCTION OF CODEX (BHUTAN) SECRETARIAT

The Codex (Bhutan) Secretariat office is established in BAFRA to assist the works of NCCP. The Secretariat is managed by the Food Section of BAFRA and shall function in close coordination and consultation with other sections and divisions within BAFRA. Under the supervision and guidance of the NCCP, the Codex (Bhutan) Secretariat is responsible to carry out the following functions:

1. Act as coordination unit for NCC and Codex sub-Committees

- a. Keep abreast on the issues related to national food control and food safety matters and recommend for analysis and technical review by NCC or Codex sub-Committees.
- b. Review international and regional food standards, collect and gather the required data for elaborating food standards and recommend it to the NCC or Codex sub-Committees for establishing national Technical Regulations,

guidelines and codes of practices to strengthen national food control system of Bhutan.

- c. Ensure dissemination of information of food standards and food legislations to manufacturers, exporters and concerned organizations.
- d. Prepare the draft technical agenda and make logistic arrangements for convening the NCC and or Codex sub Committee meetings. Make a record of each of the meetings of NCC and Codex sub Committee and circulate to members.

2. Set up an effective information management system

- a. Maintain all relevant Codex texts in the library of National Codex Resource Centre (online or offline) with proper indexing and coding and should be accessible to the interested stakeholders as reference.
- b. Maintain 'Document Register' detailing records of documents received from the Codex Contact Points of Member states and the Codex Secretariat and those distributed by NCCP of Bhutan.
- c. Maintain updated information on Codex works in BAFRA's website to provide information to all the interested stakeholders on management of Codex work in Bhutan.
- d. Enable use of electronic Working Group (eWG) and online commenting system (OCS) by the stakeholders.
- e. Maintain a directory of local and foreign organizations/stakeholders whose tasks concern food standards.

3. Coordinate participation and contribution to International Codex works

- a. Assist NCC and/or sub committees to prepare comments, consolidate national positions and responses for Codex meetings and for elaboration of international food standards.
- b. Prepare the draft technical agenda and make logistic arrangements for convening the national consultations meetings.
- c. Provide responses to Codex questionnaires and other information requested by CAC Secretariat.
- d. Prioritise the Codex meetings for the new calendar year.

- e. Facilitate nomination of delegates to attend regional or international meetings by the NCCP.
- f. Coordinate briefing and de-briefing of the delegations

3. NATIONAL CODEX COMMITTEE

As per the Food Act of Bhutan 2005, the NCC is comprised of the following members appointed upon nomination by their respective agencies or organizations:

- 1. The Secretary, Ministry of Agriculture and Forests, Chair
- 2. One senior level representative of BAFRA, MoAF
- 3. One senior level representative from Department of Agriculture, MoAF
- 4. One senior level representative from Department of Livestock, MoAF
- 5. One senior level representative from the Department of Public Health, Ministry of Health
- 6. One senior level representative from Department of Trade, Ministry of Economic Affairs
- 7. One senior level representative from the department responsible for Urban Affairs;
- 8. One senior level representative from the Bhutan Chamber of Commerce and Industry;
- 9. One representative from Bhutan Standards Bureau;
- 10. The National Codex Contact Point (NCCP), who shall act as a Secretary of the Committee

The alternative members from each representative agencies/organization shall be appointed to maintain the consistency and continuity in the absence of permanent members. Any other expert who is not a regular member of the NCC but competent to contribute to the subject under consideration because of his professional expertise, may also be requested to attend the meeting as an observer.

3.1 FUNCTIONS AND RESPONSIBILITIES OF NCC

- a. Serve as the advisory body for Codex and other food control matters within the Kingdom, studying Codex documents and analysing all relevant information in order to formulate advice to the government.
- b. Review international and regional food standards, collect and analyse data for elaborating national food standards and establish standards for food of all types in the Kingdom, ensuring that such standards are practicable in the local environment.
- c. Draft standards, rules and regulations, orders, and notices under the Food Act of Bhutan 2005, as well as amendments thereto, and make proposals to the NFQSC regarding any necessary legislative changes.
- d. Act as liaison with the food industry, consumers, traders and all other concerned persons and organizations, distributing information received from the CAC Secretariat and facilitating wider consultation in order to ensure that the government is provided with an appropriate policy and technical advice on which to base decisions relating to the acceptance of Codex standards and all other food control matters in the Kingdom.
- e. Formulate on national positions on matters under consideration related to Codex. Where major policy decision is involved, provide recommendations to the National Food Safety and Quality Commission (NFQSC).
- f. Provide responses to Codex questionnaires and other requests for information.
- g. Establish temporary Codex sub-Committees, made up of Committee members, non-Committee members or both, as it deems fit, to:
 1. provide advice of a technical nature to NCC, the Commission and/or the Minister.
 2. assist in the study or consideration of technical matters on subject matters related to the corresponding Codex Committees.
- h. Select and approve delegates to attend regional or international Codex meetings.
- i. Explore the possibilities of budgetary resources either from industry or international organizations to meet the resources for participation in Codex meetings.
- j. Make a record of each of its meetings and make additional reports to the Commission and/or the Minister as directed.

4. CODEX SUB-COMMITTEES

The NCC shall appoint Codex sub-Committee (s) to provide advice of a technical nature to NCC, the NFQSC and/or the Minister and to assist in the study or consideration of technical matters on subject matters of importance to Bhutan and related to the corresponding Codex Committees.

In the composition of the Codex Sub-Committee, one of the members of the NCC shall be included as the member. Specialized experts in the relevant field may be nominated as members of these Codex Sub-Committees. These lists of experts may be reviewed from time to time to ensure that they meet the ongoing requirements of the NCC.

The relevant Codex sub-Committees are as listed below:

- Codex Alimentarius Commission
- Executive Committee of the Codex Alimentarius Commission
- Regional Coordinating Committee (including Coordinating Committee for Asia)
- General Principles
- Food labelling
- Methods of Analysis and Sampling
- Pesticides Residues
- Residues of Veterinary drugs
- Food Hygiene
- Food Additives
- Contaminants in Foods
- Food Export and Import and Certification Systems
- Nutrition and Foods for Special Dietary Uses
- Fish and Fishery Products
- Fats and Oils
- Fresh Fruits and Vegetables
- Processed Fruits and Vegetables
- Milk and Milk Products
- Cereals, Pulses and Legumes

- Cocoa Products and Chocolate
- Meat Hygiene
- Sugars
- Antimicrobial Resistance (AMR)
- Spices and Culinary Herbs
- Any other relevant Committees/groups

4.1 FUNCTIONS OF CODEX SUB-COMMITTEES

- (i) Provide technical opinion on national food safety issues to NCC, the NFQSC and/or the Minister.
- (ii) Review Codex Standards for direct adoption/adaptation, and submit technical opinion for consideration by NCC.
- (iii) To advise the NCCP/NCC on various food standardization, food quality and safety issues having implications on Bhutan and related to the work undertaken by the relevant Codex Subsidiary Body/Task Force, so that national economic interest is taken into account or considered when international standards are deliberated by the relevant committee.
- (iv) To follow the Codex agenda of the relevant Subsidiary Body and provide inputs to the government so as to assist in ensuring quality and safety of food to the consumers, to safeguard national interests and maximize the opportunities for development of industry and expansion of international trade.
- (v) To study Codex documents, collect and revise all relevant information relating to technology, economics, health and control systems so as to give supporting reasons to the government in the acceptance of Codex Standards or otherwise;
- (vi) To formulate national position in consultation with the members of the Shadow Committee with respect to the agenda for the forthcoming session / meeting of the Subsidiary Body of the CAC and forward the same to NCCP for sending it to Codex Secretariat after approval by government.
- (vii) To recommend to the NCCP the position to be taken during the Sessions of the Commission with respect to technical subject relevant to sub-Committee.

- (viii) Ensure that Bhutans's position/comments are finalized and forwarded to NCCP before the deadline or at least three weeks before the main session; and
- (ix) To finalize the delegation for the meeting of the Codex in consultation with the NCC / NCCP and transmit the names to the host secretariat through the NCCP.

SECTION II

WORKING PROCEDURES FOR CODEX COMMITTEES

BACKGROUND

The National Codex Committee (NCC) was established in 2005 through the Food Act of Bhutan 2005 and its Regulations (2017). The NCC of Bhutan has broad representation of national experts from relevant agencies, and serves as the highest technical advisory body for food safety, quality and standards. The NCC is also empowered to establish temporary Codex sub-Committees to assist in discharging their mandates of improving national food control as well as Codex activities towards elaboration of international food standards. This section details the working procedures to guide the NCC and its sub-Committees meetings to:

- Formulate mandatory Food Standards (Technical Regulations) and
- Formulate national positions on Codex Works.

The Codex (Bhutan) Secretariat shall prepare draft agenda for each meeting of the NCC/sub-Committee and circulate to NCC members at least 5 days in advance for the comments and incorporation of additional agenda items, if any. The meeting agenda may provide details on:

- national technical issues of Bhutan requiring technical analysis and technical opinion of the NCC; and/or
- Formulation of mandatory national standards; and/or
- Formulation of national positions on the agenda of any commission or the subsidiary body of Codex Alimentarius Commission.

Each agenda item should incorporate the following:

1. Summary of national food safety issues and/or Codex issues to be deliberated upon
2. For formulation of national position on agenda of any session of Codex Alimentarius Commission or the Subsidiary body of Codex Alimentarius Commission, the following may be considered:
 - Codex document number, the subject and the meeting in which it is to be considered;
 - A brief on national position/legislation on each issue;
 - Stand taken by Bhutan in the past, the names of the delegation who attended

the meetings and reports of delegates;

- Stand to be taken by Bhutan on the present topic;
- Proposed delegation for the meeting.

3. Any other business with the permission of the Chair

- Harmonization of national standards with regional/international food standards;
- Updating of Procedural Manual for Codex (Bhutan).

1. FUNCTIONING OF NCC AND SUB COMMITTEES

- a. Meetings shall be held at the call of the Chair or Codex Bhutan Secretariat, or at the request of a participating department atleast twice a year, based on the national food safety and quality issues and based on CAC Timetable of Codex Sessions for the year.
- b. In the absence of the Chair, meetings shall be chaired by the Vice Chair or as may be requested by the Chair.
- c. Any member who cannot attend the meeting of the Committee may delegate the alternate to attend in that member's stead and who may exercise all the responsibilities of such member, including voting.
- d. The Chair may remove a representative where the Committee has determined and recommended to the Chair that representation by that organization or unit is no longer essential to the functioning of the Committee.
- e. The Chair may appoint any additional representative or representatives where the Committee has determined and recommended to the Chair that representation by such additional organization or unit is essential to the functioning of the Committee.
- f. Each member of the Committee shall, unless earlier removed by the Chair of the Committee, hold office for a period of three years from the date of appointment, and, upon the expiry of that period, shall be eligible for reappointment.
- g. Members of the Committee may resign in writing to the Chair; a replacement shall be appointed within 20 days.

- h. Where the Committee so authorizes, representatives of governmental organizations and agencies, as well as industry and consumer groups, may attend meetings of the Committee but may not vote.
- i. The Committee may review the constitution of Codex sub-Committees and revise the members with the approval of the Chair of NCC.
- j. Recommendation on each agenda item should be arrived at by consensus. All recommendations should be recorded in the Minutes of the Meeting and read out to the members then and there in the meeting itself. Any member not inclined to accept the majority views, may request to record his vote of dissent with reasoning, and in that case his views should be recorded.
- k. Detailed written minutes of the meeting duly approved by the Chairperson should be sent to the members of the Committee either by email or by fax within a period of two working days. The members should be requested to offer their comments on the recording of the minutes within a period of three working days from the date of receipt of the minutes. If no comments are received within 3 working days, it shall be considered as final.

2. FORMULATION OF FOOD TECHNICAL REGULATIONS

To establish minimum safety standards for food, based on the directives of the NFQSC and NCC, the Codex (Bhutan) Secretariat should convene a NCC or sub-committee meeting to formulate mandatory food standards (technical regulations) following the process defined below:

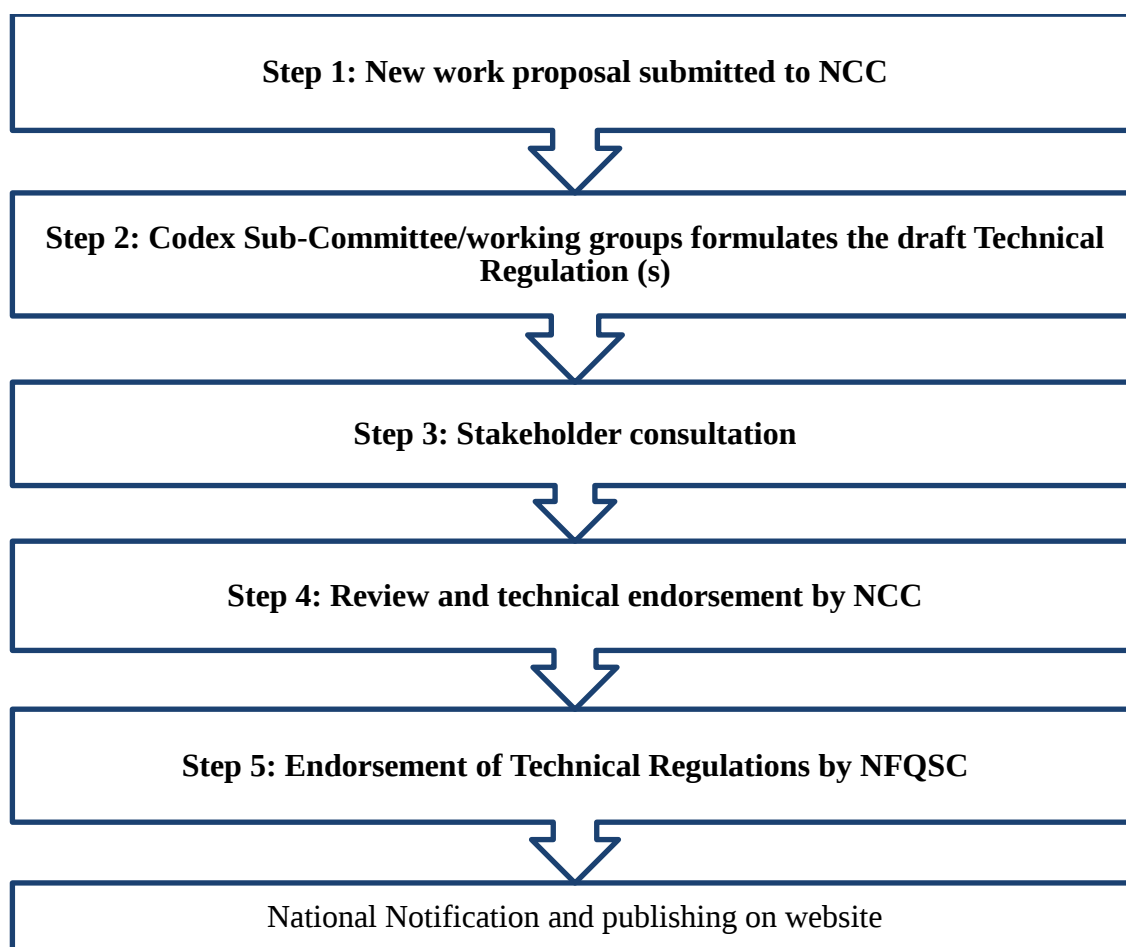


Figure 02: Process for formulating Technical Regulations

A stepwise explanatory process is as described below:

Step 1: New work proposal submitted to NCC

The new work proposal for establishing a Technical Regulation can be initiated by government agencies, manufacturers, trading companies, professional institution, consumers, industry associations, etc.

The proposals can be submitted to NCC through the Codex Bhutan Secretariat or NCCP via email address: bhutancodex@gmail.com. The proposing entities may indicate the urgency of the proposal and may also submit a working draft.

Step 2: Codex Sub-Committee/working groups formulates the draft standards

The NCCP reviews the submissions and, if the proposal falls within the domain of Food Act of Bhutan 2005 and under the purview of the National Codex Committee with regard

to formulation of Technical Regulation, it is taken up as a new work proposal. If the proposals indicate the need for a national Standard, it will be forwarded to the Chair of the Food and Agriculture Technical Committee (TC-02) of Bhutan Standards Bureau, the national Standards Body of Bhutan.

Depending on the nature of the proposal, a relevant Codex Sub-committee is established/activated, to prepare a working draft technical regulation. The technical basis for preparing the draft shall be the national data, national regulations/standards, regional/international Standards.

All expenses related to the Committee member's participation to such activities are to be borne by the participating organizations or by BAFRA, in the event, if the participating organization is not able to finance.

Step 3: Stakeholder consultation

The draft technical regulation is circulated (online) to stakeholders for comments for a period of 30 days (normal proposals) and 5 days (for food safety related urgent cases). The member secretary of the Codex Sub-Committee collects and compiles the comments received from stakeholders. The comments are then reviewed by the Codex Sub-Committee and a revised draft is prepared after considering any relevant comment. The revised draft is submitted to NCC.

Step 4: Review and technical endorsement by NCC

The revised draft Technical Regulation is tabled for discussion by the NCC. The drafts are further reviewed by the members of the NCC. Once NCC provides technical endorsement, it is submitted to NFQSC for final endorsement.

Step 5: Endorsement by NFQSC

The NFQSC reviews the Technical Regulation and provides final endorsement. Once endorsed, a national notification is issued indicating mandatory compliance to the specifications and the same is published on the website.

3. FORMULATING NATIONAL POSITIONS ON CODEX WORKS

For the development of a national position, the consultative process is as shown below:

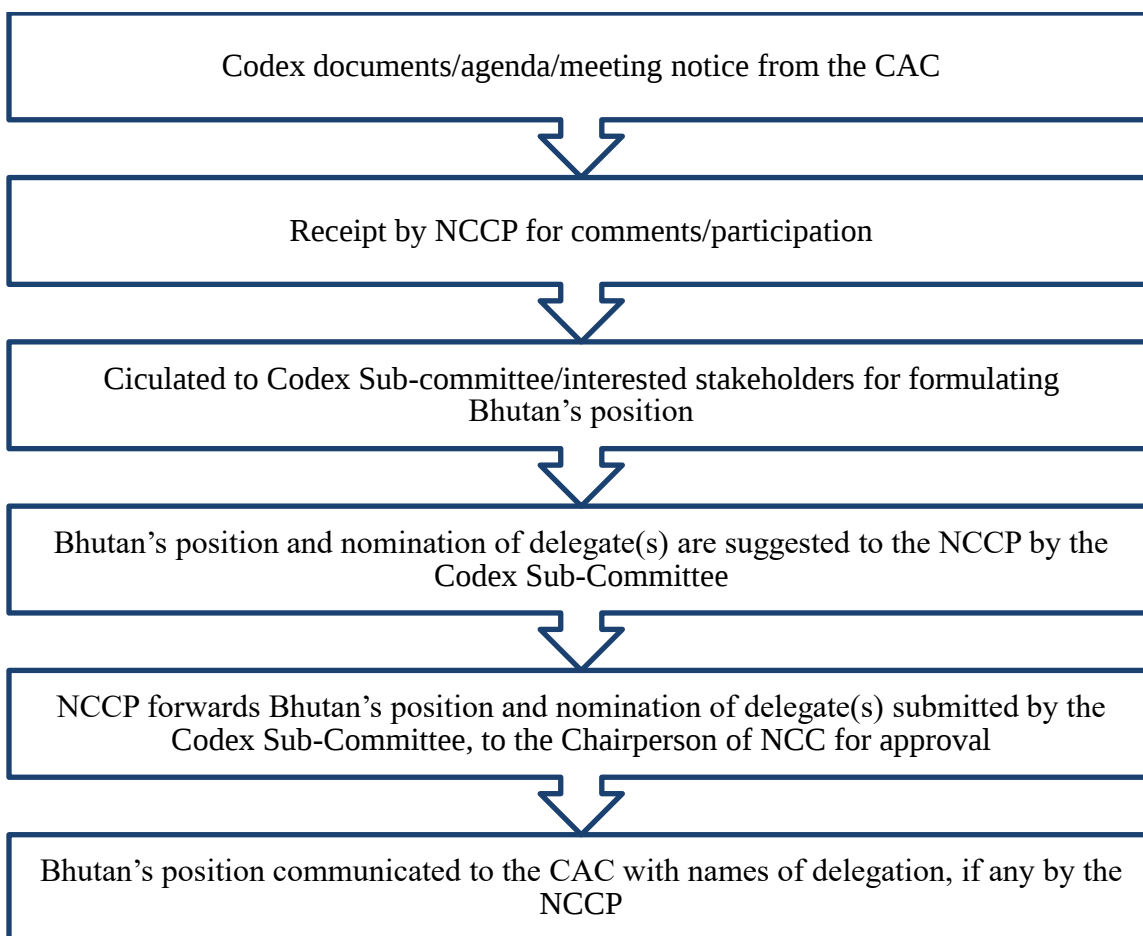


Figure 03: Consultative process for formulating national position.

The detailed process is as described below:

Step 1:

On receipt of agenda documents from the secretariat of the CAC or host country, the NCCP shall immediately communicate the same to the respective Codex Sub-Committee and other relevant stakeholders, if any, preferably by email. Where required, the NCCP should make a cover note (as prescribed in Format B) and circulate, specifying a gist of issues requiring consideration by Bhutan.

Step 2:

The Codex Sub-Committee may also download the original agenda documents electronically from the Codex website. The Codex Sub-Committee shall invite comments from its members and stakeholders on the agenda item as prescribed in Format C.

Step 3:

The Codex Sub-Committee based on the decision in their meetings shall formulate the Royal Government of Bhutan's position based on comments, national policy/legislation and stand taken in the past and may forward the same to the NCCP at least 10 working days in advance of the last date of receipt of comments by the Codex secretariat or the host country.

Step 4:

The national position is formulated by the Codex Sub-Committee and forwarded to the NCCP.

Step 5:

The NCCP forwards Bhutan's position and nomination of delegate(s) submitted by the Codex Sub-Committee, to the Chairperson of NCC for approval.

Step 6:

After approval by NCC Chairperson, the NCCP shall communicate the national position as written comments to the Codex Secretariat of the host country within the stipulated time frame as prescribed in Format D.

SECTION III

DELEGATION AND DELEGATION MANAGEMENT FOR PARTICIPATION IN CODEX MEETINGS

BACKGROUND

To ensure consistent and meaningful participation, the Bhutanese delegation is required to be thorough with the protocol for participating in the sessions of the Commissions and other Codex Committees by the Member countries, as detailed in the ***Codex Procedural Manual***, available online on the Codex website (www.codexalimentarius.net). The Codex Commission generally holds one regular Session every alternate year at the Headquarters of either FAO or WHO at Rome and Geneva respectively.

In between two consecutive Sessions, meetings of Subsidiary Bodies/ Regional Coordinating Committees/ Task forces are also arranged whose reports form the part of the agenda of the Commission for endorsement and further deliberation on disputed issues, if any. The structure of the Codex Alimentarius Commission is provided in Annexure II. Notice of the date and place of each session of the Commission and other meetings of Codex is communicated to all Member countries of the Commission at least two months before the meeting, a schedule of meetings for the next Commission session is provided by the Codex Secretariat immediately following each session of the CAC.

Each Member country of the Commission shall have one representative designated as the Leader of the delegation who may be accompanied by one or more alternates and advisers. In general, decisions of the CAC are taken by consensus of the majority of the Members present at the Session unless there is a major disagreement on any particular issue. In the latter case formal voting procedures are used where each Member of the Commission has one vote. An alternate or adviser on a delegation shall not have the right to vote except where substituting the Leader of the country delegation.

For the Bhutanese delegation, a brief overview of the Procedure for participating in Codex Works is described in Annexure IV.

1. SELECTION OF THE LEADER AND DELEGATION MEMBERS

The nominations to the Codex meetings are invited from all relevant agencies/organizations by the Codex (Bhutan) Secretariat. The NCC will select the

delegations to represent Bhutan and also identify the Leader and communicate it to the NCCP.

One official from NCC or Codex (Bhutan) Secretariat dealing with the subject matter is to be nominated as a Head/Member of the delegation so as to maintain continuity in Bhutan's stand/position based on past records as well as to reflect national position.

2. RESPONSIBILITY OF DELEGATION

- a. The leader of the delegation shall take the initiative prior to departing for a Codex meeting to arrange a briefing meeting in consultation with the NCCP. This meeting should include all members of delegation.
- b. The delegation shall attend meetings as required including actively participating in the work of the NCC so that each one of them is fully aware of the deliberation at national level on each of the Codex agenda item and the national position/s to be taken at the international forum.
- c. The delegation shall assist in the preparation of the delegation report, including identification of further work and plan of action for Bhutan on each topic under consideration by the NCC.

3. REGISTRATION OF DELEGATIONS

The NCCP should ensure that names of delegations along with the names and addresses of their organizations are communicated to the Codex Secretariat as well as to the host country well in time through online registration or email.

4. TRAVEL ARRANGEMENTS

- a. Delegates and other members of the delegation should make their own arrangement for Codex meeting the travel expenses from their respective departments/institutions.

- b. Non-government members of the delegation representing industry or NGOs should meet the expenses from their own sources and make their own travel arrangements.

5. BRIEFING OF DELEGATION

The NCCP should hold a meeting of the delegation members prior to their departure on a mutually convenient date in consultation with the Leader of the delegation. All delegation members must be provided with a copy of the delegation folder prior to this meeting.

The NCCP shall assist the leader of the delegation in generation of the delegation folder as outlined:

- Bhutan's position and comments to specific Agenda item
- Report of the previous respective Codex Committee Meeting

The NCCP must ensure that all members of the delegation including the leader are fully aware of their roles and responsibilities and "Code of conduct" for participation in Codex meetings as detailed in Annexure I of this Manual. In addition to this Procedural Manual, the delegation members are required to follow the codes of conduct outlined in the Procedural Manual of the CAC.

6. FOLLOW UP ACTION AND ACTION PLANS

Codex (Bhutan) Secretariat will arrange a de-briefing meeting within a period of fifteen working days from the date of participation in the Codex meeting.

The Leader of the delegation must highlight the outcome of the Bhutanese participation and subsequent follow up action needed to prepare for the next meeting of Codex on the subject.

7. REPORTING AND DEBRIEFING

- a. The Leader of the Bhutanese delegation must submit a report of the Codex meeting to the NCCP within a period of fifteen working days from the last date of participation in the meeting.
- b. Preparation of this report may be shared amongst delegation members.

- c. The report should include copies of any additional agenda items/notes/papers tabled in the meeting viz. conference room documents/position papers circulated by other Member countries together with a copy of the draft report as adopted in the meeting that annotates all the changes made in the final session of the Codex meeting.
- d. The report must be submitted in the format (as prescribed in Format A) and bear the signature of the Leader and other members of the delegation with their names, designations, and organizations.
- e. The delegation report should include proposals for possible strategies for the next session.
- f. The delegation report prepared by the leader of the delegation may be circulated to the members of the Codex Sub-Committee.

SECTION IV**NATIONAL FOOD QUALITY AND SAFETY COMMISSION**

National Food Quality and Safety Commission is the highest policy level decision making body responsible to maximise industry development, protect consumers, foster trade and improve food control in the Kingdom.

National Codex Committee will provide recommendations related to food safety to National Food Quality and Safety Commission for decision making.

NFQSC is responsible for reviewing and approving the work of the National Codex Committee regarding:

- i. Development and acceptance of national standards regarding food quality, food safety, ingredients, additives, adulterated food, weights and measures, laboratories and other technical issues.
- ii. Preparation of standards, rules and regulations, orders, and notices under the Food Act of Bhutan 2005.
- iii. Policy decisions related to all Codex activities and issues.

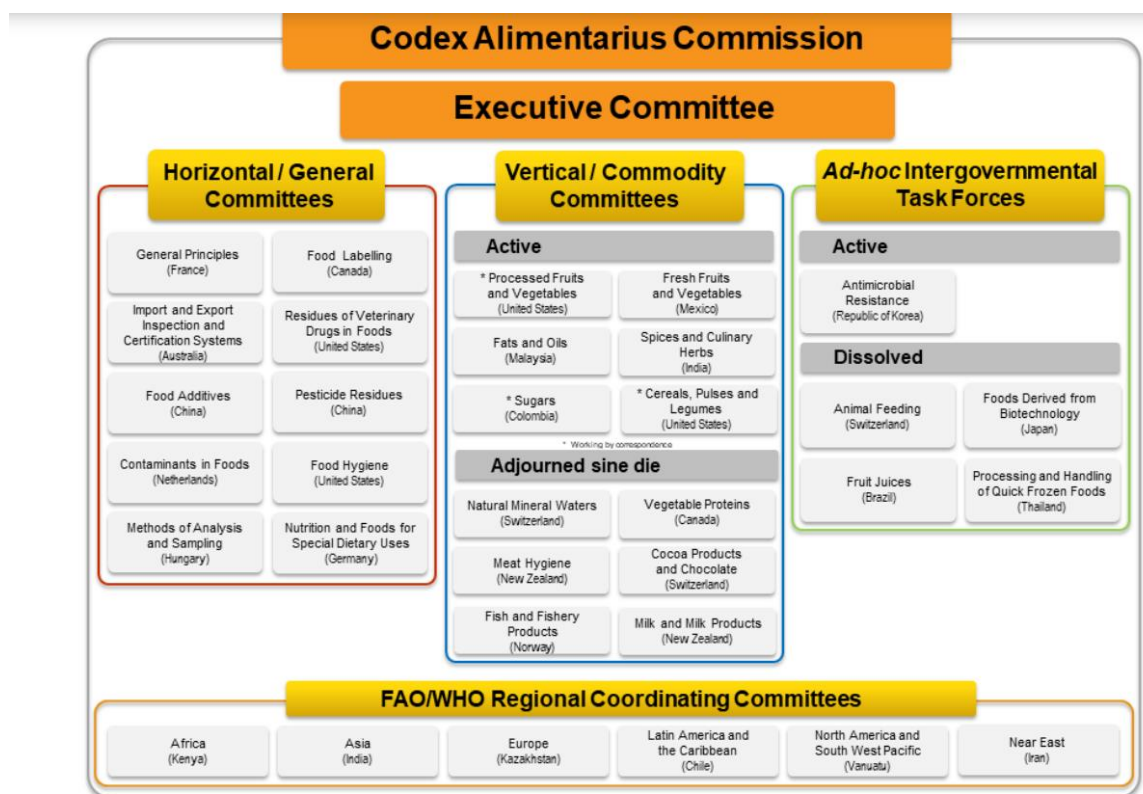
ANNEXURE I**CODE OF CONDUCT FOR PARTICIPATION AT CODEX MEETINGS**

- i. A copy of the communication issued by the NCCP intimating names of all members of delegation to the Codex Secretariat and the host country should be carried by each member of the delegation.
- ii. The members of the delegation should maintain official decorum during the entire deliberations.
- iii. Informal consultations may be held with the delegation of other countries only during lunch break or before or after the meeting.
- iv. Every effort is to be made to ensure that the submissions made by the delegation are logical, rational and convincing, based on the presentation of scientific data and building on current or past discussions.
- v. The members of the delegation are expected to assist the Leader of the delegation during the Codex Committee session but the final stand/views should be expressed by the Leader of the delegation only. Where required, the delegation leader may invite other members of the delegation to express oral /written views on an item.
- vi. In case only non-government member/members represent Bhutan in any particular session and there is no government representative accompanying him, his oral/written submission in a meeting should strictly adhere to the official brief given by NCCP. The nominated delegate must abide by the briefing provided for the meeting and should not take any individual position supporting the interest of his organization, which may not be in line with the interest of Bhutan or the existing Bhutan government's rules/regulations/standards/policy.
- vii. All members of the delegation should be physically present throughout the entire deliberations of the meetings of Codex, unless prior arrangements have been made with the delegation Leader and/or the NCCP.
- viii. The members of the delegation must obtain a copy of the draft report immediately on its release (prior to the final session of the Codex meeting) and should review the draft report for providing comments during the final report endorsement session. The Leader of the delegation in consultation with the other members of the delegation should scrutinise each paragraph of the draft report thoroughly to ensure that the

recommendations do reflect the factual position of deliberations. Discrepancy, if any, between the deliberation and recording should be politely brought to the notice of the Chair for rectification and correct recording.

ANNEXURE II

STRUCTURE OF CODEX ALIMENTARIUS COMMISSION



Format A: Post meeting report format

This is to be submitted by the head of delegation within 15 days from the last date of participation in the Codex meeting:

- a) Title/Subject and number of the Codex meeting
- b) Place of the Codex meeting
- c) Dates of the Codex meeting
- d) Names, designation and organization of the Leader and other members of the delegation
- e) List of additional documents including conference room documents and late papers as tabled in the meeting along with a copy of each document
- f) A copy of the draft report as adopted in the meeting that annotates all the changes made in the final session of the Codex meeting
- g) A summary of salient recommendations/decisions having implications on Bhutan
- h) A gist of deliberation on each of the items of the agenda concerning Bhutan covering following points, where applicable:
 - Topic of the agenda
 - Document No.
 - Paragraph No.
 - Views of the Bhutanese delegation as expressed in the meeting. (Whether any side events/informal meeting/discussions with other Member countries were arranged and if so, the outcome thereof).
 - The outcomes/recommendations from the Codex meeting.
 - Whether the national position was accepted at the Codex session.
 - Whether any national position needs to be taken up again at the subsequent session or in the CAC if reservation was noted (also give rationale).
 - Future work plan of the Codex committee and a plan of action for Bhutan with timeframe and allocation of tasks.
 - A compilation of adopted standards or texts with suggestions for aligning with national regulations.
 - Future course of follow-up action on the part of Bhutan, if any.

- Did all members of the delegation abide by the directive of the leader and official decorum? If not, the specific instance of non-compliance.
- Additional remarks/suggestions, if any.

Format B: Cover note by NCCP

1. The document number, date and the subject
2. Commission/Subsidiary body or Task Force which will be considering the agenda and the dates of the meeting
3. A gist of issues requiring consideration by the NCC/Codex Sub-committee of Bhutan
4. The last date for sending comments on the document to the Codex Secretariat or the host country
5. The date by which comments from the Codex sub-Committees /stakeholders should reach the NCCP of Bhutan, for further submission to the Chairperson of NCC.

Format C: Comments to NCCP by Codex sub-Committees

This is to be used for providing comments to NCCP by Codex sub-Committees.

Name and session of the Codex Committee/Commission

- Agenda document No and relevant paragraph(s) or section(s) No.
- Issues for consideration by NCC/NCCP
- Proposed national position based on legislation and policy of the Government.
- Impact of the proposed item/issue
- Technical/commercial or other relevant information/data in support of the proposal or against
- Other considerations like names of countries likely to support or against based on past participation
- What should be Bhutan's participation level in this work (Please tick mark the option suggested with a brief justification):
 - Must attend the meeting (state reasons for this priority)
 - Submission of written comments will serve the purpose
 - More data needs to be generated (Identify the department/institute)
 - Attend the meeting with an Observer.

Chair, Codex sub-Committee with signature and date

Format D: National Position Communication

Format for NCCP to communicate the national position to the Codex Secretariat of the host country

- Name and session of the Codex Committee/Commission
- Issues involved
- Agenda document No. and relevant paragraph(s) or section(s) No.
- Bhutan's national position on the agenda [Detailed justification if required, be appended in a separate sheet]
- Background justification quoting past history, if applicable: -

Head, NCCP with signature and date