

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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TO: Codex Contact Points
Interested International Organizations

FROM: Secretary, Codex Alimentarius Commission

SUBJECT: **Request for comments on the Draft Revised Code of Ethics for International Trade in Food at Step 6 of the Procedure**

DEADLINE: **15 December 2009**

COMMENTS: **To:**
Secretary
Codex Alimentarius Commission
FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla 00153 Rome, Italy
Fax: +39 06 5705 4593
E-mail: codex@fao.org (*preferably*)

The Commission at its 32nd session adopted the Proposed Draft Revised Code of Ethics at Step 5. The Commission emphasized however that this meant that the general structure of the draft had well advanced and only specific proposals on the text should be made and no general debate on the scope reopened. The Commission also emphasized the need to finalize this work within the next session of the CCGP (see ALINORM 09/32/REP, para 41).

In preparation of the 26th Session of the Codex Committee for General Principles (CCGP), Governments and international organizations wishing to submit comments on the Draft Revised Code of Ethics for International Trade in Food (ALINORM 09/32/33, Appendix II, see Annex) are invited to do so in writing, preferably by E-mail to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00153 Rome, Italy (Email: codex@fao.org, fax : +39 06 57054593) **before 15 December 2009.**

**DRAFT CODE OF ETHICS FOR INTERNATIONAL TRADE IN FOOD INCLUDING
CONCESSIONAL AND FOOD AID TRANSACTIONS**

(AT STEP 6)

ARTICLE 1 - OBJECTIVE

1.1 The objective of this Code is to establish principles for the ethical conduct of international trade in food, thereby protecting the health of the consumers and ensuring fair practices in the food trade.

ARTICLE 2 - SCOPE

2.1 This Code applies to all food introduced into international trade including concessional and food aid transactions.

2.2 This Code establishes principles of ethical conduct to be applied by all parties involved in international trade in food. Governments should work with other parties to promote ethical conduct at the national level.

ARTICLE 3 - PRINCIPLES

3.1 International trade in food should be conducted on the principle that all consumers are entitled to safe, sound and wholesome food and to protection from unfair trade practices.

3.2 No food (including re-exported food) should be in international trade which¹:

- a) has in or upon it any hazard in an amount which renders it poisonous, harmful or otherwise injurious to health, taking into account the application of risk analysis principles; or
- b) consists in whole or in part of any filthy, putrid, rotten or decomposed substance or foreign matter, or is otherwise unfit for human consumption; or
- c) is adulterated; or
- d) is labelled or presented in a manner that is false, misleading or deceptive; or
- e) is prepared, packaged, stored, transported or marketed under unsanitary conditions ; or
- f) has a remaining shelf life, where applicable, which does not leave sufficient time for distribution in the importing country before the expiration date.

ARTICLE 4 – CONDITIONS NECESSARY FOR FOOD IN INTERNATIONAL TRADE

4.1 Competent authorities involved in assuring the safety and suitability of food in international trade should apply principles of ethical conduct as mentioned in Article 3

4.2 Without prejudice to the rights and obligations conferred by bilateral or multilateral agreements, no food, including in the context of concessional and food aid transactions, should be allowed for export or re-export which does not comply with the minimum requirements imposed by the legislation of the exporting country, unless otherwise established by the legislation as may be in force in the importing country or explicitly accepted by the competent authorities of the importing country, taking into account the provisions of Codex standards and related texts wherever appropriate.²

4.3 Food should not be placed in international trade for the purpose of disposing of unsafe or unsuitable food as described in 3.2.

4.4 National authorities should be aware of their obligations under the International Health Regulations (2005) with regard to food safety events, including notification, reporting or verification of events to the World Health Organisation (WHO). They should also make sure that the international code of marketing of breast milk substitutes and relevant resolutions of the World Health Assembly (WHA) setting forth principles for the protection and promotion of breast-feeding be observed.

¹ The provisions of Article 3.2 do not prevent the export of raw or semi processed foods which are not edible as such in order to be further processed, re-processed or reconditioned in the importing country for the purpose of human consumption.

² Food standards and safety requirements of importing countries should be transparent and available to exporting countries.