

# **Draft Directive on National Codex Committee of Nepal 2019**

Government of Nepal  
Ministry of Agriculture and Livestock Development  
**Department of Food Technology and Quality Control**  
Babarmahal, Kathmandu

# **DIRECTIVE ON NATIONAL CODEX COMMITTEE OF NEPAL, 2019**

## **Preamble**

### **CHAPTER-I**

**Article 1:** Short title and commencement

**Article 2:** Definitions

### **CHAPTER II**

**Article 3:** Nepal as a Member of Codex Alimentarius Commission

**Article 4:** Scope of NCC and NCCP

### **CHAPTER III**

**Article 5:** Structure of National Codex Committee

**Article 6:** Core Functions of NCC

**Article 7:** Meeting procedure of NCC

### **CHAPTER IV**

**Article 8:** National Codex Contact Point of Nepal

**Article 9:** Core Functions of NCCP

**Article 10:** Role and Responsibilities of NCCP

**Article 11:** Structure of National Codex Secretariat

**Article 12:** Function, Duties and Responsibilities of National Codex Secretariat

### **CHAPTER V**

**Article 13:** Structure of Technical Sub-Committees of NCC

**Article 14:** Functions of Technical Sub-Committees

**Article 15:** Roles and Responsibilities of Technical Sub-Committees

**Article 16:** Responsibilities of Chairperson of the Technical Sub-committees

**Article 17:** Consultative Process

**Article 18:** Meeting procedure of Technical Sub-Committees

## **CHAPTER VI**

### **Participation in Codex Meetings at International Level**

**Article 19:** Delegation to the Meeting

**Article 20:** Identification of candidates to attend codex meetings: as per Criteria

**Article 21:** Approval of Delegation to Codex Meeting

**Article 22:** Responsibilities of the Leader of delegation and Members

**Article 23:** Travel Arrangements and Expenses

**Article 24:** Delegation Report

**Article 25:** Follow up Action

## **CHAPTER- VII**

### **Preparation of National Position**

**Article 26:** Preparation of Response to Codex Matters

**Article 27:** Circulation of working documents

**Article 28:** Solicit input from stakeholders

**Article 29:** National positions

**Article 30:** Process flow for preparing a national position

**Article 31:** Decision by consensus

**Article 32:** Official endorsement of the national position

**Article 33:** Format for written comments / national position(s)

## **CHAPTER VIII**

### **Miscellaneous**

**Article 34:** Minutes of the meeting and Records

**Article 35:** Amendment of Schedules

**Article 36:** Budgetary Provision and Consultancy Support

**Preamble:** In exercise of the powers conferred by article 56 of Food Safety and Quality Act, 2019, Government has framed this directive to lay down the constitution of the National Codex Committee and its technical Sub-Committees; to guide for preparation of national response or national viewpoint to Codex matter and participation in Codex meetings; to establish the processes for formulation of national viewpoint, to make the stakeholders understand and lay down the reporting and debriefing procedures that should be followed by the National Delegations and for follow-up actions.

## **CHAPTER-I**

### **Preliminary**

#### **Article 1: Short title and commencement:**

1. This directive shall be cited as the “Directive on National Codex Committee and National Codex Contact Point, 2019.”
2. This Directive shall come into force immediately after its approval.

#### **Article 2: Definitions-** In this directive, unless the context otherwise requires:

- (i) “Act” means the Food Safety and Quality Act, 2019;
- (ii) “Department” means the Department of Food Technology and Quality Control.
- (iii) “CAC” refers to Codex Alimentarius Commission;
- (iv) “National Codex Contact Point of Nepal” (NCCP-Nepal) is the central coordination point for all Codex activities within the country.
- (v) “Chairperson” means the chairperson of National Codex Committee as the case may be;
- (vi) “Director General” means the Director General of Department
- (vii) “Member” means member of National Codex Committee and Technical Sub-Committee as the case may be;
- (viii) “Delegate” means person whose nomination is approved as a member of the delegation.

- (ix) "Delegation" means a group of delegates representing the country.
- (x) "Regulation" means Regulations made under the Act;
- (xi) "Technical Sub-Committee" means the Committees constituted by National Codex Committee for reviewing and finalizing Nepal's comments on various agenda items of the Codex Alimentarius Commission and its subsidiary Committees

## **CHAPTER II**

### **Article 3: Nepal as a Member of Codex Alimentarius commission**

- (i) The Department of Food Technology and Quality control under the Ministry of Agriculture and Livestock Development has the primary responsibility to ensure availability of safe and wholesome food for human consumption and enforcement of food control.
- (ii) The Director General of department shall be the National Codex Contact Point (NCCP) of Nepal.
- (iii) The Department shall establish the National Codex Committee (NCC)

### **Article 4: Scope of NCC and NCCP**

- 1. Scope of NCC:** The scope of NCC encompasses codex works for reviewing the agenda of the CAC and its subsidiary committees and finalizing Nepal's comments on the various agenda items before they are sent for approval of the competent authority.
- 2. Scope of NCCP:** The scope of NCCP shall work for maintaining contact with the CAC, exchange of information, responding to queries, participation in meetings and such other functions as outlined in the Codex Alimentarius Commission procedural manual as amended from time to time.( as per the procedural manual, the CCASIA regional guidelines and such other functions as may be specified by the department from time to time).

### **Chapter III**

#### **National Codex Committee**

#### **Article 5: National Codex Committee of Nepal (NCC-Nepal)**

NCC shall perform its function through its Technical Sub-committees and NCCP.

#### **Membership of NCC-NEPAL**

- i. **Constitution of NCC and its Members** –The NCC shall comprise of members as given in Annex-1. The NCC may invite observers, invitees and other officials / experts as may be identified;
- ii. **Secretary**, Ministry of Agriculture and Livestock Development, shall be the Chairperson of the National Codex Committee.
- iii. **Amendment to the Constitution of NCC and Technical Sub-committees**– The department may revise the constitution of NCC with the approval of the Ministry of Agriculture and Livestock development from time to time.

#### **Article 6: Core Functions of NCC-NEPAL**

- (i) To advise Government of Nepal on the implications of various food standards, food quality and safety issues which have arisen and related to the work undertaken by the CAC so that national economic interest is taken into account, or considered, when international standards are discussed;
- (ii) To provide important inputs to the government departments/ agencies so as to assist in ensuring quality and safety of food to the consumers, while at the same time maximizing the opportunities for development of industry and expansion of international trade;

- (iii) To appoint Technical Sub-committees on subject matters related to the corresponding Codex Committees to assist in the study or consideration of technical matters; and
- (iv) To identify organizations to take action and where necessary studies for generation of data base or preparation of base papers projecting the country's interest and for interacting with the CAC

#### **Article 7: Meeting Procedure of NCC-Nepal**

- I. Member Secretary invites the members as per instruction of Chairperson
- II. Invitation of meeting to the members shall be at least 7 days prior to date of meeting
- III. Committee may invite observers and other experts as require
- IV. Committee shall hold the meeting in the presence of at least 50 percent members of committee
- V. Other guidelines as per set by committee

### **Chapter IV**

#### **National Codex Contact Point**

#### **Article 8: National Codex Contact Point, NCCP-Nepal**

The Director General of department shall be the National Codex Contact Point (NCCP) of Nepal for maintaining contact with the CAC, exchange of information, responding to queries, participation in meetings and such other functions as outlined in the Codex Alimentarius Commission procedural manual as amended from time to time.

#### **Article 9: Core Functions of NCCP-Nepal**

The NCCP shall perform the following core functions:

- (i) Act as a link between the Codex Secretariat, National Codex Committee and Technical Sub-Committees;
- (ii) Coordinate all relevant Codex activities within Nepal;
- (iii) Receive all Codex final texts (standards, codes of practice, guidelines and other advisory texts) and working documents of Codex Sessions and ensure that these are circulated to those concerned;
- (iv) Send comments on Codex documents or proposals to the CAC or its subsidiary bodies and /or the Codex Secretariat within the time frame;
- (v) Work in close cooperation with the National Codex Committee and its Technical Sub-committees;
- (vi) Act as a channel for the exchange of information and coordination of activities with other Codex Members;
- (vii) Receive invitations to Codex Sessions and inform the relevant Chairpersons and the Codex Secretariat of the names of participants representing Nepal;
- (viii) Maintain a library of Codex standards, Code of Practice, Guidelines and any other documents and publications on or related to Codex;
- (ix) Promote Codex Activities throughout Nepal; and
- (x) Build capacity in country to effectively take up Codex work.

## **Article 10: Role and Responsibilities of NCCP –Nepal**

In order to discharge its core functions, the NCCP shall have the following responsibilities:

- (i) Undertake secretariat responsibilities to the National Codex Committee;
- (ii) Act as the contact point for the country for maintaining liaison with the Codex Secretariat in elaborating international food standards;
- (iii) Collect, procure and analyse data for elaborating international food standards;
- (iv) Keep track of international food standards work and give comments and data to ensure that international food standards elaborated are practicable for local manufactures and do not hinder exports of food;



- (v) Undertake study and research work to solve any problem resulting from the elaboration of international food standards;
- (vi) Encourage food manufacturers to improve quality and hygiene management to meet requirements of international food standards; and
- (vii) Disseminate information of food standards and food laws to relevant government agencies, primary producers, manufacturers, exporters, consumers and concerned organizations.

### **Article 11: Organizational Structure and Facilities of National Codex Secretariat**

The NCC and NCCP shall be assisted by the “National Codex Secretariat” comprising of adequate technical staffs as per need to handle the Codex work of Nepal. National Codex Secretariat is established in DFTQC. A National Codex Documentation Centre, a digital Codex library shall be set up in DFTQC office having access to direct internet connections, fax, copier, computers with printers and network connection for building up exclusive contact with the stakeholders. A National Codex in DFTQC’s website shall be maintained to ensure transparency in the work of NCCP and the NCC as well as to enable all the interested stakeholders to get updated information on the subjects concerning progress of Codex works in Nepal.

### **Article 12: Function, Duties and Responsibilities of National Codex Secretariat**

Under the supervision and guidance of the NCCP, the National Codex Secretariat shall carry out the following functions, duties and responsibilities:

#### **A. Act as coordination unit for NCC:**

- a. Keep abreast (up to date) on the issues related to national food control and food safety matters and recommend for analysis and technical review by NCC.

- b. Review international and regional food standards, collect and gather the required data for elaborating national food standards and recommend it to the NCC for establishing national food standards.
- c. Prepare the draft technical agenda and make logistic arrangements for convening the NCC meetings.
- d. Make a record of each of the meetings of NCC and technical sub-committee and circulate to members.
- e. Coordinate all the activities related to INFOSAN.

**B. Set up an effective information management system:**

- a. Maintain all relevant Codex texts in the library of National Codex Documentation Centre 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 National Codex Contact Point.
- c. Maintain updated information on National Codex works in DFTQC's website to provide information to all the interested stakeholders on management of Codex work in Nepal.
- d. Maintain a directory of national and foreign organizations/stakeholders whose tasks concern food standards.

**C. Organization of meetings:**

Organization of NCC/Technical Sub-committees/Consultations meetings are as follows:

- a. Prepare comments, consolidate national positions and responses for Codex meetings.
- b. Provide responses to Codex questionnaires and other requests for information.

- c. Prioritising the Codex meetings for the new calendar year.
- d. Facilitate nomination of delegates to attend regional or international meetings.
- e. Provide responses to Codex questionnaires and other information requested by CAC Secretariat.

## **Chapter V**

### **Technical Sub-Committees**

#### **Article 13: Structure of Technical Sub-committees of NCC-Nepal**

The NCC shall appoint Technical Sub-committees on subject matters corresponding to the Codex Committees to assist the NCC in the study or consideration of technical matters.

The NCC shall nominate the Chairpersons and members of Technical Sub-committees. The composition of technical sub-committees shall be as per Annex-2. Specialized experts and observers in the relevant field may be invited in Technical Sub-committees meetings.

**The Technical Sub-committees shall assist the National Codex Committee in the following areas:**

- 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

#### **Article 14: Core Functions of Technical Sub-committees**

- (i) To advise the NCC on the implications of various food standards, food quality and safety issues which have arisen and related to the work undertaken by the relevant Subsidiary Body/Task Force so that national economic interest is taken into account or considered when international standards are deliberated by the relevant committee; and
- (ii) To follow the Codex agenda of the relevant Subsidiary Body and provide inputs to the NCC so as to assist in ensuring quality and safety of food to the consumers while at the same time safeguard national interests and maximize the opportunities for development of industry and expansion of international trade.

#### **Article 15: Role and Responsibilities of Technical Sub-committees**

- (i) 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;

- (ii) To formulate national position in consultation with the members of the Technical Sub-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.
- (iii) The concerned technical sub-committee should ensure that Nepal's position/comments should be proposed and forward to the NCCP before the deadline or at least three weeks before the main session.
- (iv) To propose the delegation for the meeting of the Codex in consultation with the chair of NCC/ NCCP and transmit the names to the host secretariat through the NCCP; and
- (v) To recommend to the NCCP the position to be taken during the Sessions of the Codex Committees with respect to agenda items relevant to the terms of reference of the Technical Sub-committees as per Annex 3.

**List of the Provisional Technical Sub-committees:**

- (a) Codex Alimentarius Commission.
- (b) Executive Committee of the Codex Alimentarius Commission.
- (c) FAO/WHO Coordinating Committee for Asia
- (d) General Principles
- (e) Food Labelling
- (f) Processed Fruits and Vegetables
- (g) Food Additives
- (h) Contaminants in Foods
- (i) Food Hygiene
- (j) Methods of Analysis and Sampling
- (k) Fats and Oils
- (l) Cocoa Products and Chocolate
- (m) Cereals, Pulses and Legumes
- (n) Sugars
- (o) Meat Hygiene
- (p) Food Import and Export Inspection and Certification Systems
- (q) Pesticide Residues
- (r) Residues of Veterinary Drugs in Foods
- (s) Fish and Fishery Products
- (t) Fresh Fruits and Vegetables
- (u) Milk and Milk Products
- (v) Nutrition and Foods for Special Dietary Uses
- (w) Spices and Culinary Herbs
- (x) Ad hoc Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR)

**Article 16: Responsibilities of Chairperson of the Technical Sub-committees**

- (i) Decide on the nominations from the Department (s) / organisations who will constitute the part of the Nepal's delegation of the Codex Committee / CAC / Task Force as the case may be;
- (ii) Convene the meeting(s) of the Technical Sub-Committee (s) at least two months before the codex meeting to discuss the agenda items for

formulating Nepal's comments and prepare minutes and send it to the members of the Technical Sub-Committee with a copy to the NCCP for records;

- (iii) Ensure that Nepal's position/comments should be endorsed and forwarded to the NCCP before the deadline or at least three weeks before the main session.
- (iv) Finalise Nepal's comments and seek the approval from the NCCP for taking necessary approval of Chairperson of NCC. The same after approvals will be forwarded the host secretariat of Codex Committee / Codex Secretariat for circulation to Member Countries / circulation as Conference Room Document;
- (v) Convene the debriefing meeting after the each session and identify the action, time frame and the department / institute/ organization for initiating actions required for preparing for the next meeting. A copy of the minutes of the de-briefing meeting will be sent to NCCP for record and coordination;
- (vi) The National Codex Secretariat would be responsible for providing Secretarial support to the Chairpersons of the Technical Sub-committees in convening the meetings, preparing of minutes and finalisation of Nepal's comments;

## **Article 17: Consultative Process**

- (i) On receipt of agenda documents from the secretariat of the CAC or host country, the NCCP shall immediately communicate the same to the respective Technical Sub-Committee preferably by email or a special messenger or speed post or courier. The Technical Sub-committees may download the original agenda documents electronically from the Codex website. The Technical Sub-Committee shall invite comments from the members of the Technical Sub-Committee on the agenda item as per Annex- 4.
- (ii) The Technical Sub-committees based on the decision in their meetings shall formulate the national position based on comments, national policy/ legislation and stand taken in the past and may forward the same to the NCCP

at least 15 working days in advance of the last date of receipt of comments by the Codex secretariat or the host country.

(iii) The NCCP shall forward the same to the Codex Secretariat of the host country within the stipulated time frame after obtaining approval.

### **Article 18: Meetings of the Technical Sub-committees**

(i) The schedule of the meeting of the Technical Sub-Committee may be drawn up by NCCP.

(ii) The Technical Sub-committee meeting should be convened more frequently and first meeting should be convened at least two months prior to the Codex committee session.

(iii) Any other expert who is not a regular member of the Technical Sub-Committee 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.

## **Chapter VI**

### **Participation in Codex Meetings at International Level**

#### **Article 19: Delegation to the Meeting**

(i) The National Codex Secretariat in consultation with NCCP, immediately on receipt of working documents from Codex Secretariat, of the session/meetings of the CAC and its subsidiary bodies/regional coordinating committees/task forces, shall communicate the same to the concerned Technical Sub-Committee and the NCC. The Technical Sub-committee may start working on the probable agenda which may be adjudged from the reports of the previous session and other related reports of the meetings already held.



(ii) The concerned Technical Sub-Committee shall be responsible for preparing Nepal's comments and proposing the Nepal's delegation for the respective Codex session/meeting. The Chairperson of the Technical Sub-Committee shall be the leader of the delegation. When the Chairperson of the Technical Sub-Committee is not in a position to attend the Codex meeting, he/she should identify one of the members of the Nepal's delegation as the leader of the delegation and also ensure participation of a representative from the concerned government and other agencies in the codex meeting as member of Nepal's delegation. The Chairperson of the concerned Technical Sub-Committee shall submit the comments along with the composition of the Nepal's delegation for the respective Codex session/meeting to the NCCP for taking approval of Chairperson of NCC and the same shall be forwarded to the Codex Secretariat of the host country by the NCCP.

(iii) Government may participate in Codex session/meetings with proper delegation representing Government agencies, Research Institutions, Industry Associations and Consumer Organizations, other agencies and notable experts.

(iv) The intimation of the participation of members of the Nepal's delegation shall be given in writing to the Codex Secretariat of the host country by the NCCP, a copy of which shall be endorsed to the Technical Sub-Committee and member of the delegation who shall carry the same for the Codex session/meeting.

(v) The concerned Technical Sub-Committee should ensure that composition of the delegation should be finalized at least one month before the session and send the nomination along with following information to NCCP:-

- name and designation;
- address and contact details;
- e-mail id;
- copy of the passport

(v) Consistency in Nepal's delegations is important. However, as issues evolve and the agenda changes, it may be necessary to review and change delegation members to ensure that the appropriate expertise is available.

**Article 20: Identification of candidates to attend codex meetings:-** The delegates should be subject matter experts and may be identified as per Criteria given in Annex 5

**Article 21: Approval of Delegation to Codex Meeting**

- i. Nomination from the concerned department/organisation/industry association for participation in the codex meeting shall be sent to the technical Sub-committee.
- ii. Technical Sub-committee propose the delegation for the meeting of the Codex and take approval from lines ministry and Chairperson of NCC as may be the case.
- iii. After taking necessary approvals, NCCP shall forward the names of delegates to Codex Secretariat.

**Article 22: Responsibilities of the Leader of delegation and Members**

(i) The members of Nepal's delegation for Codex session/meetings should be specialists in the respective field and should also consistently participated in the meetings of the concerned Technical Sub-Committee at the national level so that they are fully aware of the deliberations at the national level on each of the Codex agenda items and the stand to be taken at the international forum.

(ii) The members of the Nepal's delegation shall assist the leader of the delegation during the Codex session/meetings, but the final stand/views may be decided/ expressed only by the leader of the delegation. The other members of the delegation may express their views on any item only with the permission of the leader of the delegation.

(iii) The Non-government members of the Nepal's delegation are not expected to interact or intervene on behalf of the government at any Codex

session. The Non-government members shall not negotiate or purport to negotiate for the government. In case only non-government member/members represent Nepal in any particular Codex session/ meeting and there is no government representative accompanying him, his oral/written submission in a session/meeting shall strictly adhere to the official brief given to him by the NCCP. He shall not take any individual position supporting the interest of his organization or otherwise which may not be in line with the government stand on the matter.

(iv) The members of the Nepal's delegation may be physically present for deliberations of the Codex session/meetings. They shall attentively watch the submissions made by the delegates of other countries on any particular item so that the leader could be briefed appropriately for timely intervention. In case it is decided to record opposition to any decision, irrespective of the fact as to whether the decision has been made by consensus or by vote, the leader of the delegation may request the Chairperson of the respective Codex session/meeting for a statement of Nepal's stand/ position to be included in the report of the session/ meeting.

(v) Each delegate should give the brief to NCCP about the deliberations held in the session after return from the visit within 7 working days.

(vi) The leader of the delegation shall submit a delegation report to the NCCP within a period of 30 working days.

(vii) The leader of the delegation should give the presentation on the deliberations held and way forward to all the Technical sub-committee members in the debriefing meeting as and when called by NCCP. The format of the presentation shall comprises of followings:-

- a) Meeting date and venue
- b) Composition of the Nepal's delegation
- c) Important Agenda:- 1) What was the Nepal's Concerns; 2) What decisions was taken by the committee
- d) Way forward

- e) Suggestions to Technical Sub-committee if any? (Optional)
- f) Nepal's Delegation Photograph.

### **Article 23: Travel Arrangements and Expenses**

All expenses on travel of delegates for Codex meetings shall be met primarily from the annual budget allocated for this purpose in the department. Funding available or from Developing Partners or related project may also be utilized for this purpose without compromising the national interest

### **Article 24: Delegation Report**

(i) The delegation report shall be submitted by the leader of the delegation to the NCCP within a period of 15 working days.

(ii) The delegation report shall be as per format at Annex- 6 and shall essentially contain agenda items/notes tabled in the meeting-conference room documents/discussion papers circulated by other Member Countries, reports of the in-session Working Groups, copy and presentations of side events and a copy of the draft report as adopted in the meeting.

(iii) The delegation report should include proposals for possible strategies for the next session.

(iv) The delegation report prepared by the leader of the delegation may be circulated to the members of the Technical Sub-Committee.

### **Article 25: Follow up Action**

(i) The Technical Sub-committee should necessarily meet to follow up the deliberations with delegation head. The final report may be reviewed by the Technical Sub-Committee and issues of significance to the country or the committee identified, as well as those that have implications for work done by other committees.

(ii) The Technical Sub-Committee may identify pertinent Circular Letter (CL), if any resulting from the meeting which may be sent out for comment. A response to this Circular Letter may be prepared in cases where such a response will advance the country's position.

(iii) The NCCP / NCC / Technical Sub-Committee may also approach the concerned industry/institutions/experts/consumer organizations for data generation and subsequent follow-up action, if required. Studies may be initiated and resourced, where needed.

## **CHAPTER- V**

### **Preparation of National Position**

#### **Article 26: Preparation of Response to Codex Matters**

Where a national delegation is to attend a codex meeting, Head of delegation shall be designated. The head of delegation will coordinate the preparation of national positions relevant to the committee concerned. For the development of a national position five common basic steps may be followed:

- (i) Circulate working documents
- (ii) Solicit input from stakeholders
- (iii) Draft a position
- (iv) Obtain national endorsement of the position
- (v) Submit the position as written comments, where appropriate.

#### **Article 27: Circulation of working documents**

(i) The National Codex Contact Point receives Codex working documents from the Codex Secretariat in Rome and forwards the same to the relevant Codex Technical Sub-Committee members and any other relevant stakeholder.

(ii) The relevant Codex Technical Sub-Committee shall determine whether written comments are being requested and, if so, time frame needs to be established for submission of Nepal's comments before the deadline. The date established by the Codex Technical Sub-Committee may be usually one to two weeks prior to the deadline in the working papers, to allow sufficient time for any administrative work and government endorsement.

### **Article 28: Solicit input from stakeholders**

(i) Consultation is a core function of the Codex Technical Sub-Committee. The Codex Technical Sub-Committee shall establish communication with other government agencies, industries, traders, consumers, academia, research institutions and professional's organization.

(ii) The agenda and other relevant documents shall be circulated as widely as possible and should encourage participation from both the scientific and trade communities and any other relevant stakeholder. For speedy communications the documents shall be circulated and the comments shall be forwarded by e-mail. The comments shall be specific and may be followed by scientific justification or rationale behind the opinion.

### **Article 29: National positions**

National positions may be prepared for two main purposes.

(i) To enable the Nepal's delegation to present the position of the country during the relevant codex session / meeting.

(ii) To provide the basis of written comments to the Codex Secretariat and / or host country secretariat in response to a request for written comments through a circular letter.

### **Article 30: Process flow for preparing a national position**

- (i) The Technical Sub-Committee may prepare the initial draft based on documents and comments received from various stakeholders which shall be circulated to all the stakeholders. Further discussions shall be initiated in the Technical Sub-Committee.
- (ii) When developing a country position on Codex issues, the considerations to be taken into account are as varied as the issues that might be considered by the Committee. However, the following shall be kept in mind:
  - a) Drafting of the final position shall be done in consultation with the stakeholders.
  - b) The consideration of an issue is usually not a one-time matter; often the issue may be on the agenda for several sessions. Attempts may be made to understand the history, so that developing a position would be done within the context. The Codex Committee may generally not revisit comments or interventions on issues that it has already discussed and on which it has taken a decision.
  - c) The comments prepared shall be based on science and preferably supported by documented literature including risk analysis / risk assessment data (including an economic impact statement).
  - d) The positions proposed internationally shall be consistent with a country's national policies. Therefore, the country's domestic policies (including any pertinent legislation) shall be considered while developing a position. The flow chart for preparing the national position is as per Schedule 5.

### **Article 31: Decision by consensus**

- (i) National positions shall be prepared on the basis of following:
  - a) Inputs received as a result of the consultation process.
  - b) Available scientific evidence.

- c) National interest.
- d) Impact of other country positions, in case they get accepted.

(ii) The final decision on the national position may be taken on the basis of consensus among the members of the relevant Codex Technical Sub-committee and views of the NCCP.

### **Article 32: Official endorsement of the national position**

National position shall be prepared by the relevant Codex Technical Sub-Committee and after approval of Chairperson of NCC, the same will be sent to the NCCP for onward transmission to the host secretariat of Codex Committee / Codex Secretariat for circulation to Member Countries / circulation as a Conference Room Document in case the deadline is over.

### **Article 33: Format for written comments / national position(s)**

The written comments/national position should be sent to NCCP in the format attached at Schedule 6, some basic information which may be incorporated into the position are:

- (i) Name of the Codex Committee/Commission:-
- (ii) Agenda document No and relevant paragraphs No:-
- (iii) Issues in brief:-
- (iv) National position based on legislation and policy of the Govt.:-
- (v) Impact of the proposed item/issue:
- (vi) Technical/commercial or other relevant information/data in support of the proposal or against:-
- (vii) Other considerations like names of countries likely to support or against based on past participation:-



## **CHAPTER VI**

### **Miscellaneous**

#### **Article 34: Minutes of the meeting**

The minutes of the meeting of the Committees duly approved by the Chairperson shall be forwarded to the members of the Committee by email / fax / courier within a period of seven working days. The members may offer their comments on the recording of the minutes within a period of three working days from the date of receipt of the minutes. Otherwise it may be assumed that they have no comments to offer. All minutes of the meetings shall be kept safe at national Codex Secretariat, DFTQC.

#### **Article 35: Amendment of Schedules**

The power of amendment of schedules of guidelines is with National Codex Committee.

#### **Article 36: Budgetary Provision and Consultancy Support**

The line ministry/department/agency shall provide for budget to meet the running cost of the Codex activities at national level including participation in codex meetings, commissioning of specific studies or base papers to generate scientific/ trade data to substantiate Nepal positions at various Codex meetings and capacity building exercises at national level.

**Annex- 1**  
**(Relating to Article 5 (i))**

The National Codex Committee (NCC) is constituted as per the Food Safety and Quality Act, 2019 by Government of Nepal.

**CHAIRPERSON:** Secretary, Ministry of Agriculture and Livestock Development (MOALD), Government of Nepal.

**MEMBERS:**

1. Member –Joint Secretary, Ministry of Law, Justice and Parliament Affairs
2. Member – Joint Secretary, Agriculture and Livestock Business Promotion Division, MoALD
3. Member – Director General, Department of Health Services
4. Member – Director General, Department of Agriculture
5. Member – Director General, Department of Livestock Services
6. Member – Director General, Department of Commerce, Supplies and Consumer Protection
7. Member – Director General, Nepal Bureau of Standard and Metrology  
Member – Director General, Department of Industries
8. Member – Representative, Federation of Nepalese Chamber of Commerce and Industries
9. Members – Representative, Food Safety Experts – GoN Nominated (3 members)
10. Members – Representative, Consumer Forum – GoN Nominated (2 members)
11. Member Secretary – Director General, Department of Food Technology and Quality Control (DFTQC)

## **Annex – 2**

**(Relating to Article -13)**

### **Composition of Technical Sub-committee** **(Meat, Fish and Poultry Products)**

- Coordinator: Director General, DFTQC
- Member: Deputy Director General, DOLS
- Member: In-charge, Food Standardization Section, DFTQC
- Member: Representative, Local Government, Kathmandu Metropolitan City
- Member: Experts (Two)
- Member: Representative, Consumer Forum
- Member: Representative, Meat and Meat Products Business Association)
- Member Secretary: In-charge, National Codex Secretariat

### **Annex – 3**

**The common TOR for all the above mentioned Technical Sub-committees shall be as under:**

- (i) To review and advise on the agenda documents including the Code of Hygienic Practices and Codex Guidelines for the respective Codex Committees;
- (ii) To advise on the composition of the Nepal's Delegation;
- (iii) To coordinate with the other Technical Sub-committees and concerned Departments for seeking comments and finalise the Nepal's view point on different agenda items under consideration of the respective Codex Committees;
- (iv) To advise the concerned Government Department on all matters relating to Codex procedure and working process for elaboration of Codex Standards, Codex Code of Practices and Codex Guidelines;
- (v) To advise on Capacity Building, food safety, food regulations and technical assistance;
- (vi) Any other work assigned by the National Codex Committee and the Chairman, National Codex Committee, from time to time;

**Annex - 4**  
**(Relating to Article 15 (v))**  
**Broad Selection Criteria for the Delegates for CODEX Meetings at**  
**International Level**

- (i) Expertise in the respective subject matter.
- (ii) Experience on Codex matters and history of the subject;
- (iii) Role played in NCC / Technical Sub-Committee, as applicable;
- (iv) Abilities to carry nationally agreed positions based on the standard written, brief given by the NCCP on the basis of recommendations of the Technical Sub-committees or as the case may be. They may also be able to negotiate formally as well as informally with the delegates of other countries to seek their support on behalf of the country.
- (v) Have the ability to respond to unannounced/unforeseen issues that may arise during Codex meetings, thereby protecting the Government of Nepal's interest.
- (vi) In exceptional circumstances where no government representative may be spared for the meeting of the Codex Committee, non-government officials may be participating in the session/meeting and Nepaln Embassy/High Commission in the country hosting the session/meeting may be requested to depute an officer to attend the session/meeting to be the member of the Nepaln delegation.

## **Annex- 5**

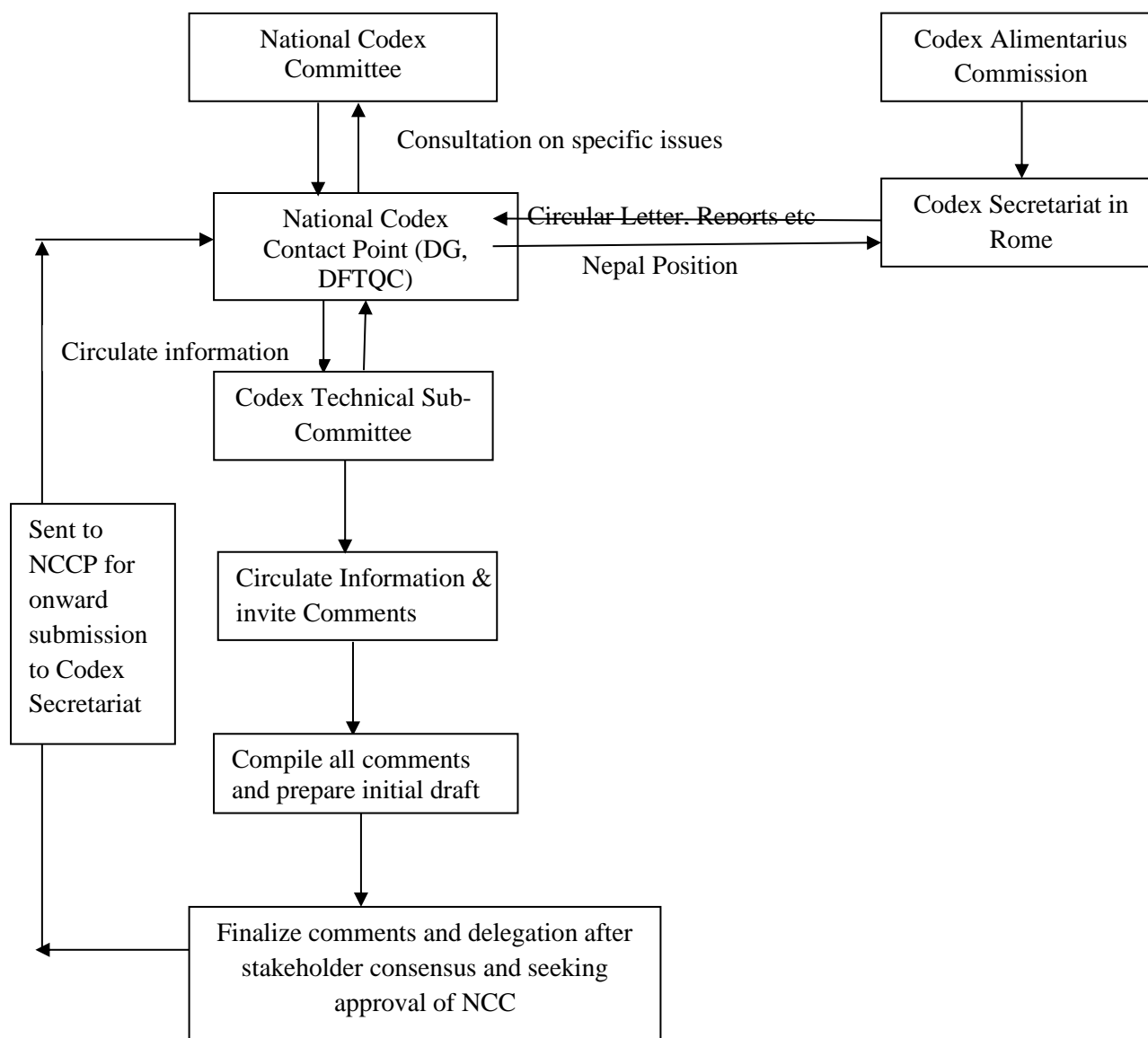
### **Format for Nepal Delegation's Report of Participation in Codex Meetings**

(to be submitted by Head of Delegation within 30 days)

- (1) Title and Number of Codex Session
- (2) Date and Place of Codex Session
- (3) Name and Position of Head of delegation and Members of delegation along with the name of Ministry / Organization they represent
- (4) Executive summary of the recommendations / decisions taken at the Session with particular reference to those that have a potential economic / trade implication
- (5) A gist of discussion on each agenda item and general alignment of countries
- (6) Whether the National position was accepted at the Codex Session
- (7) 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*)
- (8) A compilation of adopted standards or texts with suggestions for aligning with National Regulations
- (9) Future course of follow-up action on the part of Nepal, if any.
- (10) Additional remarks/suggestions, if any

## Annex- 6

### PREPARATION OF RESPONSE TO CODEX MATTERS



**Annex -7**

**FORMAT FOR COMMENTS TO BE SUBMITTED TO TECHNICAL SUB-COMMITTEES ON AGENDA DOCUMENTS**

**Name and Session of the Codex Committee**

**Name of the Agenda Item**

<b>General Comments:</b>       <b>Rationale (if any):</b>       			
<b>Specific Comments:</b>			
Paragraph No. and Section No./Name	Comments	Rationale	Supporting Documents/ references (if any)



