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Dear Dr. Miura,

Comments on the Draft Terms of Reference and Project Proposal for the New Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology

CropLife International appreciates the opportunity to provide these comments in response to CL 2004/7-FBT (March 2004). CropLife International is the global trade federation representing the plant science industry. Its members are involved in the research, development and commercialisation of agricultural biotechnology products and, as such, have extensive experience in participating in the development of, and working under, existing national regulatory frameworks for biotechnology. We are therefore keen to be involved, and to assist where possible, as member governments discuss the possible development of international standards, guidelines or recommendations for foods derived from modern biotechnology or for traits introduced into foods by modern biotechnology,

As a general comment, CropLife International believes that any new work to be considered in the field of biotechnology should only be considered in the context of those areas where a substantial and relevant body of scientific data exists. Only then will the development of Codex Standards, Guidelines and Principles be relevant to addressing consumer health and food safety concerns in member countries, as well as fair practices in food trade.

The identification and prioritisation of work to be conducted should be agreed to prior to the first meeting of the task force. We therefore suggest that the recommended areas of work be reviewed during the Codex Alimentarius Commission meeting in 2004, and then re-circulated to member governments and NGOs for comment.
If new work is agreed to, it can then be finalised during the Commission meeting in 2005. This process would assist in a more rapid progress of the task force, particularly during its first meeting – allowing it to focus immediately on the tasks allocated to it.

In relation to the sections of the draft terms of reference, we would like to make the following specific comments:

**Objectives**
The objectives provided would appear to be particularly general in nature. While appropriate for open consideration of work to be developed, they may also provide, as a result, too much latitude in considering areas in which to undertake work. There is therefore a risk of creating a work-program that cannot be completed within four years, and we would recommend that the objectives be more narrowly focused (see our suggestions below).

**Timeframe**
CropLife International agrees that a timeline of four years is appropriate for this task force. We also believe that it would be useful for the group to provide interim reports of its progress.

**Terms of Reference**
The draft terms of reference should be specific to the agreed areas of work. The Standards, Guidelines or other Principles to be developed by the taskforce need to be clearly described and their boundaries marked out in order to avoid the group’s mandate going uncompleted.

Coordination and collaboration with other Codex Committees is critical to the success of the proposed task force. However, we strongly believe that the task force’s work should not overlap with work undertaken within the terms of reference of these other committees. Given the recommendations in the FAO/WHO evaluation, future work of the Codex Committees must also be considered with respect to the mandate of Codex first.

In addition, existing work in other international organisations (such as OIE and IPPC) needs to be recognised, so as to avoid any potential duplication or redundancy.

**Areas of work of the task force**
Given our earlier comments to have the task force’s efforts:

- supported by adequate, publicly available science;
- addressing important food safety concerns for food/food ingredients derived from modern biotechnology;
- focussed on consumer health and food safety;
- focussed on areas that may impact the trading ability of member governments; and
- considering fair trade practices of food, where appropriate
we propose the following areas of work as priorities:

1. Principles for risk assessment of adventitious presence (#4 in the list of the aspects proposed by Japan- “low level presence of unauthorised”) of biotechnology traits in food/grain- approved or unapproved within countries that follow Codex risk assessment principles previously developed for products of plant biotechnology.

2. General principles for safety assessment of stacked trait products developed via conventional breeding - with comparison guidelines for subsequent safety assessment of products developed using modern biotechnology.

3. Safety and nutritional assessment of nutritionally-enhanced plants, with consideration also being given to previous discussions about functional foods or functional food ingredients (#3 in the lists of the aspects proposed by Japan- “plants expressing bioactive substances”).

We believe that these areas need to be addressed internationally in the first instance. Other areas proposed in the circular letter - for example #1 and #2 in the list of the aspects proposed by Japan (“trans-genetic animals, including fish and cloned animals”) – are not as urgently required by government regulators. In addition, we are concerned that the consideration of these areas may lead to protracted and, in our experience, very lengthy and unproductive discussions on factors other than those governing the elaboration of Codex standards, guidelines and recommendations.

Thank you again for the opportunity to comment on the new work for a task force on biotechnology, as requested in the Circular Letter [2004/7 – FBT (March 2004)]. CropLife International members have relevant experience in many of these areas and thus are anxious to assist the Codex in developing good principles and guidelines for use internationally. We look forward to being part of this important future work.

Yours sincerely,

Christian Verschueren