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Director General

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Commission
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CV/rb/003-0064

Dear Sir,

In response to the request for comments on the Proposed Draft Code of Practice on Good Animal Feeding (CL 2003/14-AF), CropLife International does not support adoption of the document at Step 5/8 (with the omission of Steps 6 and 7). We believe the document requires more thorough consideration and drafting with input from a greater number of member countries to increase its value to Codex and also to ensure consistency with existing Codex texts.

- **Consistency of Work and Work Flow within Codex**

We note that the issue of labeling for products derived from modern biotechnology is ongoing work in the Codex Committee on Food Labelling (CCFL); consensus has yet to be reached in that Committee either on definitions or requirements for labeling. CCFL is the General Subject Committee tasked with issues of labeling within Codex. We believe the appropriate forum for discussion for labeling is in CCFL. Other Committees with concerns in the area of labeling for products derived from modern biotechnology should await the results of the CCFL discussions before forwarding labeling provisions for adoption.

Similarly, Paragraphs 12 and 13 contain provisions regarding "traceability"/product tracing. No definition of the term "traceability"/product tracing exists in Codex. The Codex Committee on General Principles (CCGP) agreed in its last session (April 2003) to initiate work on a definition of "traceability"/product tracing for use within the framework of Codex.

Further, the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) has convened a working group to develop guidelines for application of "traceability"/product tracing. Until the work in CCGP and CCFICS has been completed or at least progressed substantially, it is inappropriate for a Codex document to be adopted containing provisions on "Traceability."

- **Economic Implications for Codex Work**

We believe there are provisions in the Proposed Draft Code that will have significant economic implications, especially for developing countries.

Step 5 of the *Uniform Procedure for the Elaboration of Codex Standards and Related Texts* requires that “in taking a decision at this step the Commission or the Executive Committee will give due consideration to any comments that may have been submitted by any of its members regarding the implications which the proposed draft standard or any provisions thereof may have on their economic interests” [(page 20), Procedural Manual, 12th Edition]. Because the Proposed Draft was moved from Step 3 to Step 5/8 for adoption, neither the Executive Committee nor the Commission has had an opportunity to consider comments regarding economic implications.

The extremely detailed requirements in Paragraphs 12 and 13 would, if adopted, have significant economic implications.

12. Traceability/product tracing of feed and feed ingredients, including additives, should be enabled by proper labelling and record keeping at all stages of production and distribution. This should facilitate the prompt trace-back or trace-forward of materials and products if any actual or potential health risks are identified, and prompt and complete withdrawal or recall of products where necessary. Records should be maintained and readily available regarding the production, distribution and use of feed and feed ingredients for as long as appropriate to enable trace-back should a safety problem emerge, and representative samples of feed and feed ingredients should be kept where applicable for a suitable period of time.

13. *Feed manufacturers should keep records containing full details of the supplier and date of receipt of feed ingredients, of the manufacturing process and the destination of all feed. These records could include:*

- *Inventory records (including labels and invoices on received goods), actual formulae, mixing sheets, daily production logs, files of complaints, files on manufacturing errors and corrective actions taken, analytical results and investigations of out-of-tolerance sample results, records respecting the disposition of returned and recalled feeds and feed ingredients, records of the disposition of flushed or recovered material, records of mixer validation and scale/metering device verification, etc.*

We also believe these provisions should be examined to determine if such detail is required to achieve consumers’ health protection or if this goal could be achieved with *less burdensome* requirements. Until this type of analysis and consideration is accomplished, this document should not be adopted at Step 5/8.

- **Science Basis for Codex Work**

The Strategic Vision for Codex as adopted at the 24th Session of the Codex Alimentarius Commission (CAC) mandates a scientific basis for work produced by Codex in order to best meet its objectives. CropLife International believes that portions of the Draft Code are inconsistent with this priority.

One example of particular concern is Paragraph 11 of the Draft Code:

11. Competent authorities may decide that feed and feed ingredients consisting, containing or produced from GMOs should be labelled with references to the genetic modification as a risk management measure.

This provision fails to make clear that labeling for health and safety purposes must be based on an appropriate risk assessment. The provision, as worded, implies that feed or feed ingredients derived through modern biotechnology are, in and of themselves, hazards that result in a risk to consumers and therefore require labeling. There is no scientific rationale to support that contention.

Given the issues of concern with the Draft Code, CropLife International does not support the adoption of the Proposed Draft Code of Practice on Good Animal Feeding at Step 5/8 (with the omission of Steps 6 and 7). We strongly believe that a more thorough and complete review and consideration of all text in the document must occur before the Draft Code could be made acceptable.

We appreciate this opportunity to provide input on the Proposed Draft Code and thank you for your consideration of our comments. If you require further information, please contact us directly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Christian Verschueren', with a long horizontal flourish extending to the right.

Christian Verschueren