

# National Health Federation Comments on Codex Guidelines for Vitamin and Mineral Food Supplements

Written by the National Health Federation

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

*Codex Committee on Nutrition and Foods for Special Dietary Uses*

### **Comments of the National Health Federation on the Draft Guidelines for Vitamin and Mineral Food Supplements at Step 8 of the Procedure (ALINORM 05/28/26 para. 35 and Appendix II):**

The National Health Federation considers that the drafting of the Guidelines for Vitamin and Mineral Food Supplements has not been carried out in full accordance with the rules set out in the Codex Procedural Manual (14th edition).

Paragraph (b) (page 57) of the section dealing with DRAWING UP OF CODEX STANDARDS (under GUIDELINES ON THE CONDUCT OF MEETINGS OF CODEX COMMITTEES AND AD HOC INTERGOVERNMENTAL TASK FORCES) states that:

*.....all standards and related texts should have a preface containing.....a brief description of the scope and purpose(s) of the standard or related text,*

This requirement was agreed at the 19th Session of the Codex Committee on General Principles, held in Paris between 17-21 November 2003, and adopted at the 27th Session of the Codex Alimentarius Commission (CAC), held in Geneva between 28th June and 2nd July 2004. The Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) subsequently met in Bonn from 1-5 November 2004 (26th Session) but did not take proper account of this requirement when considering the guidelines, as evidenced by both the CCNFSDU's report of its 26th session and the draft text of the guidelines themselves:

- The CCNFSDU's report of its 26th Session gives no indication that the requirement for the preface to contain a description of the purpose of the text was even considered, despite the fact that the matter was raised at this session by the delegations of South Africa, Tanzania and the National Health Federation.
- Neither the Preamble nor the Scope of the guidelines contain any statement to indicate the purpose(s) of the text. Given therefore that Codex texts have been used as the benchmark in international trade disputes, and moreover that it is expected that they will be used increasingly in this regard, we consider that it is of

crucial legal importance that the question “What is the purpose of the guidelines?” should have a clear, easily understandable answer, and moreover that this should be provided in the text.

Bearing the above in mind, the National Health Federation believes that the 28th Session of the Codex Alimentarius Commission has no option but to refer the Guidelines for Vitamin and Mineral Food Supplements back to the CCFNSDU, in accordance with the GUIDE TO THE CONSIDERATION OF STANDARDS AT STEP 8 OF THE PROCEDURE FOR THE ELABORATION OF CODEX STANDARDS INCLUDING CONSIDERATION OF ANY STATEMENTS RELATING TO ECONOMIC IMPACT, as described on pages 26-27 of the Codex Procedural Manual (14th edition). As such, until such time as the CCFNSDU’s written comments regarding this matter have been received and considered by the CAC the guidelines should not, and indeed, cannot, be advanced beyond Step 8 of the Procedure.

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