

The Origins of a Global Standard for Food Quality and Safety: *Codex Alimentarius Austriacus* and FAO/WHO *Codex Alimentarius*

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Abstract: In the second half of the 19th century the incidence of food adulterations increased very rapidly, prompting many European countries to put into force food laws to fight these practices. A number of parallel attempts were undertaken to establish a collection of instructions for the assessment of food samples to warrant the comparability of results obtained and interpreted by different experts. The first official steps towards such a standardization was made in 1891 at an international meeting of food chemists and microscopic scientists in Vienna. As a consequence, Austria installed a “Scientific Commission” in 1891, which drafted chapters for a future *Codex Alimentarius Austriacus*. In 1907, a Codex Commission was installed by the Ministry of Interior, but it took about four years, from 1907 to 1911, before the first edition of this compendium was published. So far, four editions have followed. The *Codex Alimentarius Austriacus* is a set of standards and guidelines for stakeholders, authorities, and law courts as a base for their activities. It has evolved over the past 100 years to become a flexible instrument, which has become indispensable for Austria. After 1945, attempts were made in different parts of the world to develop standardized rules for the testing of food samples to prevent trade barriers within the respective region. In Europe for instance, the development of a *Codex Alimentarius Europaeus* initiated by the Austrian Hans Frenzel, and based upon the model of the *Codex Alimentarius Austriacus*, made good progress. A number of other European countries were involved in this project. However, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) of the United Nations were intent on impeding such regional activities to prevent trade barriers at a global level. Between 1960 and 1963, steps were taken to install a FAO/WHO Codex partly in close cooperation with the *Codex Alimentarius Europaeus*. Since 1963, the FAO/WHO Codex Commission has issued the FAO/WHO *Codex Alimentarius*, which took its name and some organizational aspects from *Codex Alimentarius Europaeus*, that was itself modeled after the *Codex Alimentarius Austriacus*. The *Codex Alimentarius Europaeus* was incorporated into the *Codex Alimentarius* Commission as the regional coordinating committee for Europe, thus providing a model for the six regional coordination committees of the *Codex Alimentarius* Commission existing today.

Key words: Austrian, European Food Codex, Codex Alimentarius, history of

Introduction

In the second half of the 19th century the incidence of food adulterations increased very rapidly, prompting many European countries to put into force food laws to fight these practices. In 1879, the German Food Law came into force. One year later the first petition for an Austrian Food Law was brought to the Austrian parliament (Reichsrat), but the final Austrian Food Law did not come into force until 1897.

Because of negative experiences in other countries as well in those times, a number of attempts were made in parallel to establish a collection of instructions for tests and evaluations of food samples to ensure the use of comparable procedures by analysts and experts. In 1891, an international meeting of food chemists and microscopic scientists took place in Vienna. At this meeting two proposals were submitted for formal voting, which can be seen as starting point in establishing a food codex [1, 2]. The Dutch scientist Paul Francois van Hamel-Roos proposed that the single states should prepare national codices that could be compiled in an international codex. In addition, the Austrian Hans Heger proposed the creation of a commission in Austria, which should prepare the Austrian codex – *Codex Alimentarius Austriacus*. However, an Austrian member of the conference pointed out that Austria would likely have to produce a codex and then to prompt the other countries to produce similar works. In fact, the ensuing progress was very close to this prediction.

The origins of the Codex Alimentarius Austriacus

The proposed commission for Austria was installed in 1891 as “Scientific Commission.” Twenty-three drafts for chapters of a future *Codex Alimentarius Austriacus* were finished by 1898 [1, 3]. The participating scientists worked entirely on private initiative. In 1898, due to a variety of problems, the project was stopped.

After the coming into force of the Austrian Food Law in 1897, problems soon arose due to discrepancies in the analysis of and the experts’ opinions on food samples. The producers and traders concerned demanded of the government the preparation of a *Codex Alimentarius Austriacus* to minimize these discrepancies. In light of the growing pressure on the authorities, in 1907, the Ministry of the Interior installed a commission (Codex commission) in charge of preparing the *Codex Alimentarius Austriacus*.

Based on the drafts of the “Scientific Commission,” the work for the first edition of the Austrian Codex started. Between 1911 and 1917 three volumes, consisting of 55 chapters concerning food, cosmetics, and items of practical use, e.g. kitchen ware, food contact material, toys, were completed [4].

In the introductory ordinance of the Ministry of the Interior that was published with the first volume of the Austrian Codex in 1911, the intended purpose of the Codex was given as follows:

- For producers and traders it should be a source of information on the working criteria of the official control authority
- It should be a working directive for the official laboratories and control authorities
- For the judges basing their decisions on the food law, it should be an albeit non-binding source of technical information

These goals are still valid for the current version of the *Codex Alimentarius Austriacus*.

The Codex Commission was reintroduced in 1921 by the Federal Ministry of Social Administration. The aim was to produce a second edition of the *Codex Alimentarius Austriacus* considering the latest developments in science and economy. This work was interrupted in 1939.

The Codex Commission, reinstalled in 1946, emerged as an institution under whose umbrella all stakeholders like producers, traders, consumers, scientists, and official authorities can discuss and resolve problems arising. The organization is flexible enough to keep the single chapters of the Codex concerning foodstuffs, cosmetics, and items of practical use in conformance with the current technical and legal standards. Corresponding to modern technologies the actual chapters of the fourth edition can be downloaded from the home page of the responsible ministry, which at present is the Ministry of Health.

The actual objectives of the *Codex Alimentarius Austriacus* are:

- Protection of consumer health and protection of consumers from fraud
- Protection of producers and traders of goods being subject to the food law from unfair competition
- Assessment of the marketability of goods being subject to the food law
- Consideration of nutritional aspects in particular with regard to the prevention of nutrition-associated diseases

The idea of a European Food Codex

After 1945, some important developments in the field of food in Europe as well as worldwide took place, in which the *Austrian Codex Alimentarius* or Austrian personalities were involved. One of the most formative personalities was the Austrian Dr. Hans Frenzel [1, 5].

After the foundation of FAO (1945) and WHO (1948), it became apparent that efforts to lay down standardized rules for testing and assessment of food samples were being made in different parts of the world to prevent trade barriers within the respective regions. However, these activities carried the risk of trade barriers to other regions of the world [6]. In Argentina such initiatives were set by Carlos Grau [7]. In Europe Frenzel, who had been Chair of the *Codex Alimentarius Austriacus* since 1951, was the initiator of activities aimed at developing standardized rules for Europe for analysts and experts concerning investigations of foodstuffs [5].

In June 1953 in a lecture at Bad Neuenahr, Germany, Frenzel introduced the idea of a European Codex (*Codex Alimentarius Europaeus*), a concept to which, encouraged by the positive reactions to this proposal, he kept in the following years. The idea of a *Codex Alimentarius Europaeus* was promoted by Frenzel and his colleagues, delegates of the Austrian Codex Commission to the annual international conference (Werder-Tagung) in Bern, Switzerland, in 1954. Frenzel convinced the Swiss delegates Dr. Feisst and Dr. Högl [8] that Switzerland should take over the coordination of planning a *Codex Alimentarius Europaeus*, considering that in those times Austria was still occupied by the allied forces after the Second World War. This led to a very intensive cooperation between Switzerland and Austria in the following years. In February 1955 the follow-on approach was already being discussed at a meeting in Vienna. Although Frenzel as well as the Swiss representatives were more in favor of a worldwide *Codex Alimentarius*, they decided to pursue the introduction of a *Codex Alimentarius Europaeus*.

Following the suggestion of the Swiss Department of Interior (Eidgenössisches Department des Inneren) to involve an international organization in the development of a European Codex, contacts were made to the regional bureau of the WHO in Geneva, leading to an official application for cooperation by the Swiss authorities in 1955. From this point on, the WHO and some years later the FAO were involved in the development of the *Codex Alimentarius Europaeus*. This effort was also supported by the International Commission of Agricultural Industries (Commission Internationale des Industries Agricole et Alimentaire,

CIIA), seeking to reduce trade barriers in Europe. The new development gained great approval at the symposium of the CIIA in Amsterdam on 11 July 1956, where it was presented by Dr Frenzel. In autumn 1957 Austria took over the coordination of the planning activities of the *Codex Alimentarius Europaeus*.

On the 9th and 10th of April 1958 the CIIA organized a conference in Paris focused exclusively on the subject of the “*Codex Alimentarius Europaeus*.” At this meeting statutes and rules of internal procedures of a “European Council of the *Codex Alimentarius Europaeus*” were drafted. Frenzel was unanimously elected president of the council for a period of four years. The constitutional meeting of the council was held in Vienna on the 12th and 13th of June 1958. In the following years until 1961, intensive work was undertaken to prepare single chapters of the European codex with the *Codex Alimentarius Austriacus* serving as a model for the structure. The final drafts of the chapters were discussed and voted upon at the annual meetings of the council in Vienna. The preparation of single chapters was done by subcommittees, which were hosted by different countries. As a general agreement the administrative costs were covered by these countries.

The number of countries taking part in the various meetings varied between 18 and 21 including Austria, Belgium, Czechoslovakia, Denmark, France, Germany, Greece, Hungary, Israel, Italy, Luxembourg, Netherlands, Norway, Poland, Portugal, Sweden, Switzerland, Spain, Turkey, United Kingdom, Yugoslavia, and representatives from WHO, FAO, CIIA and ISO.

Step by step towards a World Food Codex

Starting in 1959, the discussion about an affiliation of the Council of the *Codex Alimentarius Europaeus* with an international organization became a permanent component of the agenda at the annual meetings of the council. The intention of the council to join an international organization and to rely on the assistance of UN organizations, namely the WHO or FAO, in organizational matters, had already been declared in the statutes from 1958. The preference of the Council for an international organization subject to international law reduced the eligible entities to the WHO and the FAO. In August 1960, the European Council of the *Codex Alimentarius Europaeus* made a proposal of an association of both organizations to the WHO, which this latter organization forwarded to the FAO. Subsequently, the FAO took the lead in

the cooperation between the European Codex Council and the UN Organisations.

Considering the progress of the European Codex, the FAO took measures to further the development of a global uniform regulation of food standards [9].

In October 1960 FAO organized the first regional conference for Europe focused on the issue of trade barriers arising from different food standards that were being developed at that time. This was followed by discussions about an international food standards program between the FAO and some European organizations related to the field, among which the United Nations Economic Commission for Europe (UNECE), the Organization for Economic Co-operation and Development (OECD), and the Council of the *Codex Alimentarius Europaeus*. As in both the Austrian and the European Codices, nutrition and health aspects were considered and the FAO and the WHO had by the nature of their missions partial competences only; thus it was obvious that the FAO and WHO had to form a joint committee for future activities [10]. In addition, it is important to mention that some East European countries were solely members of the WHO but not the FAO. The international food standards program that was finally proposed by the FAO was formally adopted at the annual meeting of the European Council of the *Codex Alimentarius Europaeus* in 1961. At the same time the European Council decided that it should associate with WHO and FAO, maintaining the name *Codex Alimentarius* and its autonomy. This decision was communicated to the director general of the FAO by the president of the Council of the *Codex Alimentarius Europaeus* in mid-June 1961 [11].

Founding the Codex Alimentarius Commission

At the 11th FAO-conference in November 1961 it was decided that a “*Codex Alimentarius* Commission” would be installed, which would act worldwide and be open to all interested member nations of the FAO or WHO. For that purpose the FAO and WHO agreed on a “Joint FAO/WHO Food Standards Program” in the form of a permanent joint committee [12]. Moreover, it was intended to incorporate the European Council of the *Codex Alimentarius Europaeus* into the *Codex Alimentarius* Commission. With Frenzel’s four-year term coming to an end, Switzerland took over the presidency of the European Council of the *Codex Alimentarius Europaeus* on April 9, 1962. Dr. Högl, head of the

Swiss Federal Office of Public Health (Eidgenössisches Gesundheitsamt) in Bern, was elected president.

In October 1962 the FAO/WHO conference of food standards charged the *Codex Alimentarius* Commission to start the joint program and to prepare the *Codex Alimentarius* [13].

In the following year, from June 24th to July 3rd 1963, the constitutive meeting of the FAO/WHO *Codex Alimentarius* Commission took place in Rome with about 120 delegates from 30 countries [14]. The name “*Codex Alimentarius*” originating from the *Codex Alimentarius Austriacus* and the *Codex Alimentarius Europaeus* was adopted, as well as the practice of the latter of installing subcommittees in charge of specific issues as mentioned above. Moreover, the affiliation of the Council of the *Codex Alimentarius Europaeus* to the FAO/WHO *Codex Alimentarius* Commission as the regional group for Europe was officially confirmed.

However, some European countries, among which numbered Austria and France, hesitated to join the *Codex Alimentarius* Commission until in 1964 amendments were made to the rules of internal procedure, granting the regional group for Europe more autonomy and covering the expenses of the Commission from the WHO and FAO general budget from 1966 forward [15]. These countries joined the *Codex Alimentarius* Commission in 1965.

Frenzel was elected next chair of the regional group for Europe (Coordinating Committee for Europe, CCEURO) in 1965, but, unfortunately, was not able to perform this function for health reasons. He died in August 1966. The chair of the regional group for Europe was taken over by his substitute Dr. Richard Wildner and maintained by Austria (Dr. Richard Wildner, Professor Dr. Herbert Woidich) until the end of the 1980s, with the exception of a single period under a Swiss chair. Later, other European countries took over, with Poland currently presiding over the Coordinating Committee for Europe.

In conclusion, the historical events clearly show the Austrian *Codex Alimentarius* as one of the precursors of the FAO/WHO *Codex Alimentarius*, to which it gave its name. A corresponding comment regarding the historical origins of the Codex was made by the Austrian delegation in annex 5 of the Report of the 19th Session of *Codex Alimentarius* in 1991, on the occasion of the centenary of the *Codex Alimentarius Austriacus* [16]. The European Council of the *Codex Alimentarius Europaeus* directly transitioned into the Coordinating Committee for Europe of the FAO/WHO *Codex Alimentarius* Commission. This was the first regional coordinating group and the model for the actual existing six regional coordinating groups of the *Codex Alimentarius*

Commission, Africa, Asia, Europe, Latin America and the Caribbean, North America, South West Pacific and Near East. Today the *Codex Alimentarius* Commission has 185 member countries with more than 600 delegates.

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