



УДК 614.9:578. 62:613, 289:613,267.5

**INTERNATIONAL FOOD LEGISLATION AND THE NATIONAL  
COMMISSION OF UKRAINE ON CODEX ALIMENTARIUS.  
МІЖНАРОДНЕ ХАРЧОВЕ ЗАКОНОДАВСТВО ТА НАЦІОНАЛЬНА КОМІСІЯ  
УКРАЇНИ З КОДЕКСУ АЛІМЕНТАРІУС.**

**Rusnak L.V. / Руснак Л.В.***PhD in Law/ доктор філософії в галузі 08**Право зі спеціальності 081 Право**ORCID: 0000-0002-5165-1079***Prylipko T.M. / Приліпко Т.М.,***d.a.s., prof. / д.с.н.. проф.**ORCID: 0000-0002-8178-207X**Publons: AAF-5445-2019**Заклад вищої освіти «Подільський державний університет»**Higher education institution « Podolsk State University»,**Kamianets-Podilskyi, Shevchenko,13,32300*

**Abstract.** *The management of food safety, which used to be limited to the control of finished products (now this function is entrusted to the state), now consists in the implementation of a number of precautionary measures at various stages of the supply of food products. EU legislation applies risk analysis to more effectively control the safety of food products, while at the same time taking care of the protection of life, health and interests of consumers (including the use of fair practices in the food trade), the protection of health and the provision of appropriate conditions for keeping animals, plant health and environmental protection. EU members are working on or have already established single bodies or integrated food control systems covering all stages of the production process from farm to fork - from farm to retail. The EU's approach to food safety control is based on risk assessment and involves mainly general "horizontal" legislation regulating common aspects of food, such as food additives, labeling and hygiene, and, where necessary, partly "vertical" legislation. The intensification and globalization of modern food production and interstate trade relations necessitated the creation of international food legislation in order to introduce stricter requirements for food safety. With this in mind, the Codex Alimentarius was adopted.*

**Key words:** *adulteration, food products, laws, food law, Codex Alimentarius, consumer, trade relations*

In order to regulate the production of food products, their quality, assortment, implementation rules, measures to prevent food poisoning, prevention of falsification, etc., state bodies issue laws, regulations, standards and instructions, the totality of which is called food legislation. However, the intensification and globalization of modern food production and interstate trade relations necessitated the creation of international food legislation in order to introduce stricter requirements for food safety. With this in mind, the Codex Alimentarius[7] was adopted.

Codex Alimentarius (lat. Codex Alimentarius - food code, food law) is a set of standards for food products recognized by the international community. It contains provisions on the hygiene of food products, food additives, pesticide residues and other contaminants (contamination), labeling and presentation of products, methods of analysis and sampling, as well as recommendations that the international community must follow to protect the health of consumers and ensuring uniform trading methods in the form of rules, norms, guidelines and other documents [8].



The requirements of the Codex Alimentarius are based on the fact that all consumers have equal rights to receive safe products, as well as protection against unfair trade practices. Products containing poisonous substances, inedible decomposition products, disease-causing substances and xenobiotics, falsified and unlabeled products, as well as products that have been prepared, packed and stored or transported in violation of sanitary regulations or otherwise pose a threat to human health [3].

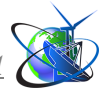
The Codex Alimentarius consists [4] of general (horizontal) standards and standards for product groups (vertical). General standards contain general rules and regulations that apply to all groups of food products. They regulate the procedure for labeling products; use of food additives; content of contaminants; methods of analysis and sampling; food hygiene; special food products; inspection of import and export of products and certification system; residual levels of veterinary drugs in products; residual levels of pesticides in products.

Vertical standards usually cover the following sections:

- 1) "Field of application" (product name and purposes of its use);
- 2) "Description" (terms and definitions, description of the product, its main composition and quality indicators);
- 3) "Food additives" (list and maximum levels of technological food additives from the list of additives approved by FAO/WHO for use during the production of food products);
- 4) "Contaminants" (amount of pollutants (heavy metals, pesticides) in products belonging to the scope of a specific horizontal standard);
- 5) "Hygiene" (principles of food hygiene and microbiological criteria for food products covered by a specific standard);
- 6) "Weights and measures" (weight of goods, filling of containers);
- 7) "Marking" (rules of labeling of food products belonging to the scope of a specific standard, in accordance with the code of general standards for labeling prepackaged products);
- 8) "Methods of analysis and sampling" (description of methods of analysis and sampling for food products covered by a specific standard).

The Codex Alimentarius is divided into volumes:

- volume 1 A "General requirements" (basic principles and purpose of the code, ethical standards of international food trade, requirements for labeling products, food additives, including according to other standards on food additives, contaminants in food products, including . according to general standards regarding pollutants and toxins in food products, irradiated products, import and export of food products, inspection and certification system);
- volume 1 B "General requirements" (hygiene of food products);
- volume 2 A "Residual level of pesticides in food products" (general text);
- volume 2 B "Residual level of pesticides in food products" (residual limits);
- volume 3 "Residual levels of veterinary drugs in food products";
- volume 4 "Special food products" (including products for newborns and children);
- volume 5 A "Processed and fresh frozen fruits and vegetables";



- volume 5 B "Fresh fruits and vegetables";
- volume 6 "Fruit and vegetable juices, nectars";
- volume 7 "Cereals, legumes and their products, as well as proteins of vegetable origin";
- volume 8 "Oils and fatty products";
- volume 9 "Fish and fish products";
- volume 10 "Meat and meat products, soups and broths";
- volume 11 "Sugar, cocoa products, chocolate and other products";
- volume 12 "Milk and dairy products";
- volume 13 "Methods of analysis and sampling".

In 1962, the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO) established the Codex Alimentarius Commission as an auxiliary body for the implementation of a joint program standards of FAO/WHO for food products. The main purpose of the Commission's activity is to create internationally agreed rules of the national product control system.

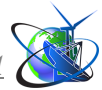
The basic criteria for the development of these rules are the protection of consumer health, compliance with the norms of international trade and taking into account the peculiarities of each country. At the same time, the priority of the Codex Alimentarius is the interests of consumers, which provide for the fulfillment of the minimum necessary requirements for the product, in particular, guaranteeing safety (absence of risk to human health), indicating the standard of quality, mass, composition of the product and the presence of a label that meets the requirements of the standard. The strategic tasks of the Commission, ensuring the achievement of the goal, include: development of international food standards; application of a scientific approach and risk analysis; development of relations of the Code with other regulatory organizations; providing opportunities for quick and effective response to emerging problems and new developments in the food sector; attraction of new members of the Commission; maximum possible dissemination and implementation of Codex standards [2].

The Codex Alimentarius Commission consists of codex and coordination committees. The Codex Committees prepare draft standards for submission to the Codex Alimentarius Commission, whose meetings are held alternately each year in Rome, the headquarters of the FAO, and Geneva, the headquarters of the WHO. Codex committees are divided into committees on general issues and committees on product groups.

Coordinating committees ensure the coordinated work of regions or groups of countries on the development of standards. They are responsible for conducting the work of the Codex Alimentarius Commission, taking into account the interests of regions and developing countries [1].

The main task of helping developing countries is to bring their food legislation closer to the Unified Food Standard. The difficulty of its adoption in these countries is caused by the existence of different legal, administrative and political systems.

Convergence of food legislation to the Unified Food Standard in developing countries is carried out by: conducting seminars with specialists on control of the residual level of pesticides; improvement of national food quality control systems,



including changes in national standards and creation of agencies; implementation of advanced work practices; use of modern methods of analysis and laboratory practice; improvement of the system of consumer rights protection and production culture; publication of reports and discussions at conferences and symposia [6].

Coordinating committees do not have permanent geographical locations. Their meetings are held at intervals of one or two years in one of the countries of the region with the consent of the Commission and with the participation of representatives of all countries of the region. The reports of the meetings are submitted to the Commission for discussion [1, 5].

In 1998, by a resolution of the Cabinet of Ministers of Ukraine, the National Commission of Ukraine on the Food Codex Alimentarius was established, which in 2006 was renamed the National Commission of Ukraine on the Codex Alimentarius. It operates on the basis of Article 8 of the Law of Ukraine "On the Safety and Quality of Food Products" and Resolution of the Cabinet of Ministers of Ukraine dated July 3, 2006 No. 903 "Questions of the National Commission of Ukraine on the Codex Alimentarius" [2, 9].

The main tasks [4, 7]. The National Commission analyzes international and domestic legislation in the field of food safety and quality and develops proposals for their improvement; harmonization of domestic legislation with international legislation; promoting the introduction of new technologies, international standards, domestic technical regulations and international sanitary measures in the field of food production and new methods of their research.

The National Commission includes leading experts from scientific and other institutions, enterprises and organizations, representatives of central executive bodies on health care, agrarian policy, technical regulation and consumer policy, economy. In order to solve the tasks assigned to it, the National Commission on the Codex Alimentarius creates permanent committees and temporary working groups in the relevant areas of activity, the regulations and composition of which are approved by the head of the Commission. The Codex Alimentarius has significantly increased the level of awareness of the international community on such vital issues as food quality, food safety and public health protection[3, 8, ].

## References

1. Bogatko N.M., Bukalova N.V., Sakhniuk V.V. Peculiarities of implementing the HACCP system at meat, milk, and fish processing enterprises of Ukraine: a study guide. Bilotserkivdruk LLC. Bila Tserkva, 2016. 283 p.
2. On the basic principles and requirements for the safety and quality of food products: Law of Ukraine. As amended by Law No. 1602-VII dated 22.07.2014, VVR, 2014, No. 41-42, Article 204, as amended by Laws No. 67- VIII from 12.28.2014, VVR, 2015, No. 4, Article 19 No. 867-VIII from 12.08.2015, VVR, 2016, No. 4, Article 40.
3. Prilipko T.M. Safety indicators of livestock products. *Food industry of agriculture*. 2012. No. 2. P.33–35.
4. Medical requirements for the quality and safety of food products and food raw materials: State sanitary norms and rules dated 12.29.2012, No. 1140, as amended by



No. 576 dated 18.08.2014.

5. The system of state regulation of food safety in Ukraine: On the way to improvement (analytical report). IFC conference "Reform of the food safety system: international experience and recommendations for Ukraine". - Kyiv, May 18, 2009 - 68 p.

6. Prilipko L.V. Normative and legislative basis of food safety in Ukraine. *Materials of the international student conference: Biological, technological aspects of production and processing of livestock products*. PDATU. Kamianets-Podilskyi, 2011. P.173-176.

7. Prilipko L.V. Food safety control, tracking in the food chain. *Materials of the international student conference "State and prospects of production, processing and use of livestock products"*. PDATU. Kam'yanets-Podilskyi, 2014. P.21-23.

8. Tetiana Prylipko, Volodymyr Kostash, Viktor Fedoriv, Svitlana Lishchuk, Volodymyr Tkachuk Control and Identification of Food Products Under EC Regulations and Standards. *International Journal of Agricultural Extension*. Special Issue (02) 2021. p.83-91.

9. Prylipko, T.M., Prylipko, I.V. Task and priorities of public policy of Ukraine in food safety industries and international normative legal bases of food safety. *Proceedings of the International Academic Congress «European Research Area: Status, Problems and Prospects»*. Latvian Republic, Rīga, 01–02 September 2016.

**Анотація.** Управління безпечністю продуктів харчування, яке раніше зводилося до контролю готової продукції (зараз ця функція покладена на державу), тепер полягає у здійсненні низки запобіжних заходів на різних етапах постачання харчових продуктів. Законодавство ЄС застосовує аналіз ризиків для більш ефективного контролю безпечності харчових продуктів, одночасно дбаючи про захист життя, здоров'я та інтересів споживачів (в тому числі про використання чесних прийомів у торгівлі харчовими продуктами), захист здоров'я та забезпечення належних умов утримання тварин, здоров'я рослин та охорону довкілля. Члени ЄС працюють над створенням або вже створили єдині органи чи інтегровані системи контролю харчових продуктів, що охоплюють усі етапи процесу виробництва відповідно до принципу «від лану до столу» — починаючи з поля й закінчуючи роздрібною торгівлею. Підхід ЄС до контролю безпечності харчових продуктів базується на оцінці ризиків і залучає переважно загальне «горизонтальне» законодавство, що регулює спільні аспекти харчових продуктів, такі як харчові добавки, маркування та гігієну, а також, за необхідності, частково «вертикальне» законодавство. Інтенсифікація і глобалізація сучасного виробництва харчових продуктів і міждержавних торгових відносин обумовили необхідність створення міжнародного харчового законодавства з метою впровадження жорсткіших вимог до безпеки харчових продуктів. З огляду на це було прийнято Кодекс Аліментаріус.

**Ключові слова:** фальсифікація, харчові продукти, закони, харчове право, Кодекс Аліментаріус, споживач, торгові відносини