

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Items 4, 5 and 6

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Twenty-Sixth Session

(Comments of Nigeria)

AGENDA ITEM 4

CX/FICS 23/26/4

PROPOSED DRAFT GUIDELINES ON RECOGNITION AND MAINTENANCE OF EQUIVALENCE OF NATIONAL FOOD CONTROL SYSTEMS (NFCS) at Step 3

Nigeria would like to thank New Zealand (Chair), the United States of America, and Kenya (Co-chairs) for taking the lead in developing the draft guidelines on recognition and maintenance of equivalence of National Food Control Systems (NFCS)

Specific comments

- a. Nigeria proposes the inclusion of a definition for “Objectives” under the definitions.

Rationale: To provide uniform interpretation of the guidelines and clarity wherever the term objective(s) is used in the text.

- b. Step 1; Nigeria proposes the inclusion of “Decision to Commence” at the side of the exporting country. It should read, Scope Identified, decision to commence and formal request made (step 1) of the flow diagram.

AGENDA ITEM 5

CX/FICS 23/26/5

PROPOSED DRAFT CONSOLIDATED CODEX GUIDELINES RELATED TO EQUIVALENCE (CX/FICS 23/26/5) AT STEP 3

Nigeria thanks New Zealand (Chair) and the United States of America and Kenya (Co-chairs) for the progress made in advancing the draft consolidated Codex guidelines on equivalence.

Section 2: Purpose/Scope of Guidelines

Nigeria supports the section be split into two, a section for purpose and a section for scope. This is to align with codex text and to provide clarity.

Section 3: Definition sanitary measure

Comment: Nigeria proposes revision of the definition for sanitary measure to read as follows:

Any measure applied to protect human life or health within the territory of the country from risks arising from additives, contaminants, toxins or disease-causing organisms in food or feedstuffs, or from risks arising from diseases carried by foods obtained from animals and plants or from risks arising from any other hazards in foods (Adapted from CXG 53:2003).

Rationale: The definition provided in the draft consolidated guidelines is limiting and excludes other key elements of a Food Control System. In addition, inclusion of foods obtained from animal and plants will align with the guideline to the One Health Approach that calls for collaborative efforts to ensure optimal health for people, animals and the environment.

Section 4: Principles:

Nigeria proposes retention of Demonstration of Equivalence as a separate principle.

Technical Assistance/Regulatory cooperation

Nigeria proposes that the phrase “less developed” be replaced with “developing” countries.

Para 18: Nigeria proposes that ISO guidelines be replaced with relevant ISO/International guidelines.

Rationale: This is to ensure consistency with the WTO SPS Agreement and also to avoid limiting the applicable “standards/guidelines” to ISO guidelines.

Section 7:

Nigeria supports the provision of a flow diagram for the stages of the equivalence recognition process.

Rationale: A flow diagram provides an easy to understand overview of the different stages of the equivalence recognition process

AGENDA ITEM 6:

CX/FICS 23/26/6

PROPOSED DRAFT GUIDANCE ON THE PREVENTION AND CONTROL OF FOOD FRAUD

Nigeria thanks the United States of America (Chair) and China, EU, Iran and the United Kingdom (Co-chairs) for the concerted effort to prepare the proposed draft guidance on the Prevention and Control of Food Fraud

Section 2: Scope/Purpose (Footnote 3)

Comment: Nigeria supports retention of footnote 3

Rationale: Issues of intellectual property rights are diverse and may not fall within the jurisdiction of a National Food Control System

Section 6: Roles and Responsibilities

Nigeria proposes deletion of para 13 b) and modification of 13 e) to read:

e) Establish and implement measures to detect, prevent, mitigate, and control food fraud.

Rationale: The amended text in 13 e) covers the broader aspects of food fraud.

Section 7: – Relevant Activities for Competent Authorities (Para 15)

Para 15. Nigeria prefers the term “Legislative” therefore supports removing the square brackets around ‘legislative and deleting “legal”

Rationale: This is because each Ministry and Department have Acts guiding their Mandates.

Para 21. Nigeria supports retaining both paragraphs 21 and 21bis.

Rationale: This is to highlight the issue of protection of whistle-blowers which is explicitly addressed in paragraph 21bis.

Section 8: Cooperation/collaboration & exchange of information between competent authorities.

Comment: Nigeria position is that cooperation is subsumed within collaboration, therefore to only use “collaboration” which is a broader term.

Rationale: Competent Authorities can use collaboration which is a broader term. Cooperation is about working with others to achieve your own goals, while collaboration is working with others to produce something together and achieve shared goals.