

# codex alimentarius commission

E



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00153 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX ALIMENTARIUS COMMISSION

#### *Thirty-second Session*

*FAO Headquarters, Rome, Italy, 29 June – 4 July 2009*

#### **INTERNATIONAL SEMINAR ON SETTING FOOD SAFETY STANDARDS, EFFECTS ON INTERNATIONAL TRADE, PARTICULARLY FOR DEVELOPING COUNTRIES The Hague, The Netherlands, 9-12 June 2008**

The Ministry of Agriculture, Nature and Food Quality of the Netherlands, in cooperation with FAO and WHO and nationally the Ministry of Health, Welfare and Sport, and the Ministry of Foreign Affairs – Development Co-operation organized the above mentioned Seminar. The Seminar was attended by 175 participants from 60 countries and 20 organizations representing governments, international organizations, industry and civil society. The conclusions and recommendations of the Seminar are reproduced below:

#### **Generic conclusions and recommendations**

1. Safety first - International rules and guidance should continue to request that food safety related decisions are based on scientific evidence. As a matter of principle, the safety of food and the health of the consumer should never be compromised. Food safety requirements should be based on risk assessment and should not be driven solely by the identification of hazards.
2. Non SPS concerns - The SPS Agreement emphasises the need for SPS measures to be based on sound scientific assessment of the risks for consumers, animal and plant health. In recent years, other concerns such as environmental, social, animal welfare have been introduced into the import legislation of certain countries. It is recommended that such concerns do not interfere with sound scientific based risk analysis.
3. Risk-benefit analysis - Risk analysis with its three components: risk assessment, risk management, and risk communication should remain the basis for decision-making concerning food safety. Risk-benefit analysis should also be considered as an integral part of the process of risk analysis, within the bounds of the rights and obligations under the SPS Agreement. The concept of risk-benefit should however be further developed.
4. Developing countries' participation in international risk assessment - More effort should be made by FAO and WHO and the international community to enhance the participation of developing countries in expert bodies and consultations pertaining to food safety assessment. Similarly, data used in risk assessment should be representative of the conditions in developing countries. It is recommended that mechanisms be elaborated and technical assistance be provided to strengthen both

the participation of developing countries in international standard setting including in food safety risk assessment and to encourage the generation and gathering of relevant data.

5. Stakeholders' participation - Participation of the respective stakeholders in the various stages of the risk analysis cycle should be made more explicit. This should include representatives of all actors in the food chain and in particular consumers' organizations, private sector organizations and small holder organizations. Risk communication for consumers is considered important to help understanding the process and the food safety risks.

6. Information on SPS measures – Information on developments/changes in international and national standards should be made available to all stakeholders throughout the risk analysis cycle (SPS-notification, Websites of relevant authorities, International standards websites, FAO International Portal on Food Safety, animal and Plant Health).

7. Harmonization of certification/verification procedures - Exporting countries face different systems for verification and control from major importing countries resulting in increased administrative burden and costs to comply with these regulations.

8. More effective capacity building - Funds for capacity building are generally available, but the mechanisms for delivery and implementation of capacity building projects are not necessarily appropriate and targeted to the real needs of the receiving countries and relevant stakeholders. Needs assessment and prioritization of capacity building activities are required to enhance effectiveness. In particular, capacity building activities should take into account the conditions and infrastructure in developing countries such as the large number of small producers, poor transport links, lack of storage, water scarcity and hygiene and other inputs as well the status of the countries' food safety systems. Developing countries are encouraged to use the possibilities provided by the Standards and Trade Development Facility (STDF) to promote compliance with the provisions of the SPS Agreement.

9. Special and Differential treatment - Article 10 of the SPS Agreement calls for special and differential treatment of developing countries. So far these provisions have hardly been used. Effort should be made to translate the provisions of article 10 into concrete measures that would result in favourable treatment of developing countries.

10. Private standards - Private standards should not be confused with public requirements in the legal framework of the SPS Agreement. Where public requirements and private standards co-exist unnecessary duplication that increases cost of compliance should be avoided. As with public standards, it is recommended that all stakeholders, including small holders/producers of exporting countries, be involved in the process of setting private standards.

11. Ethical Conduct - Efforts should be made to prevent food considered to be unsafe for human consumption being exported to countries which may not have adequate import control systems. Countries are encouraged to participate in the on-going discussions on the Codex Code of Ethics at the Codex Alimentarius Commission.

#### **Additional Generic Recommendations from the Working Groups**

12. Good Governance - There is a need for compliance with good governance principles: transparency, inclusiveness, respect of WTO/SPS provisions and international standards (Codex ,OIE, IPPC) and full participation in the standard setting processes.

13. Double standards - In certain developing countries, distinction may be necessary between products destined for export and others for domestic market. In this case, public policies should recognize different risks involved and seek to harmonise production methods and product standards. Whenever possible, export and domestic production should preferably be subject to the same standards in order to protect all consumers, whether at home or abroad. Food safety should be paramount.

14. Consultation on changes in SPS measures - SPS notifications and other information on future changes in SPS measures in importing countries should be made available to all stakeholders (including small holders) in developing countries. This would enable developing countries to prepare in advance for the introduction of new measures. Concerned government authorities and importers/exporters should actively contribute to such involvement.
15. Equivalence - Compliance with international standards can be achieved by a variety of means. Importing countries should recognise this and facilitate the establishment of equivalence between their own systems and that of exporting countries.
16. Sharing of experiences - Sound practical advice based on good and bad experiences should be documented and shared between developing countries so that countries and operators can benefit from them in their effort to meet market requirements.
17. Traceability - Traceability and proper documentation can be important for consumer protection and international trade, including its use to help limit the loss in destruction of condemned lots.
18. Surveillance - Countries need to develop national systems for the investigation and reporting of food borne illness and participate more actively in the FAO/WHO International Food Safety Regulators Network (INFOSAN) in order to facilitate the development of integrated evidence-based food safety policies at national and international levels.
19. Political Commitment - The profile of food safety should be raised at political level, nationally and internationally, through initiatives such as an inter-ministerial conference or an international food safety day. FAO, WHO and other relevant international organisations should take the lead in promoting this.
20. Codex Trust Fund - Developing countries are encouraged to use the assistance provided by the Codex Trust Fund to support their active participation in the Codex standard setting process. Current and potential donors to the Trust Fund are encouraged to provide further support to the Fund.

#### Specific Recommendations

21. Veterinary Drugs – Appropriate actions, proportionate to risks, need to be taken in case of non compliance.
22. Microbiological contaminants - Importing countries with good microbiological risk assessment capacity should provide practical and tangible assistance to developing countries in their efforts to carry out risk assessments, collect data and other information concerning the hazards of concern in a particular country/commodity, and to meet importation requirements
23. HACCP - Implementation of Hazard Analysis Critical Control Points (HACCP) systems needs to be practical and achievable. While recognising that in most cases industries in developing countries have already controls in place to address hazards, more support is needed to apply HACCP in small and less developed food businesses.
24. Cooperation - When developing microbiological standards cooperation between developed and developing countries should be encouraged in order to ensure their relevance and facilitate their application and utilisation in different regions.
25. Harmonization with Codex MRLs - In order to avoid problems in international trade, all countries are strongly recommended to adopt and enforce Codex Maximum Residue Levels (MRLs) for pesticide residues.

26. Justification of deviations from Codex MRLs - In the interest of transparency, if and when a country(ies) deviates from Codex MRLs, a clear justification should be provided as required by the SPS Agreement.

27. More assistance to developing countries - In order to allow developing countries to fully participate in the process of setting international MRLs for pesticide residues: FAO, WHO, bilateral and multilateral development agencies and the Standards and Trade Development Facility (STDF) should be encouraged to provide increased technical/financial assistance (including capacity building) to enable countries to conduct residue field trials in compliance with the supported GAP and to supply data on pesticide residue levels.

28. GAP - FAO should provide training in elaboration, implementation and certification of Good Agricultural Practices and other good practices.

29. New or amended GAP - Unless there are health concerns a sufficient transition period should be given to smallholders in developing countries to allow for the implementation of (amended) Good Agricultural Practices.