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FOOD AND AGRICULTURE
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Agenda Item 9

JOINT FAO/WHO FOOD STANDARD PROGRAMME
FAO/WHO COORDINATING COMMITTEE FOR ASIA
Thirteenth Session, Kuala Lumpur, Malaysia 17-20 September 2002

INFORMATION AND REPORTS ON FOODS CONTROL AND FOOD SAFETY ISSUES INCLUDING CODEXSTANDARDS ¹

-Report by Australia-

Australia

OFFICIAL AGENCIES

Food safety issues are managed at the national level in Australia by the Commonwealth Department of Agriculture, Fisheries and Forestry - Australia (AFFA), the Commonwealth Department of Health and Ageing (DoHA) and their associated agencies, namely the Australian Quarantine and Inspection Service (AQIS) and Food Standards Australia New Zealand ((FSANZ), formerly the Australia New Zealand Food Authority - ANZFA). The development and implementation of food safety policies and programs are undertaken by these agencies in close consultation with State and Territory Governments, who have constitutional responsibility for public health and safety within Australia.

One of the major reforms has been the completion of the transition from ANZFA to FSANZ, and the full implementation of the new regulatory policy making arrangements. These arrangements include the establishment of the Australia New Zealand Food Regulation Ministerial Council, and a Food Regulation Standing Committee which is to coordinate policy advice to the Ministerial Council and ensure a nationally consistent approach to the implementation and enforcement of food standards.

FOOD LEGISLATION - MAJOR DEVELOPMENTS IN FOOD SAFETY POLICY

Food Safety Reforms

In August 2000, three Food Safety Standards were gazetted into the *Food Standards Code*. These were Standards:

- 3.1.1 (*Interpretation and Application*), which concerns interpretation and application of the other standards;

¹ This paper compiled the information sent by member countries in response to CL 2002/12-ASIA.

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- 3.2.2 (*Food Safety Practices and General Requirements*), which contains requirements for the safe handling of food; and
- 3.2.3 (*Food Premises and Equipment*), which contains requirements for the design and construction of food premises and equipment.

These Standards apply in Australia only and are currently being implemented by the States and Territories of Australia. Implementation should be completed by the end of 2002. When this occurs, for the first time, the same food safety legislation will apply to every food business in Australia. A comprehensive support package is being finalised by FSANZ to assist food businesses compliance with the new Standards and the States and Territories enforcement of them.

A fourth Standard, 3.2.1 (*Food Safety Programs*), was gazetted into the *Food Standards Code* in December 2000 as a model standard to be used by those States and Territories that decide to introduce food safety programs. This Standard is based on the Hazard Analysis and Critical Control Point principles (HACCP).

However, it was decided that further work should be undertaken on the costs and benefits of Standard 3.2.1 before consideration could be given to making it mandatory at a national level. This work is being undertaken by DoHA.

Collectively, the four Food Safety Standards are intended to provide a more effective regulatory system for ensuring the safety of food in Australia and therefore reduce the incidence of foodborne illness.

A number of projects were funded in 2001/2002 covering:

- enhanced surveillance and monitoring to determine the incidence and causes of foodborne illnesses;
- costs, benefits and efficacy of HACCP-based food safety programs;
- assistance for local and state government;
- information and assistance for consumers, charities and community groups; and
- assistance for industry
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The joint Australia New Zealand Food Standards Code

At the end of 2002, the joint Australia New Zealand Food Standards Code (the joint Code) will become the sole set of food standards and the former standards will be repealed. The joint Code removes unnecessary prescription, giving the industry greater freedom to be innovative in their business operations while maintaining the protection of public health and safety. A two year transition period to phase in the joint Code allows manufacturers and retailers sufficient time to put most of the new requirements in place. All transition elements are now in place to allow an orderly move to the new Code. Some reviews, particularly infant formula, have necessitated some transition requirements to allow time for industry to adapt to the new requirements.

Primary Production and Processing Standards

In June 2002, Ministers agreed to an overarching policy guideline on Primary Production and Processing Standards and FSANZ assumed responsibility for developing these Standards for Australia in July 2002. The policy guideline will form part of the considerations which FSANZ will take into account in the development and approval of standards in the primary production and processing area. The guideline aims to ensure that the new standards, amongst other things, maintain Australia's safe food supply through a consistent approach across the entire food chain without being trade restrictive or by placing an excessive regulatory burden on industry. As with all standards, FSANZ has to comply with the requirements of its legislation, which gives primacy to the protection of public health and safety.

The endorsement of the Overarching Policy Guideline is another step in the successful transfer of primary products standard setting to FSANZ. This ensures that for the first time a single national framework exists for the development of all domestic food standards covering the entire food supply chain.

The emphasis of the new Standards will be on food safety and not food quality and will deliver outcome based, rather than prescriptive, requirements.

KEY FOOD SAFETY ISSUES

Transmissible Spongiform Encephalopathies (TSEs)

Managing Australia's response to the global spread of Bovine Spongiform Encephalopathy (BSE) and serious non-zoonotic animal diseases, such as Foot and Mouth Disease (FMD), have been the major focus of activity during the last twelve months. A special, high-level task force was established by the Commonwealth Government to broaden the strategic approach from the agricultural sector to the whole-of-government arena.

Key activities of work include:

- facilitating a national whole of government emergency response framework for major animal diseases;
- developing a consistent legal framework to enable implementation of national strategic disease control responses;
- supporting and driving the development of a communications system to provide timely, accurate and coordinated information to target groups;
- co-ordinating and implementing a Memorandum of Understanding between Commonwealth and State/Territory agencies that will define roles and responsibilities during a major animal disease outbreak;
- providing input into the development of strategies for the financial relief and community recovery in the event of an outbreak; and
- provide input into the development of a national whole-of-government information system.

A new Australian standard was introduced into the *Food Standards Code* on 18 July 2001, requiring that all beef and beef products sold in Australia be sourced from animals free from BSE.

FSANZ has completed and released a risk assessment examining available data on the likelihood of developing variant Creutzfeldt-Jakob disease (vCJD) from exposure to food containing the BSE agent. There is an accepted association between consumption of BSE-infected tissue and development of vCJD in humans. The outcomes from this assessment will provide current scientific evidence to support the amendment to the *Food Standards Code*.

Implementation of the current BSE standard is through a certification system to determine the conditions under which beef and beef products may enter Australia. This new certification system came into full effect on 16 November 2001. A number of countries have applied to be classified under Australia's BSE risk categorisation scheme and applications are considered by the Australian BSE Country Categorisation Committee (ABCCC) established by FSANZ. These applications are being considered and the classifications released on the FSANZ web site – www.foodstandards.gov.au. This measure is not an animal health measure such as covered in the OIE Code but designed to protect human health.

The ABCCC conducts assessments based on information supplied by countries regarding ruminant populations, animal trade, animal feed, meat and bone meal bans, specified risk material bans, BSE surveillance, rendering and feed processing and animal slaughter methods.

MAJOR INITIATIVES TO AMEND FOOD STANDARDS IN AUSTRALIA

The revised arrangements for development of food regulatory measures includes provision for the Australia New Zealand Food Regulation Ministerial Council to develop policy guidelines that must be taken into account in developing food regulatory measures. At present, three such policy guideline documents are in preparation – for Health and Nutrition Claims; Caffeine in Foods; and Country of Origin Labelling. Reviews of these elements of the Food Standards Code are to be finalised once the policy is agreed by Ministers.

In May 2002, Ministers agreed to overarching policy principles for health and related claims in food labelling and advertising. Ministers have asked the Food Regulation Standing Committee for further advice on implementing a risk management approach that will protect public health and safety through scientific substantiation of high risk claims, generic health claims for ease of use where evidence is clear and minimal regulation where there are no risks to public health.

Included in this will be investigation into the creation of a “watchdog” to monitor the use of health and related claims. Ministers have asked that this advice be presented as a draft policy guideline at their meeting in November 2002.

FSANZ has completed a major review of requirements for infant formula.

Several major reviews are in progress that will regulate significant parts of the food supply. These include:

- sports foods;
- medical foods; and
- dietary supplements.

In addition, attention is continuing to focus on novel foods and functional foods, the use of non-culinary (medicinal) herbs in foods and rules around fortification.

Some nineteen genetically modified foods have been or are in the final stages of approval for use in foods in Australia, and two further assessments are in progress. These are expected to be finalised in the next six months.

The use of irradiation has been approved for herbs and spices, and consideration is currently being given to an application for irradiation, for disinfestation purposes, of certain tropical fruits.

HARMONIZATION OF FOOD LEGISLATION

Australia is currently undertaking a review of its Export Control (Processed Food) Orders

(Food Legislation). This will involve harmonisation with domestic standards wherever possible, as well as consideration of international standards such as Codex.

Impact on the following areas will be considered by the Australian Quarantine Inspection Service (AQIS), during the review process:

- (i) National Competition Policy Review of the *Export Control Act 1982*;
- (ii) recent changes to Australian domestic standards, ie. new Australian Foods Standard Code and new food safety standards;
- (iii) international arena - Codex standards (eg HACCP, good manufacturing practices, food standards), World Trade Organisation, overseas government authorities requirements, overseas reviews by European Commission and United States Food and Drug Administration;
- (iv) relevant changes to standards within the processed food industries (eg Seafood Services Australia - proposed seafood safety standards, other relevant codes of practices); and
- (v) AQIS and State Dairy Authorities' experience in implementing the Orders.

Under the *Imported Food Control Act 1992*, AQIS can enter into certification arrangements with overseas Government authorities. These arrangements mean that consignments of food imported into Australia accompanied by a recognised Government certificate are subject to a reduced inspection rate by AQIS due to the increased assurance of compliance. All such certification arrangements are voluntary.

In 2001, AQIS conducted an on site review of the Export Inspection Council of India with a view to entering into a certification arrangement covering fish products exported from India to Australia. This arrangement has not been finalised as yet, but should be put into place in the near future.

PROGRESS REPORTS ON OTHER KEY ACTIVITIES

Monitoring and evaluation

Adoption of Codex Maximum Residue Limits (MRLs)

FSANZ is currently considering a proposal to incorporate Codex MRLs into the *Food Standards Code*. The development of the proposal will include dietary risk assessments to assess the potential impact on the exposure of the Australian consumer to chemical residues.

Change in System

The system by which MRLs are incorporated into food legislation in Australia is being reviewed to develop an optimal MRL setting system.

CONSULTATIVE MECHANISM

The Food Regulation Agreement signed by the Council of Australian Governments (COAG) in November 2000, requires that a consultative mechanism be established to provide stakeholder views to the Food Regulation Standing Committee and the Ministerial Council on the development of policy guidelines for food standards development.

A discussion paper on the development of an appropriate consultation mechanism was circulated for stakeholder comment in May and June 2002. Feedback from this process is being used to formulate a proposed approach to be recommended to Ministers at their meeting in November 2002.

COOPERATION ACTIVITIES - REGIONAL INITIATIVES

The Regional Projects Program within FSANZ provides strategic input into APEC, ASEAN and other regional fora. The program also provides developing countries within the Asia Pacific rim with technical assistance in food standards development and capacity building for compliance with WTO obligations. Funding for the technical assistance and capacity building projects is primarily through AusAID, the APEC TILF fund and the New Zealand Overseas Aid body.

To date, FSANZ has embarked on an ambitious program of work, with the following projects having been completed:

- development of food control legislation for Vietnam;
- APEC workshops on the food/drug interface;
- development of the web based directory of food trade contacts;
- training in the application of risk analysis in conformity assessment of food; and
- development of food recall guidelines with Vanuatu.

The Regional Projects Program has a significant program of work planned for 2002 – 2003, in particular:

- development of a food import labelling guide in Bahasa, Indonesia (to facilitate compliance with the requirements of the new Australia New Zealand Food Standards Code);
- two, two week training courses in Risk Assessment in Support of Food Safety Measures (supported by APEC);
- training in the use of the directory of food trade contacts for ASEAN/APEC developing economies (supported by APEC);
- training in the safety assessment of genetically modified foods (decision on funding proposal pending);
- collaboration with WHO through development of food recall guidelines for Fiji;
- assistance with development of food safety regulations and training in Vietnam; and
- development of food recall guidelines for Fiji.

The Australian Government Analytical Laboratories (AGAL), have been coordinating cooperation activities with countries within the Asia Pacific region, particularly Indonesia, for nearly six years. The activities involve developing and harmonising food safety programs and laboratory methods and standards.

In the food safety area, Australia has led teams of international consultants to develop, in association with the Indonesian Ministry of Industry and Trade, a system of implementing and auditing food safety programs in the small to medium food industry in Indonesia. This has involved training on HACCP, food safety programs, auditing and train the trainer, culminating with the community rollout of food safety programs across Bali.

Most importantly however, the AGAL team, in association with consultants from the Indonesian National Agency for Drug and Food Control (NADFC), has developed an integrated food safety system (IFSS). This is in line with the model provided in the WHO document "Guidelines for Strengthening a National Food Safety Program" (1996). The Indonesian system has developed three activity areas for risk assessment (Food Intelligence Network), risk management (Food Control Network), and risk communication (Food Promotion Network).

Promotional training materials for the IFSS have been developed and Australia is hopeful that in the future training will be provided across six of the thirty provinces in the Republic.

AGAL is also developing proposals to assist other countries within the region including the Philippines, Fiji, Thailand and Vietnam to achieve integration of their food safety systems from the "paddock to the plate". Australia's vision is to create an Asia Pacific Food Safety Alliance where the systems used in each country are recognised throughout the Region.

Countries such as Australia, the United States and the United Kingdom recognise the need to integrate their food safety systems across the food chain. AGAL is providing developing countries in the Asia Pacific region with the opportunity to implement an integrated system from the beginning