

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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Agenda Item 2

**CX/FICS 02/2
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Tenth Session

Brisbane, Australia, 25 February – 1 March 2002

MATTERS REFERRED FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

CONSIDERATION OF THE DRAFT STRATEGIC FRAMEWORK, PROPOSED DRAFT MEDIUM PLAN 2003-2007 AND THE CHAIRPERSON'S ACTION PLAN

1. The 24th Session (July 2001) of the Codex Alimentarius Commission adopted¹ the draft Strategic Framework, including the Strategic Vision Statement. It agreed that the draft Medium-Term Plan should be revised by the Secretariat in the light of the Strategic Framework, the Commission's discussion and the written comments received, and should incorporate the elements of the Chairperson's Action Plan agreed to by the Commission. The Commission agreed that the activities envisaged in the Medium Term Plan should include cost estimates to determine whether the objectives could be achieved within available resources and that the revised draft Medium-Term-Plan be circulated for the inputs of the Codex Coordinating Committees, other Codex Committees, Member governments and international organizations for further consideration and finalization at the 25th Session of the Commission.
2. The 49th Session (September 2001) of the Executive Committee of the Codex Alimentarius Commission noted² that Circular Letter CL 2001/26-EXEC had been sent to Members of the Commission on 14 August 2001. Governments and interested international organizations had been being invited to comment on the revised Draft Medium-Term Plan and also to propose or suggest new activities. Following the deadline for comments (30 November 2001) the Revised Draft Medium-Term Plan will be up-dated and placed on the Codex Website. The Plan will be up-dated following each Codex Committee/Task Force session to include new proposals as they arise.
3. This Plan will then be submitted to the 50th Session of the Executive Committee (2002) for review and then to governments and interested international organizations for comments. Those Codex Committees (especially Regional Committees) that had not previously commented will also have to opportunity to contribute to the development of the Medium-Term Plan. The Revised Draft Medium-Term Plan together with the various proposals made by Codex Committees and other interested parties will be considered by the 51st Session of the Executive Committee and then submitted to the 25th Session of the Codex Alimentarius Commission for adoption.

¹ ALINORM 01/41, paras. 46-70 and Appendix II.

² ALINORM 03/3, paras. 37-41.

CONSIDERATION OF DRAFT STANDARDS AND RELATED TEXTS

4. The 24th Session of the Codex Alimentarius Commission adopted³ the draft *Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* at Step 8 as proposed⁴.

5. In discussing the proposed draft *Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems*⁵, the Commission noted⁶ that the intention of the Guidelines was to assist countries, and especially developing countries, in the application of provisions concerning equivalence in the WTO SPS Agreement, insofar as food import and export inspection and certifications systems were concerned. The Executive Committee had accorded high priority to this work. The representative of the WTO noted that one of the concerns raised by developing countries in the SPS Committee was the difficulties faced in having the equivalence of their exported products recognized in terms of health protection, and they have stressed the need for clear guidance in this area. It was noted that such guidance was urgently needed to expand developing country export markets.

6. Several delegations were of the view that more time was needed to scrutinize the document in detail through consultation with governments and other interested parties and therefore, suggested that the Guidelines be adopted at Step 5 only. It was also suggested that the document should be considered in parallel with the CCFICS Guidelines on the Judgement of Technical Regulations Associated with Food Inspection and Certification Systems. It was noted that further consideration was required in the Scope section as well as in the definition for the equivalence of sanitary measures. Discrepancies between the English and Spanish/French versions were also noted.

7. In view of the above concerns, the Commission adopted the Guidelines at Step 5 only so that they could be further considered by the CCFICS.

CONSIDERATION OF PROPOSED DRAFT STANDARDS AND RELATED TEXTS

8. The 49th Session (September 2001) of the Executive Committee adopted⁷ the proposed draft *Guidelines for Food Import Control Systems* at Step 5 as proposed.⁸ The Committee noted⁹ the comments of the Representative of the South-West Pacific that the proposed draft Guidelines for Food Import Control Systems no longer referred to situations where a zero-tolerance for pesticide limits had been taken by the importing country for reasons other than protection of consumers' health. The Representative suggested that this matter should be taken up by the relevant Committees dealing with pesticide and veterinary drug residues.

CONSIDERATION OF NEW WORK PROPOSALS

9. The 49th Session (September 2001) of the Executive Committee approved¹⁰ as new work the revision of the *Codex Guidelines for the Exchange of Information in Food Control Emergency Situations* (CAC/GL 19-1995) and also drew attention to the proposed Rapid Alert System being developed within the FAO/WHO/OIE Information Exchange System for Food and Agricultural Safety.

³ ALINORM 01/41, para. 184.

⁴ ALINORM 01/30A, Appendix II.

⁵ ALINORM 01/30A, Appendix III.

⁶ ALINORM 01/41, paras. 185-188.

⁷ ALINORM 03/3, Appendix II.

⁸ ALINORM 01/30A, Appendix IV.

⁹ ALINORM 03/3, para. 17.

¹⁰ ALINORM 03/3, para. 24 and Appendix III.

TRACEABILITY

10. The 49th Session of the Executive Committee noted¹¹ that the Secretariat paper¹² had been prepared at the specific request of the Codex Committee on Food Import and Export Inspection and Certification Systems but treated the issue as a general issue confronting Codex. The paper summarized the prior work and current discussions on the subject of traceability within Codex. It pointed out that *traceability* was not new to Codex but that it had not been treated in a systematic manner. The paper also pointed out that any measures requiring *traceability* should be justified as:

- having a food safety objective (i.e., as an SPS measure); or
- having a legitimate objective as a TBT measure.

11. The Executive Committee generally supported the analysis and approach outlined in the Secretariat paper. There was a divergence of views between Members about the usefulness and application of traceability. Some Members drew attention to the implications for developing countries, in particular cost, the ability to meet traceability requirements and the potential negative impact on trade.

12. The Executive Committee recommended that the Committee on General Principles consider the two aspects of traceability referred to above, however, it was of the opinion that first consideration should be given to the use of traceability as a risk management option in the Working Principles for Risk Analysis. The Executive Committee also noted in particular the role of the Committee on Food Import and Export Inspection and Certification Systems in relation to the development of procedures for the application of traceability in food import and export inspection and certification systems. Although some Members believed that a sequential approach to the development of other texts should be followed, the Executive Committee agreed that it should for the Committees concerned (including the Committees on General Principles, Food Import and Export Inspection and Certification Systems, Food Hygiene and Food Labelling) to undertake work as they deemed appropriate, within their respective mandates.

13. The Executive Committee welcomed the suggestion that the Chairpersons of the Committees concerned and the Secretariat should coordinate work so as to avoid a divergence of approach. The Executive Committee agreed that Regional Coordinating Committees may wish to contribute to the debate on this issue. It also noted the usefulness of a proposal for workshops to be held at the regional level using case studies of traceability as these would contribute to a clarification of the economic impact and technical application, and contribute to improved understanding.

14. The Executive Committee asked to be kept informed of progress in this work.

15. At the 34th Session (October 2001) of the Codex Committee on Food Hygiene, the Committee noted¹³ its previous decision that traceability would be considered in the context of its work on the proposed draft Principles and Guidelines for the Conduct of Microbiological Risk Management. However, the Committee was of the opinion that specific work on traceability as related to food hygiene was premature. The Committee therefore reiterated its request to the drafting group that the concept of traceability should be taken into account in the further elaboration of the above Principles and Guidelines.

FOOD SAFETY OBJECTIVES

14. In considering the proposed draft Principles and Guidelines for the Conduct of Microbiological Risk Management, the 34th Session (October 2001) of the Codex Committee on Food Hygiene noted¹⁴ that the Guidelines were revised by a drafting group to take account of, among other things, comments received in response to CL 2000/37-FH in regard to food safety objectives (FSOs).

¹¹ ALINORM 03/3, paras. 29-33.

¹² ALINORM 01/21, Part IV- Add. 1.

¹³ ALINORM 03/13, paras. 170-171.

¹⁴ ALINORM 03/13, para. 100.

15. The Committee supported¹⁵ the concept of FSOs, and noted the importance of clearly defining the term FSO so that it was understandable and could be used in a transparent and consistent manner. This was felt to be especially important as the establishment of different FSOs at different points in the foodchain might actually introduce barriers to trade. Although the Committee generally agreed that the FSOs should cover the entire food production chain could be considered, there was no general agreement on the appropriate place for the establishment of FSOs.

16. In this regard, it was noted by some delegations that the critical point for the establishment of FSO was at the point of consumption since this was the stage at which detrimental effects occurred. However, it was noted that the establishment of FSO at the point of consumption could be problematic for producers as it might hold them responsible for issues outside of their control and would be difficult and impractical to enforce.

17. Other delegations were of the opinion that microbiological risk management applied at all points of the food chain and that in the interest in arriving at a logical point of application of FSOs the most relevant point of application could be earlier in the food chain including at the level of primary production.

18. However, it was also recognized that in both cases this would require the establishment of performance criteria and other criteria at appropriate points of the food chain.

19. As a temporary compromise solution, the Committee decided that the drafting group should use the following definition proposed by the ICMSF as a basis for its discussions:

Food Safety Objective: The maximum frequency and/or concentration of a [microbiological] hazard in a food at the time of consumption that provides the appropriate level of health protection [(ALOP)].

20. The Committee further recognised that FSOs will need to be used in conjunction with performance criteria to establish the level of control needed at other points in the food chain. The Committee also requested the Drafting Group to draw up on the table expanding the differences and relationship between these terms.

21. The Committee also confirmed that the bulleted list of considerations to be undertaken when determining the ALOP/ALR were presented as examples only and were therefore subject to further debate.

¹⁵ ALINORM 03/13, paras. 119-124.