

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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Agenda Item 3 (c)

CX/FICS 05/14/5  
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**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**  
**CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION**  
**AND CERTIFICATION SYSTEMS**

**Fourteenth Session**

**Melbourne, Australia, 28 November – 2 December 2005**

**PROPOSED DRAFT PRINCIPLES FOR THE APPLICATION OF TRACEABILITY/PRODUCT**  
**TRACING IN THE CONTEXT OF FOOD IMPORT AND EXPORT INSPECTION AND**  
**CERTIFICATION SYSTEMS**

**(N04-2005)**

**At Step 3**

**(Prepared by Australia with the assistance of Argentina, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, European Community, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, New Zealand, Norway, Philippines, Poland, South Africa, Spain, Sweden, Switzerland, Thailand, The Netherlands, United Kingdom, United States, Venezuela, OIE, ISO, IDF, CI, ICGMA, IFT, Croplife International and Europabio)**

Governments and international organizations wishing to submit comments on the following subject matter are invited to do so **no later than 1 November 2005** to: Codex Australia, Australian Government Department of Agriculture Fisheries and Forestry GPO Box 858, Canberra ACT, 2601 (fax: 61.2.6272.3103; E-mail: codex.contact@affa.gov.au), with a copy to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, Via delle Terme di Caracalla, 00100 Rome, Italy (Fax No + 39.06.5705.4593; E-mail: [codex@fao.org](mailto:codex@fao.org)).

## **Background**

1. The 13<sup>th</sup> Session of CCFICS (December 2004)<sup>1</sup> agreed on the need to develop principles for the application of traceability/product tracing in the context of food import and export inspection and certification systems and forwarded a proposal for new work to the 28<sup>th</sup> Session of the Codex Alimentarius Commission. The 28<sup>th</sup> Session of the Codex Alimentarius Commission (July 2005)<sup>2</sup> adopted the proposal for new work.

2. CCFICS agreed that in order to facilitate the development of the Principles, the Chairperson, in cooperation with the Vice-Chairpersons (Argentina and Norway) would prepare a revised set of Principles for the Application of Traceability/Product Tracing in the Context of Food Import and Export Inspection and Certification Systems that would take into account relevant documentation and discussion in the Committee. The Committee further agreed that the revised principles would be circulated by means of a Circular Letter<sup>3</sup> and that the responses to the Circular Letter would be discussed at a physical meeting of the Working Group.

<sup>1</sup> ALINORM 05/28/30 paragraph 92

<sup>2</sup> ALINORM 05/28/41 Appendix VIII

<sup>3</sup> CL 2005/23-FICS May 2005

### Consideration of the Preliminary Set of Principles on Traceability/Product Tracing

3. A physical meeting of a Working Group, open to all members and observers, was held in Brussels, Belgium from 12-14 September 2005 under the Chairmanship of Australia together with Vice Chairs from Argentina and Norway. A list of participants in the Working Group is at Attachment 2.

4. The Working Group developed a revised set of principles (Attachment 1). The revised principles take into account the written comments submitted in response to the Circular Letter (Attachment 3), previous discussion in the Committee, views expressed during Regional Seminars conducted<sup>4</sup>. In general comments received were in support of the further development of the Principles taking into consideration concerns that members have raised with respect to:

- the scope of the principles with respect to both food safety and fair practices in the food trade;
- mandatory versus voluntary application of traceability/product tracing; and
- the rationale for when and how to apply traceability/product tracing.

5. The Working Group had a general discussion which focussed on the context, design, rationale and application of traceability/product tracing as a tool within a food inspection and certification system. Through this discussion, the Working Group developed a revised set of principles (Attachment 1). The revised set of Principles recognises the dual mandate of the Codex Alimentarius.

6. The key messages throughout the drafting of the revised principles with regard to utilising Traceability/product tracing as a tool within a food inspection and certification system include:

- that as a tool does not of itself improve food safety outcomes or promote fair practices in food trade, i.e. it must be applied in combination with a measure or requirement
- ensuring the implications of implementation are fully considered (i.e. especially for developing countries)
- the exporting countries should not have to replicate the traceability/product tracing tool of the importing country, it need only meet the objectives of the importing country's food inspection and certification system
- ensuring a rationale for the application of traceability/product tracing is developed, with the objectives of the food inspection and certification system in which it is contained clearly defined
- justifying traceability/product tracing on a case by case basis
- appreciating that traceability/product tracing as a tool would not be the subject of a determination of equivalence – equivalence is about measures or requirements not tools *per se*. The concept developed in these principles is that the food inspection and certification systems objectives are all that is required to be met by the exporting country, i.e. two different systems can meet the same objectives.

7. The Title and Objective of the Principles were amended to reflect that the proposed principles have been developed to assist competent authorities in utilising traceability/product tracing as a tool within a food inspection and certification system and that the principles should be read in conjunction with existing CCFICS texts.

8. The document presented in Attachment 1 focuses on food safety but recognizes that the principles may also apply to non-safety areas (e.g., the prevention of economic fraud and consumer deception).

9. The Working Group agreed there was a need for further discussion at the Committee on the need to take into account flexibility, gradual implementation, and technical assistance when applying traceability/product tracing in developing countries.

10. The Working Group did not discuss whether the document should be incorporated into an existing CCFICS text or be adopted as a stand alone document. The Committee might wish to consider this question during its discussion in December 2005.

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<sup>4</sup> Latin America & the Caribbean, Asia, Europe and Africa. A further seminar is planned for the Near East in 2006

**Recommendation**

11. The Committee is invited to consider the attached *Proposed Preliminary Draft Set of Principles for Traceability/Product Tracing as a Tool within the Context of a Food Inspection and Certification System* presented in Attachment 1 with a view towards their further development.

**Attachment 1****PROPOSED PRELIMINARY DRAFT SET OF PRINCIPLES FOR TRACEABILITY / PRODUCT TRACING AS A TOOL WITHIN A FOOD INSPECTION AND CERTIFICATION SYSTEM****SECTION 1 INTRODUCTION**

1. The confidence that consumers have in the safety and suitability of food derives, in part, from the effectiveness of the competent authority's food inspection and certification system.
2. Recognising the dual mandate of the Codex Alimentarius, traceability/product tracing is a tool that may be applied, when and as appropriate, within a food inspection and certification system in order to contribute to the protection of consumers against food-borne hazards and deceptive marketing practices and to facilitate trade on the basis of accurate product description.

**SECTION 2 OBJECTIVE**

3. This document elaborates a set of principles to assist competent authorities in utilising traceability/product tracing as a tool within their food inspection and certification system. This document should be read in conjunction with all relevant Codex texts.

**SECTION 3 DEFINITIONS**

Inspection<sup>5</sup> is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements.

Certification<sup>2</sup>: is the procedure by which official certification bodies and officially recognized bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

Equivalence<sup>6</sup>: is the capability of different inspection and certification systems to meet the same objectives.

Traceability/product tracing<sup>7</sup>: the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.

**SECTION 4 PRINCIPLES**

4. These principles cover the context, rationale, design and application of traceability/product tracing as a tool for use by a competent authority within a food inspection and certification system.

**Context**

5. Traceability/product tracing, as defined above, is one of a number of tools that may be utilised by a competent authority in its food inspection and certification system.
6. An importing country should consider that in some cases it can be demonstrated that a food inspection and certification system without a traceability/product tracing tool may meet the same objective and produce the same outcomes (e.g. regarding food safety, provide the same level of protection) as a food inspection and certification system with traceability/product tracing<sup>8</sup>.
7. It should not be mandatory for an exporting country to replicate the traceability/product tracing tool of the importing country.

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<sup>5</sup> CAC/GL 20 – 1995. Principles for Food Import and Export Inspection and Certification

<sup>6</sup> CAC/GL 26 –1997 Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems

<sup>7</sup> Procedural Manual 14<sup>th</sup> Edition

<sup>8</sup> CAC/GL 34-1999 Guidelines for the Development of Equivalence Agreements Regarding Food Import and Export Inspection and Certification Systems; CAC/GL 53-2003 Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems

**Rationale**

8. The purpose of the application of a traceability/product tracing tool by a competent authority is to improve the effectiveness of the actions that may be necessary regarding its measures or requirements within its food inspection and certification system.
9. Traceability/product tracing is a tool that when applied in a food safety context does not in itself improve food safety outcomes unless it is combined with appropriate measures and requirements. It can contribute to the effectiveness or efficiency of associated food safety measures for example by providing information on suppliers or customers involved in potential food safety issues so enabling targeted product recall/withdrawal.
10. Traceability/product tracing is a tool that when applied in a food inspection and certification system can contribute to the protection of consumers against deceptive marketing practices and facilitation of trade on the basis of accurate product description by reinforcing confidence in the authenticity of the product and the accuracy of information provided on the products (e.g. origin, organic farming, religious concerns such as kosher or halal).
11. In every case a traceability/product tracing tool should be justified within the context of the food inspection and certification system and the purpose, objectives and specifications of the traceability/product tracing tool clearly described.

**Design**

12. The traceability/product tracing tool may cover all or specified stages of the food chain (from production<sup>9</sup> to distribution), as appropriate to the objectives of the food inspection and certification system.
13. The traceability/product tracing tool should be able to identify at any specified stage of the food chain (from production to distribution) from where the food came (one step back) and to where the food went (one step forward), as appropriate to the objectives of the food inspection and certification system.
14. The objectives, scope and related procedures of a food inspection and certification system that includes a traceability/product tracing tool should be transparent and made available to competent authorities of the exporting country upon request.

**Application**

15. The application of traceability/product tracing should take into account the capabilities of developing countries.
16. A food inspection and certification system within which a traceability/product tracing tool is applied should not be more trade restrictive than necessary.
17. The application of the traceability/product tracing tool should be practical, technically feasible and economically viable within a food inspection and certification system.
18. In deciding whether and how to apply the traceability/product tracing tool, in the context of a food inspection and certification system the competent authority should take account of the assessed food safety risks and/or the characteristics of the potential deceptive marketing practices being addressed.

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<sup>9</sup> Production should be interpreted in such a broad manner as to cover food producing animals, feed, fertilizers, pesticides, veterinary drugs and any input of plant or animal origin... if relevant for specific applications of traceability/product tracing to food. (Alinorm 04/27/33A)

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**Brussels Belgium 12-14 September 2005**

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**Attachment 3**

## Comments submitted in response to Codex Circular Letter CL2005/23-FICS

(Comments received from Argentina, Bolivia, Canada, Guatemala, Iran, Lithuania, Mexico, Norway, the United States and the European Community)

**Argentina**

## General comments:

1- In consistence with the comments made on other occasions and the position held by CCLAC Members – as can be seen in ALINORM 05/28/36 – which was presented at the last CCFICS session, we maintain that traceability/product tracing is a risk management tool which may be considered within food inspection and certification systems, in defining the various management options, particularly where there is a food safety risk.

Argentina believes that current control systems are sufficient to ensure food safety; perhaps, we consider that in certain cases, additional measures might be necessary, and under certain circumstances traceability might be an appropriate measure to help ensure the safety of a food.

Argentina also notes that measures adopted within control systems should basically aim to ensure food safety, which is – in our opinion – consumers' main concern regarding health protection, rather than their impression of control systems, which is absolutely subjective.

2- Argentina believes that traceability, as addressed in Codex discussions, may mislead consumers as to its actual scope. Traceability “per se” does not ensure the safety or characteristics of the food. Thus, we are of the view that not so much emphasis should be placed on this tool, where the real procedures ensuring food safety are those already established within food control, inspection and certification systems.

3- Last, one of the grounds for Argentina's concerns over taking traceability as a system that should be applied generally is that as long as there are no verifiable data that lead to the assumption that traceability may substantially improve the application of food safety measures, traceability “per se” may constitute an unnecessary, unjustified or arbitrary restriction on food trade, which will imply huge costs throughout the food chain – without additional benefits in terms of consumer health protection but with clear effects on product prices, which will definitely rise.

## Specific comments:

Argentina has made specific comments on the wording of Annex I, Proposed Draft Preliminary Set of Principles on Traceability/Product Tracing in the Context of Food Inspection and Certification. The additions appear in bold, and the wording that should be deleted or moved appear have been crossed out.

**ANNEX 1**

**NAME: PROPOSED PRELIMINARY DRAFT SET OF PRINCIPLES FOR THE APPLICATION OF TRACEABILITY / PRODUCT TRACING AS A RISK MANAGEMENT TOOL, WITHIN ~~WITH~~ RESPECT TO FOOD INSPECTION AND CERTIFICATION**

## SECTION 1 INTRODUCTION

1. The confidence that consumers have in the safety and suitability of food derives, in part, from the perception of the effectiveness of the food control measures, including inspection and certification. ~~Traceability/product tracing is a tool that may be applied, when and as appropriate, within a food inspection and certification system.~~ Inspection, including observation, testing and record-keeping, can be one of the primary tools for verifying that a particular batch of food has been treated in a specified manner through the various phases of processing and handling of foods. Certification is one means of attesting to interested parties as to the health status and characteristics of a food. **In certain duly justified cases, traceability/product tracing may be an additional necessary tool, to apply within a food inspection and certification system, to check that certain food safety objectives are achieved.**

2. In paragraph 2, we suggest the following amendments and additions, in the understanding that “Traceability/product tracing when linked to process control measures, can **help** provide confirmation that foodstuffs comply with food safety requirements, such as conditions of production, processing and distribution. ~~It may also provide confirmation that other requirements, as specified by the food inspection and certification system, are met.~~ Traceability / product tracing can also be used as a **tool for the application** of food safety risk management options to prevent distribution and /or enable rapid recall of a particular food product upon identification of an associated health risk.

## SECTION 2 OBJECTIVE

3. This document elaborates a set of principles to assist competent authorities in determining the appropriate design and application of traceability / product tracing, **as a food inspection and certification tool, when it is needed to ensure a food safety objective.** These principles cover the rationale and application of **criteria for the application of** traceability /product tracing.

## SECTION 3 DEFINITIONS

Inspection<sup>1</sup> is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements.

Certification<sup>1</sup>: is the procedure by which official certification bodies and officially recognised bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

Equivalence<sup>10</sup>: is the capability of different inspection and certification systems to meet the same objectives.

Traceability / product tracing<sup>11</sup>: the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.

## SECTION 4 PRINCIPLES

### RATIONALE FOR TRACEABILITY/PRODUCT TRACING

4. Traceability/product tracing should have clear justification ~~with respect to food safety and/or ensuring fair practices in food trade,~~ **in accordance with an objective assessment of the risks with respect to a food safety objective.**

### SCOPE OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS

New 5 Traceability/product tracing is a tool which should be considered within a food inspection and certification system, as support to food safety sanitary risk management options.

<sup>1</sup> CAC/GL 20 – 1995. Principles for Food Import and Export Inspection and Certification.

<sup>10</sup> CAC/GL 26 –1997 Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems

<sup>11</sup> ALINORM 04/27/33A APPENDIX IV

**5 bis.** The scope of traceability/ product tracing should be justified **by risk managers** on a case-by-case basis, **based on an objective assessment of food safety risks**, according to the objective(s) of the food inspection and certification system within which product tracing is implemented.

6. The extent of application of traceability/product tracing should ~~be based on an assessment of risks~~ **result from the analysis conducted by risk managers, be duly justified by the outcome of the risk assessment, and be used provided that no other risk management options are capable of meeting the food safety objectives pursued and provided that** ~~and with~~ due consideration **is given** to the requirement for traceability/product tracing to be no more trade restrictive than required. ~~Alternative measures~~ **Alternatives to traceability/product tracing** or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product tracing.

7. **Where the adoption of provisions is necessary**, traceability/product tracing should be confined to recording the movement of food along the food continuum from where the food came (one step back) and to where the food went (one step forward), **taking into account the safety objective pursued and the outcome of the risk assessment.**

#### DESIGN OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS

8. Traceability/product tracing should be designed in terms of performance rather than prescriptive specifications.

9. Traceability/product tracing should be designed **as a tool determined by risk analysis and** to cover only those stages in the food chain, which are necessary to achieve the objective.

10. Application of traceability/product tracing requirements should be effective, practical, technically and economically feasible and proportional to the risk that is being controlled.

11. **Where its use is determined as a result of risk analysis**, a traceability/product tracing, including its scope and related procedures within a food inspection and certification system, should be available for consideration and comment by trading partners.

12. Traceability/product tracing applied **as a measure of support to the required measure** by an importing country should be subject to equivalence if an exporting country seeks to engage in the process to judge equivalence of an alternative measure.

13. The application of traceability/product tracing should take into account the capabilities of developing countries. **Also, developed countries should adopt appropriate measures to provide assistance to developing countries, where the application of traceability/product tracing creates additional costs in infrastructure, facilities and technical training.**

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#### **Bolivia**

With regard to document CL2005/23-FICS and in particular with reference to Section 4

Principles, Point 2 “Scope of Traceability/Product Tracing within Food Inspection and Certification Systems”, the National Codex Alimentarius Committee of Bolivia states:

- that the scope of traceability in the “Proposed Preliminary Draft Set of Principles for the Application of Traceability/Product Tracing with Respect to Food Inspection and Certification” should be specific, to avoid other interpretations that may be applied for the convenience of any importing country to restrict trade;
  - that the principles of the WTO with regard to: “National Treatment”, “Most-Favoured Nation”, “Special and Differential Treatment – SDT” and others should be included; and such terms as “no more trade restrictive than required” should be eliminated.
-

## Canada

Canada would like to express its appreciation to Australia, Argentina and Norway for their work in revising the preliminary set of principles presented at the 13<sup>th</sup> Session of CCFICS.

### General comments:

Canada generally agrees with the Principles presented in the document, however; we would suggest some modification to the Introduction section to more clearly establish the role of Traceability/Product Tracing in Food Inspection and Certification Systems.

### Specific comments:

#### Section 1 - Introduction

##### Paragraph 1 - 1<sup>st</sup> Sentence:

Canada recommends removing the first sentence of this paragraph as it does not significantly contribute to the introductory comments regarding the application of traceability/product tracing in food inspection and certification systems. In review, this sentence may be mistakenly interpreted to suggest that traceability is being applied for the purpose of modifying consumer perception of the effectiveness of food control measures. Codex needs to ensure that there is a clear justification for the application of Traceability/Product Tracing related to either food safety or ensuring fair practices in food trade.

The third and fourth sentences of paragraph 1 attempt to paraphrase the respective Codex definitions for inspection and certification found in Section 3 and thereby increase the complexity of this paragraph. We, therefore, recommend deletion of these sentences.

Canada is of the view that documentation and records (regarding compliance to food safety controls and requirements) are appropriately covered in the *Recommended International Code of Practice General Principles of Food Hygiene* (CAC/RCP 1-1969, Rev. 4-2003) (GPFH). It is the application of the GPFH, as verified within a food inspection and certification system that provides assurance that foods comply with requirements. Canada recommends that the first paragraph of this introductory section should clarify the key primary role that the GPFH document has in establishing principles and controls for the production of safe food. Hence, Canada recommends the following text for paragraph 1:

“Traceability/ product tracing is a tool that may be applied, when and as appropriate, within a food inspection and certification system. While the *Recommended International Code of Practice General Principles of Food Hygiene*<sup>12</sup> sets out principles and controls for the production of safe food, traceability/product tracing may facilitate the rapid identification of products associated with a health risk so that appropriate corrective actions may be taken.”

##### Paragraph 2

Canada believes that Traceability/Product Tracing cannot **provide confirmation** that foodstuffs comply with requirements - rather, it provides a link between the foodstuff and the application of specific requirements appropriate to the food control system. Similarly, Traceability/Product Tracing in and by itself cannot **prevent distribution or enable rapid recall** of a particular food product. However, it can speed up the investigative processes to facilitate subsequent action. Hence we would recommend the following text for this paragraph:

“Traceability/Product Tracing, when applied within process control systems, can provide a clear link between a food and the application of food safety requirements at defined points in the supply chain, such as conditions of production, processing and distribution. It may also provide the necessary linkage between the food and the application of other requirements, as specified by the food inspection and certification system.”

#### Section 3 - Definitions

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<sup>12</sup>CAC/RCP 1-1969, Rev. 4-2003

Footnote 3 at the end of the “Traceability/Product tracing” definition references ALINORM 04/27/33A, which is the report of the 20<sup>th</sup> Session of the Codex Committee on General Principles. As the definition has been adopted by the 27<sup>th</sup> Session of the Commission and incorporated into the Codex Procedural Manual, it would be more appropriate to reference the 14<sup>th</sup> Edition of the Procedural Manual rather than the report of CCGP.

#### **Section 4 - Principles**

##### Paragraph 6

Canada suggests this paragraph be kept consistent with wording found in paragraph 10 - while a risk assessment would be appropriate to establish health risks associated with a food, the extent of application of traceability/product tracing should be proportional to the health risk rather than simply based on the assessment. Canada, therefore, suggests the following:

“The extent of application of traceability/product tracing should be ~~based on an assessment of risks~~ **proportional to the health risk presented by the food** with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required. Alternative measures or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product tracing.”

##### Paragraph 7

Canada believes that this paragraph could be enhanced to reduce confusion around the need for “recording the movement” and to further explain what is meant by one step forward and one step back. Canada suggests the following text for paragraph 7:

“Traceability/product tracing should incorporate a means to follow the movement of a food along specified stages of production, processing and distribution, based on a one-step backward, one-step forward approach, i.e., at each stage in the food continuum, information should be available regarding the immediate source(s) and subsequent recipient(s) of the food.”

##### Paragraph 10

Canada recommends the following revision for consistency with previous changes regarding removal of reference to “requirements”:

“~~Application of Traceability/product tracing requirements~~ should be effective, practical, technically and economically feasible and proportional to the risk that is being controlled.”

##### Paragraph 12

Canada questions whether or not traceability/product tracing should be singled out as a measure for which countries may seek equivalence. Should this paragraph be retained, Canada recommends its modification to provide greater clarity around the application of equivalence to traceability, as follows:

“When an importing country includes traceability/product tracing in its food control system, such a requirement could be the subject of an equivalence determination, i.e., an exporting country may request an equivalence judgement provided it can demonstrate that the food safety or other objectives of the importing country are achieved by the exporting country’s system even though the exporting country’s system does not include traceability/ product tracing.”

##### Paragraph 13

We are uncertain as to the meaning or intent of this principle, and therefore suggests that it be clarified, or otherwise deleted.

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## Guatemala

Guatemala thanks the Chair of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) and the Committee Chairpersons (Argentina and Norway) for the work done to prepare the preliminary document on the Principles of Traceability/Product Tracing. For its part Guatemala considers that the comments made and published in document CX/FICS 04/13/6 – Add 1, have been taken into account.

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## Iran

Please find Iran comments about the document on “Proposed preliminary draft set of principles for the application of traceability / product tracing with respect to food inspection & certification (CL 2005/23-FICS)

Page 1, Background, line 2: The 13th session of the CCFICS was held in Melbourne, not in Brisbane, as stated in Background.

As the document does not seem as a guideline by the existing format , it is proposed to attach the whole document as an annex to , or to incorporate it in , CAC/GL 20-1995 : Principles for food import & Export inspection and certification.

Page 2, section 1: Introduction, paragraph 1, lines 4 to 7:

It does not seem appropriate to explain about inspection and certification in Introduction where the topic is about traceability.

Page 2, section 2: Objective, line 1: We propose that the verb “elaborates” be changed to “establishes “.

Page 2, section 3: Definitions: If it is accepted to change the format of this document as an annex to, or incorporated in, CAC/GL 20- 1995, it would be necessary to apply some changes in the text accordingly, eg. Omitting section 3: definitions, and adding the new definitions to the existing ones in the appropriate section.

Page 2, section 3: Definitions, line 1: A colon ( : ) is omitted after inspection.

Page 2, section 3: Definitions, lines 4 & 5: In the case of revision of CAC/GL 20-1995, we propose the definition of certification to be revised in line with ISO/IEC 17000: 2004.

Page 2 , section 3 : Definitions , line 6 : For consistency with the international vocabulary on management systems , it is proposed that the phrase " auditing of quality assurance systems " be changed to " auditing of quality management systems " .

Page 2, section 3: Definitions, line 9: The terms traceability / product tracing are not clear and need be defined independently if different in meaning. We also propose the term traceability to be used solely.

Page 2: section 3: Definitions, line 9: We propose that the definition for traceability should be modified in compliance with the definition given in ISO 9000: 2000.

Page 3: section 4: Principles: paragraph 7: We propose the whole paragraph to be changed to the following:

Traceability, in the context of this document, should be confined to the previous and/or next step of food supply chain).

Page 3 : section 4 : Principles : paragraph 9 : It is suggested that the phrase " food chain " should be altered to " food supply chain " .

Page 3: section 4: paragraph 11: It is recommended to add the term “scheme “after " traceability / product tracing “.

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## Lithuania

Lithuania congratulates the Preliminary Set of Principles on Treceability/Product Tracing CL 2005/23- FICS and has not comments on the Annex I.

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## Mexico

The General Division of Standards as the official contact point for the Codex Alimentarius in Mexico, is pleased to have the opportunity to forward its comments on the circular letter **CL 2005/23-FICS “Proposed Preliminary Draft Set Of Principles For The Application Of Traceability / Product Tracing With Respect To Food Inspection And Certification” Annex 1**

### General Comment

It is suggested that in the Spanish version the work “debería” be used instead of “debe” in compliance with the document’s recommendatory nature, in all instances where the English version uses “should”.

### Specific comments

**Para. 11.-** In stating “...should be available for consideration and comment...”, the paragraph seems to refer to the procedures prior to the implementation process, as a result is suggested adding to the text to indicate that in this stage, as in that in which the procedures are already in force, the latter must be available.

“A traceability/product tracing, including its scope and related procedures within a food inspection and certification system, should be available for consideration and comment by trading partners, prior to its implementation. Once in force, the procedures should be transparent and available.”

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## Norway

Norway is pleased to submit the following comments to be considered by the physical meeting of the Working Group on Traceability in Brussels, Belgium 12 – 14 September 2005.

In the following document we have highlighted the key areas which we feel are of great importance, beginning with general comments and then comments on the draft by the chapters. We propose that some chapters be moved and deleted, we have added a few new paragraphs and we have some questions for clarification.

Norway’s comments regarding the extent of the scope is covered by rearranging the document and focusing on tracing one step forward and one step back (new section 4, paragraph 9 in our annex1) and also done by focusing on the object (new paragraph 7 in our annex1). We refer to the circulated document as the *Preliminary set of principles* and our annex 1 as *our proposal*.

### **General comments**

A document on principles for traceability/product tracing will be useful to fulfil and complete already existing CCFICS texts e.g. the general principles in the “Principles for Food Import and Export Inspection and Certification<sup>13</sup>”, the “Guidelines for the Exchange of Information between countries on rejection of imported food<sup>14</sup>” and the “Guidelines for the Exchange of Information in food control emergency situations<sup>15</sup>”.

Regarding the *Preliminary set of principles* Norway feels strongly that the document needs to be clearer and simpler to be useful for competent authorities, producers and/or traders. We have therefore suggested changes in the draft to meet this.

Norway would also like to point out that we find it important that the document on “Principles on traceability/product tracing” has a clear reference to:

- *the advantage of the ability to trace food through the production and distribution chain one step back and one step forward. The Competent Authority may thus control these records and thereby get information on the movement of food along the food continuum.*

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<sup>13</sup> CAC/GL 20-1995

<sup>14</sup> CAC/GL 25-1997

<sup>15</sup> CAC/GL 19-1995

- *the objectives i.e. to secure food safety, minimize losses for food producers and food handlers, to secure consumers' health protection in case of food emergencies, and/or to provide information when there is a need for specific information related to a product, to enable rapid removing from the market and to minimize losses and negative impact on the industry.*
- *that based on the objectives various actors might choose various tools to achieve traceability/product tracing.*

With reference to the first bullet point Norway would like to point out that if food emergencies arise, **measures to restrict the import** to secure food safety and to protect the consumers may be established and we would like to highlight that in this case an importing country shall seek to reduce the protective measures introduced, according to traceability/product tracing systems in the exporting country.

We would also like to refer to WTO/SPS and WTO/TBT agreements in order to point out that traceability /product tracing can be used to minimize the measures needed to be taken by competent authorities when an importing country exercises its right to introduce justified technical barriers to international trade in food<sup>16</sup>.

### **Comments on the drafted Chapters in the *Preliminary set of principles***

The drafted document on *Preliminary set of principles* is not easily accessible as it has a complicated wording and structure. For clarity we have rearranged the *Preliminary set of principles*, and our suggestion is to have a document with sections only on introduction, definitions, objectives and principles. In our point of view this will make the document clearer and easier to read. We have attached our suggestion in annex 1 to this letter and refer to it as *our proposal*.

### **Comments concerning “Section 1 Introduction”, “Section 2 Objective” and “Section 3 Definitions” in the *Preliminary set of principles***

The information in paragraphs 1 and 2 are useful but should in our opinion be introduced after paragraph 3 instead. Our proposal therefore has an introduction which includes elements from all three paragraphs and two new paragraphs. The reason for this is that we acknowledge the importance of including the objective of the document, but we believe that the objective of traceability/product tracing should be in the section “objective”. We therefore suggest a “section 3 objective” containing the objectives of traceability/product tracing (including elements from paragraph 2). In addition, moving the definitions to section 2 will in our opinion provide a clearer introduction to the *Preliminary set of principles* and the understanding of traceability/product tracing.

### ***New section 3 on the objective in our proposal***

The objective of traceability/product tracing needs to be determined and described by the food producer or trader before deciding how to achieve traceability/product tracing. This will be especially useful when determining the extent of traceability/product tracing. Norway has therefore suggested a new section 3 containing a paragraph 6 for this purpose.

### ***New paragraph 7***

- Para 7a is the same as paragraph 4 in the *Preliminary set of principles*.
- Para 7b refers to paragraph 2, in the *Preliminary set of principles*.
- Para 7c underlines that traceability/product tracing may be used as a food safety management option to prevent distribution and enable rapid removing from the market if emergencies arise (it also refers to paragraph 2, last sentence, in the *Preliminary set of principles*).
- Para 7d deals with the fact that traceability/product tracing may be used to reduce the measures to be taken by the competent authorities, thus offering a potential to minimize the losses and the negative impact on the economy should emergencies arise. By this we mean that if an importing country discovers a risk in a product, instead of stopping all products from the exporting country, a traceability system can provide information about the product involved and via that information narrow/limit the rejection from the exporting country.

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<sup>16</sup> Reference to WTO/SPS and WTO/TBT Agreements

Various systems on traceability/product tracing have been developed by various parties to be used by food producers and food handlers. The systems are based on different objectives, for example to secure information on a product (where it came from and where it went), to secure safe food by having this information and being able to recall and or withdraw the product (in case of an emergency), thereby minimizing losses for food producers and food handlers and protecting the consumers. There may also be objectives regarding trading partners' need to exchange specific information related to a product.

The Authorities have a need for information along the food continuum and see traceability/product tracing as a tool to secure safe food and give the necessary information about a product, should food emergencies arise. We therefore see it as very important to have the objective of traceability/product tracing clearly expressed in the document.

#### **Comments concerning Section 4 Principles in the *Preliminary set of principles***

The *Preliminary set of principles*' section 4 contains the rationale, scope and design. Norway supports the content of the chapter in general. However we do have a few comments and proposals for new paragraphs. For clarification Norway would like to propose merging these into one section on principles which covers these elements. Norway has therefore not used the terms Rationale and Scope, and has included the elements from these sections in the relevant chapters in *our proposal* within the sections of "Objectives" and "Principles".

| <i>Preliminary set of principles</i> | <i>Our proposal</i> | <i>Comments</i>  |
|--------------------------------------|---------------------|--|
| Paragraph 4                          | Paragraph 7         | Included in the objectives.  |
| Paragraph 5                          | Paragraph 8         | May we have a clarification on this paragraph?   |
| Paragraph 6                          | Paragraph 10        | To clarify, we have suggested that traceability/product tracing should be based on <u>the objectives</u> and, with reference to the suggested new paragraph 6c, we feel that it should be based on the food safety risk management option.   |
| Paragraph 7                          | Paragraph 9         |  |
| Paragraph 8                          | Paragraph 11        | May we have a clarification on this paragraph?   |
| Paragraph 9                          | Paragraph 12        | May we have a clarification on this paragraph?   |
| Paragraph 10                         |                     | We feel that this is a matter of course and obvious regarding the introduction and objective and have therefore deleted the paragraph.   |
| Paragraph 11                         | Paragraph 13        | We have a proposal to rephrase paragraph 12 and 13 (equivalence). We do not believe that this changes the intention of the paragraph but it makes it clearer and also has a reference to CAC/GL 20-1995:<br><br>The obligation to demonstrate equivalence rests with the exporting country. Alternative measures or technical regulations may be adopted where those alternatives achieve the identified objective, are technically and economically feasible (cost effective) and less trade restrictive than traceability/product tracing. |
| Paragraph 12                         | Paragraph 13        |  |
| Paragraph 13                         |                     | Is included as a footnote paragraph 1 and is therefore deleted as a principle for traceability/product tracing.  |
|                                      | Paragraph 14        | New paragraph on the need for information to be made available for competent authorities and   |

|  |  |               |
|--|--|---------------|
|  |  | stakeholders. |
|--|--|---------------|

To conclude Norway sincerely hopes that the Working Group will feel able to recommend clear and useful principles to achieve traceability/product tracing within food import and export inspection and certification systems.

## NORWAY PROPOSED ANNEX 1

### PROPOSED PRELIMINARY DRAFT SET OF PRINCIPLES FOR THE APPLICATION OF TRACEABILITY / PRODUCT TRACING WITH RESPECT TO FOOD INSPECTION AND CERTIFICATION

#### SECTION 1 INTRODUCTION

1. This document elaborates a set of principles that may assist competent authorities when deciding to include traceability/product tracing in legislation within their jurisdiction. These principles cover the objective, rationale and application of traceability /product tracing to assist the competent authorities to determine the appropriate design and application<sup>17</sup>.
2. The competent authority has the right and duty to control food producers' and food handlers' compliance with food legislation, regulations and standards. The confidence that consumers have in the safety and suitability of food derives, in part, from their perception of the effectiveness of food control measures, including inspection and certification.
3. The primary responsibility for food safety and for food being of the described quality lies with the food producers and traders. Producers and traders may utilize various tools to ensure that their food products are safe and of the described quality. One of these tools might be traceability/product tracing. Different parties have developed various traceability/product tracing systems to be used by food producers and food handlers.
4. Competent authorities may wish to include a requirement for food producers to apply traceability /product tracing to protect the health of consumers and ensure fair practices in food trade. Traceability/product tracing may be applied within a food inspection and certification system.
5. Traceability/product tracing is a tool for competent authorities as well as producers and traders to minimize risks to human health, secure rapid information about a product and rapid removal from the market and thereby minimize losses and negative impact in a food control emergency situation.
6. In international trade there should be reciprocal understanding and acceptance of the application of traceability/product tracing with respect to food inspection and certification, in order to minimize losses due to measures taken by competent authorities.

#### SECTION 2 DEFINITIONS

*Traceability /product tracing*<sup>18</sup>: the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.

*Inspection*<sup>19</sup> is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements.

*Certification*<sup>20</sup> is the procedure by which official certification bodies and officially recognized bodies provide written or equivalent assurance that food or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

<sup>17</sup> The application of traceability/product tracing should take into account the capabilities of developing countries.

<sup>18</sup> ALINORM 04/27/33A APPENDIX IV

<sup>19</sup> CAC/GL 20 – 1995. Principles for Food Import and Export Inspection and Certification

<sup>20</sup> CAC/GL 20 – 1995. Principles for Food Import and Export Inspection and Certification

*Equivalence*<sup>21</sup>: is the capability of different inspection and certification systems to meet the same objectives.

*Requirements*<sup>22</sup> are the criteria set down by the competent authorities relating to trade in foodstuffs covering the protection of public health, the protection of consumers and conditions of fair trading.

### SECTION 3 OBJECTIVE OF TRACEABILITY/PRODUCT TRACING

7. The objectives of Traceability /Product Tracing are to:
  - a. **secure food safety and/or** ensure fair practices in food trade.
  - b. **provide confirmation** (when linked to process control measures) that foodstuffs comply with food safety requirements, such as conditions of production, processing and distribution. It may also provide confirmation that other requirements, as specified by the food inspection and certification system, are met (when there is a valid justification to demand specific information related to a product).
  - c. be used as a **food safety risk management option** to prevent distribution and /or enable rapid removing from the market of a particular product upon identification of a health risk.
  - d. **minimize the losses** of food producers and food handlers **by reducing the measures** taken by competent authorities, and thereby reducing the negative impact on the economy of a food exporting country should emergencies arise within the food trade.

### SECTION 4 PRINCIPLES

8. The scope of traceability/product tracing should be justified on a **case-by-case basis** according to the objective(s) of the food inspection and certification system within which traceability/product tracing is implemented.
9. Traceability/product tracing should be confined to recording the movement of food along the food continuum from where the food came (one step back) and where the food went (one step forward).
10. Traceability/product tracing should be **no more trade restrictive than required** and based on the objective(s). Alternative measures or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product tracing.
11. Traceability/product tracing should be designed in terms of performance rather than prescriptive specifications.
12. Traceability/product tracing should be designed to cover only those stages in the food chain, which are necessary to achieve the objective.
13. Traceability/product tracing systems and different alternative measures may be capable of meeting the same objective, and are therefore equivalent. Traceability/product tracing within a food inspection and certification system should be available for consideration and comment by trading partners.
14. Information on the movement of food should be made available for the competent authority and stakeholders.

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#### United States

The United States appreciates the work of Australia in revising the *Preliminary Set of Principles on Traceability/Product Tracing* and provides the following comments.

#### General Comments

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<sup>21</sup> CAC/GL 26 –1997 Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems

<sup>22</sup> CAC/GL 20 – 1995. Principles for Food Import and Export Inspection and Certification

The United States supports the development by CCFICS of a set of Codex principles for traceability/product tracing to support food import and export inspection and certification systems. We believe that such a set of principles will be helpful to countries that wish to develop and implement traceability/product tracing programs.

The United States generally supports the content of the *Preliminary Set of Principles for Traceability/Product Tracing*. The U.S. would add two principles as indicated below. Additionally, the U.S. suggests some reformatting and reordering to make the principles more succinct and flow in a logical order. These changes are also given in the specific comments below.

The United States is attaching, as Appendix 2, a previously submitted set of principles for traceability/product tracing (T/PT) from which the two added principles were drawn.

### **Specific comments**

#### **Section 1: Introduction**

Paragraph 1. The United States suggests that the first sentence be deleted. While the thought being conveyed is correct, we do not believe that it is necessary to be included in a principles documents on T/PT.

#### **Section 4: Principles**

Following is a version of Section 4, Principles, that includes the U.S. suggested reformatting and reordering of the principles. New material is underlined, deleted material is shown as a strikethrough, and the new principles added by the U.S. are shown in bold. A version with the strikethroughs taken is attached as Appendix 1.

### **RATIONALE FOR TRACEABILITY/PRODUCT TRACING**

4. Traceability/product tracing should have clear justification with respect to food safety and/or ensuring fair practices in food trade.

### **SCOPE OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

5. The scope of traceability/product tracing:

~~5. The scope of traceability/product tracing~~ Should be justified on a case-by-case basis according to the objective(s) of the food inspection and certification system within which product tracing is implemented.

- Should cover only those stages in the food chain that are necessary to achieve the objective.
- **Should clearly identify the product(s) and hazard(s) subject to product tracing. (Note: new proposed principle).**

~~6. The extent of application of traceability/product tracing should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required. Alternative measures or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product tracing.~~ (Note: the United States believes the use of risk assessment and the use of alternative measures are part of the design of T/PT systems and suggests this principle be moved to the design section. Additionally, as drafted, this principles consists of two separate issues, the use of risk assessment and the use of alternative measures; the U.S. suggests these become two separate principles.)

~~7. Traceability/product tracing~~ Should be confined to recording the movement of food along the food continuum, in a step-wise manner; that is from where the food came (one step back) and to where the food went (one step forward).

### **DESIGN OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

Traceability/product tracing systems:

~~8. Traceability/product tracing~~ Should be designed in terms of performance rather than prescriptive specifications.

~~9. Traceability/product tracing should be designed to cover only those stages in the food chain, which are necessary to achieve the objective. (Note: the United States suggests this principle is actually a principle relating to scope and has moved the principle to the scope section above.)~~

- Should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required.
- Should adopt alternative measures or technical regulations where those alternatives achieve the identified objective, are technically and economically feasible and are less trade restrictive than traceability/product tracing.
- Should be made available for comment by trading partners before going into effect.
- **Should endeavor to respect proprietary information and not interfere with a manufacturer's ability to access markets. (Note: new proposed principle).**

#### **APPLICATION OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

(Note: the United States suggests the addition of this new section encompassing the following principles because they relate to application, and not to design, of T/PT systems).

The application of traceability/product tracing systems:

~~10 Application of traceability/product tracing systems~~ Should be effective, practical, technically and economically feasible.

- Should be ~~and~~ proportional to the risk that is being controlled. (The U.S. suggests separation of this thought as it is a sufficiently separate thought to warrant its being a separate principle).

~~11. A traceability/product tracing, including its scope and related procedures within a food inspection and certification system,~~ Should be transparent, including scope and operating procedures, be available for consideration and comment by trading partners.

~~12 Traceability/product tracing applied by an importing country~~ Can should be subject to equivalence if an exporting country seeks to engage in the process to judge equivalence of an alternative measure. (Note: the United States believes “should” is too strong a word in this instance).

~~13. The application of traceability/product tracing~~ Should take into account the capabilities of developing countries.

Thank you for the opportunity to provide these comments.

#### **United States Appendix 1**

##### **Section 4, Principles, as a “strikeouts taken” document.**

#### **RATIONALE FOR TRACEABILITY/PRODUCT TRACING**

4. Traceability/product tracing should have clear justification with respect to food safety and/or ensuring fair practices in food trade.

#### **SCOPE OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

5. The scope of traceability/product tracing:

- Should be justified on a case-by-case basis according to the objective(s) of the food inspection and certification system within which product tracing is implemented.
- Should cover only those stages in the food chain that are necessary to achieve the objective.
- Should clearly identify the product(s) and hazard(s) subject to product tracing.
- Should be confined to recording the movement of food along the food continuum, in a step-wise manner; that is from where the food came (one step back) and to where the food went (one step forward).



## **DESIGN OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

### 6. Traceability/product tracing systems:

- Should be designed in terms of performance rather than prescriptive specifications.
- Should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required.
- Should adopt alternative measures or technical regulations where those alternatives achieve the identified objective, are technically and economically feasible and are less trade restrictive than traceability/product tracing.
- Should be made available for comment by trading partners before going into effect.
- Should endeavour to respect proprietary information and not interfere with a manufacturer's ability to access markets.

## **APPLICATION OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

### 7. The application of traceability/product tracing systems:

- Should be effective, practical, technically and economically feasible.
- Should be proportional to the risk that is being controlled.
- Should be transparent, including scope and operating procedures.
- Can be subject to equivalence if an exporting country seeks to engage in the process to judge equivalence of an alternative measure.
- Should take into account the capabilities of developing countries.

### **United States Appendix 2.**

#### **Proposed principles for traceability/product tracing previously submitted by the United States.**

#### Principles for the application of "traceability/product tracing" by governments with respect to food safety

For the purposes of food safety, traceability/product tracing:

- a. Should facilitate the rapid removal of unsafe food products from the marketplace.
- b. Can be used to achieve a stated level of protection for a specific hazard(s) in a specific food product(s).
- c. Should have the ability to mitigate or eliminate the identified risk.
- d. Should be based on scientific information/data and a risk assessment as appropriate to the circumstances.
- e. Should be no more trade-restrictive than required<sup>23</sup>.
- f. Should be applied equally to domestic and imported products.
- g. Should be limited to the steps in the food chain necessary to achieve the identified food safety objective.
- h. Should be imposed only when less intrusive and less intensive measures do not exist to achieve the stated goal.
- i. Should clearly identify the product(s) and hazard(s) subject to product tracing.
- j. Should be able to be implemented with procedures that are feasible, practical and effective.

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<sup>23</sup> A measure is not more trade-restrictive than required unless there is another measure, reasonably available taking into account technical and economic feasibility, that achieves the appropriate level of protection and is significantly less restrictive to trade.

- k. Should not require that there be excessive documentation to substantiate product tracing as an integral part of a product label or otherwise attached to the product.
- l. Should take into consideration the special concerns of developing countries.
- m. Should limit information requirements to what is necessary for appropriate control, inspection and approval procedures.
- n. Should, insofar as possible, require record keeping only one step back and one step forward at each point in food production and distribution.
- o. Should endeavour to respect proprietary information and not interfere with manufacturer's ability to access markets.

Principles for the application of "traceability/product tracing" by governments with respect to non-food safety

For the purposes of non-food safety, traceability/product tracing:

- a. Should not be prepared, adopted or applied with a view or with the effect of creating unnecessary obstacles to trade.
- b. Should be applied equally to domestic and imported products.
- c. Should be no more trade restrictive than necessary to fulfil a legitimate objective as a TBT measure.
- d. Should clearly identify the specific product(s) subject to product tracing and the legitimate objective(s).
- e. Should be limited to those portions of the food chain that are necessary to fulfil the legitimate objective.
- f. Should be imposed only when less intrusive and less intensive measures do not exist to achieve the stated goal (e.g., when end-product tests can validate a claim, additional substantiation should not be necessary).
- g. Should take into consideration the benefits to be achieved versus the costs of implementation.
- h. Should be able to be implemented with procedures that are feasible, practical and effective.
- i. Should endeavour to respect proprietary information and not interfere with manufacturer's ability to access markets.
- j. Should not require that there be excessive documentation to substantiate product tracing as an integral part of a product label or otherwise attached to the product.
- k. Should take into account the special concerns of developing countries.
- l. Should, insofar as possible, require record keeping only one step back and one step forward at each point in food production and distribution.

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### **European Community**

The European Community and its 25 Member States (herein after referred to as the EC) appreciate the opportunity to address the Codex Alimentarius Commission's request for comments on a Preliminary Set of Principles on Traceability/Product Tracing (CL 2005/23-FICS) and wish to thank the Chairperson and Vice Chairpersons of the Ad Hoc Working Group for having revised the proposed text in light of the discussion held during the 13<sup>th</sup> session of CCFICS.

### **General comment**

The EC is fully convinced that the two main objectives of Codex, protecting the health of the consumers and ensuring fair practices in the food trade, cannot be dissociated when dealing with the question of traceability. Traceability/product tracing is indeed a tool that may be applied within a broader food inspection and certification system for different purposes: food safety, protection of consumers against deceptive marketing practices and facilitation of trade on the basis of accurate product description.

**Specific comments**

The proposed text amended in ‘track changes’ is annexed to the current response (Annex 1).

**ANNEX 1**

**PROPOSED PRELIMINARY DRAFT SET OF PRINCIPLES FOR THE APPLICATION OF  
TRACEABILITY / PRODUCT TRACING WITH RESPECT TO FOOD INSPECTION AND  
CERTIFICATION**

**SECTION 1 INTRODUCTION**

1. The confidence that consumers have in the safety and suitability of food derives, in part, from the perception of the effectiveness of the food control measures, including inspection and certification. Traceability/product tracing is a tool that may be applied, when and as appropriate, within a food inspection and certification system **in order to help protect consumers against food-borne hazards and deceptive marketing practices and to facilitate trade on the basis of accurate product description**. Inspection, including observation, testing and record-keeping, can be one of the primary tools for verifying that a particular batch of food has been treated in a specified manner through the various phases of processing and handling of foods. Certification is one means of attesting to interested parties as to the health status and characteristics of a food.

**2. Traceability/product tracing can be used as a food safety management option to facilitate withdrawal from the market and/or enable rapid recall of a particular food product upon identification of an associated health risk or for some other valid reason which would adversely affect consumer interests. Traceability/product tracing can provide confirmation that foodstuffs comply with food safety requirements and fair practices in the food trade, as regards, in particular, conditions of production, processing and distribution.**

~~2. Traceability/product tracing when linked to process control measures, can provide confirmation that foodstuffs comply with food safety requirements, such as conditions of production, processing and distribution. It may also provide confirmation that other requirements, as specified by the food inspection and certification system, are met. Traceability / product tracing can also be used as a food safety risk management option to prevent distribution and /or enable rapid recall of a particular food product upon identification of an associated health risk.~~

**SECTION 2 OBJECTIVE**

3. This document elaborates a set of principles to assist competent authorities in determining the appropriate design and application of traceability / product tracing **including control measures**. These principles cover the rationale and application of traceability /product tracing.

**SECTION 3 DEFINITIONS**

Inspection<sup>24</sup> *is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements.*

Certification<sup>1</sup>: *is the procedure by which official certification bodies and officially recognised bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.*

Equivalence<sup>25</sup>: *is the capability of different inspection and certification systems to meet the same objectives.*

Traceability / product tracing: *the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.*<sup>26</sup>

<sup>24</sup> CAC/GL 20 – 1995. Principles for Food Import and Export Inspection and Certification

<sup>25</sup> CAC/GL 26 –1997 Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems

<sup>26</sup> ALINORM 04/27/33A APPENDIX IV Codex Procedural Manual, 14<sup>th</sup> Edition EN, page 45

## SECTION 4 PRINCIPLES

### RATIONALE FOR TRACEABILITY/PRODUCT TRACING

4. Traceability/product tracing should have clear justification with respect to food safety and/or ensuring fair practices in food trade.

### SCOPE OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS

5. The scope of traceability/ product tracing should be justified on a case-by-case basis **and may also cover feed when appropriate**, according to the objective(s) of the food inspection and certification system within which product tracing is implemented.

6. The extent of application of traceability/product tracing should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required. Alternative measures or **conformity assessment procedures** ~~technical regulations~~ should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product tracing.

7. Traceability/product tracing should be confined to recording the movement of food along the food continuum from where the food came (one step back) and to where the food went (one step forward).

### DESIGN OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS

8. Traceability/product tracing should be designed in terms of performance rather than prescriptive specifications.

~~9. Traceability/product tracing should be designed to cover only those stages in the food chain, which are necessary to achieve the objective.~~

10. Application of traceability/product tracing requirements should be effective, practical, technically and economically feasible and proportional to the risk that is being controlled.

11. A **system of** traceability/product tracing, including its scope, **control** and related procedures within a food inspection and certification system, should be ~~available for consideration and comment by~~ **transparent to all** trading partners **and official control bodies**.

**11bis. Provisions should be put in place to ensure that verification and control procedures, including on documentation, can be performed in the best possible conditions by the competent authority.**

12. Traceability/product tracing ~~requested applied~~ by an importing country should be subject to equivalence if an exporting country seeks to engage in the process to judge equivalence of an alternative measure.

13. The application of traceability/product tracing should take into account the capabilities of developing countries.

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(Comments submitted by Brazil, Costa Rica, South Africa, OIE and CropLife International)

Due to the lateness of the comments they are in the **original language only**

#### **Brazil**

Brazil has been addressing this issue in several opportunities and its position has been that traceability/product tracing should be considered as a tool for risk management, and its main attribute would be to allow access to information related to the origin, the processing and the actual location of a product. Brazil does not agree that Traceability/product tracing can be considered as a tool to guarantee food safety and considers that its application should have justification with respect to a food safety problem.

In this regard Brasil considers that the document prepared in the Latin America and the Caribbean Workshop, held in Mexico (may/2004) on this issue reflects the positions Brazil has presented in various occasions. Based on this, Brazil would like to suggest the following changes in the proposed document, which are highlighted in the text:

#### **Addition**

#### **Deletion**

#### **ANNEX 1**

### **PROPOSED PRELIMINARY DRAFT SET OF PRINCIPLES FOR THE APPLICATION OF TRACEABILITY / PRODUCT TRACING WITH RESPECT TO FOOD INSPECTION AND CERTIFICATION**

#### **SECTION 1 INTRODUCTION**

1. The confidence that consumers have in the safety and suitability of food derives, in part, from the perception of the effectiveness of the food control measures, including inspection and certification. ~~Traceability/product tracing is a tool that may be applied, when and as appropriate, within a food inspection and certification system.~~ Inspection, including observation, testing and record-keeping, can be one of the primary tools for verifying that a particular batch of food has been treated in a specified manner through the various phases of processing and handling of foods. Certification is one means of attesting to interested parties as to the health status and characteristics of a food.
2. Traceability/product tracing when linked to process control measures, can provide ~~confirmation~~ **information about the compliance of** that foodstuffs ~~comply~~ with food safety requirements, such as conditions of production, processing and distribution. It may also provide **information** ~~confirmation~~ that other requirements, as specified by the food inspection and certification system, are met. Traceability / product tracing can ~~also~~ be used as a food safety risk management option to prevent distribution and /or enable rapid recall of a particular food product upon identification of an associated health risk.

#### **SECTION 2 OBJECTIVE**

3. This document elaborates a set of principles to assist competent authorities in determining the appropriate design and application of traceability / product tracing. These principles cover the rationale and application of traceability /product tracing

#### **SECTION 3 DEFINITIONS**

*Inspection<sup>1</sup> is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements.*

*Certification<sup>1</sup>: is the procedure by which official certification bodies and officially recognised bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.*

*Equivalence<sup>2</sup>: is the capability of different inspection and certification systems to meet the same objectives.*

*Traceability / product tracing: the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.<sup>3</sup>*

#### **SECTION 4 PRINCIPLES**

##### **RATIONALE FOR TRACEABILITY/PRODUCT TRACING**

4. Traceability/product tracing should have clear justification with respect to food safety ~~and/or ensuring fair practices in food trade.~~

##### **SCOPE OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

5. The scope of traceability/ product tracing should be justified on a case-by-case basis according to the objective(s) of the food inspection and certification system within which product tracing is implemented.

6. The extent of application of traceability/product tracing should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required. Alternative measures or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product tracing.

7. Traceability/product tracing should be confined to recording the movement of food along the food continuum from where the food came (one step back) and to where the food went (one step forward).

#### **DESIGN OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS**

8. Traceability/product tracing should be designed in terms of performance rather than prescriptive specifications.

9. Traceability/product tracing should be designed to cover only those stages in the food chain, which are necessary to achieve the objective.

10. Application of traceability/product tracing requirements should be effective, practical, technically and economically feasible and proportional to the risk that is being controlled.

11. A traceability/product tracing, including its scope and related procedures within a food inspection and certification system, should be available for consideration and comment by trading partners.

12. Traceability/product tracing applied by an importing country should be subject to equivalence, **based on a risk assessment**, if an exporting country seeks to engage in the process to judge equivalence of an alternative measure.

13. The application of traceability/product tracing should take into account the capabilities of developing countries.

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#### **OBSERVACIONES DE COSTA RICA**

##### **1. GRUPO DE TRABAJO SOBRE EQUIVALENCIA DE MEDIDAS SANITARIAS (5 – 7 DE SETIEMBRE DE 2005)**

1. Durante la 13<sup>a</sup> Reunión del Comité del Codex sobre Sistemas de Inspección y Certificación de Importaciones y Exportaciones de Alimentos (CCFICS) celebrada en Melbourne, Australia del 6 al 10 de diciembre de 2004 (ALINORM 05/28/30), Costa Rica observó que se presentaron una serie de opiniones con respecto a las prioridades de que deben abordarse para la elaboración definitiva de los Apéndices a las Directrices para la Determinación de Equivalencia de Medidas Sanitarias Relacionadas con los Sistemas de Inspección de Alimentos (párrafos 8 -25).
2. Que luego de un amplio debate el Comité acordó priorizar la elaboración de los Apéndices por medio de un Grupo de Trabajo liderado por Estados Unidos en el siguiente orden de temas:
  - a. Documentación necesaria para la evaluación de solicitudes sobre la determinación de equivalencia.
  - b. Determinación de una base objetiva de comparación
  - c. Más detalles del proceso de determinación de equivalencia
  - d. Evaluación de las medidas que habrán de ser objeto de una determinación de equivalencia.
  - e. Condiciones para las visitas *in situ* efectuadas por las autoridades del país importador para realizar una determinación de equivalencia.
  - f. Información relativa a la asistencia técnica prestada por los países importadores a los países exportadores.
3. Costa Rica desea expresar que apoya la recomendación del Comité de aplazar la discusión de los apéndices d. y e. hasta que se concluyeran los tres primeros temas y que el tema f. se discuta en la 14<sup>a</sup> Reunión del Comité sobre la base de un documento de debate que prepararía la delegación de los Estados Unidos.

## 2. GRUPO DE TRABAJO SOBRE INSPECCIÓN BASADA EN EL RIESGO (8 y 9 DE SETIEMBRE DE 2005)

1. En la 13ª Reunión del CCFICS en Australia en diciembre del año anterior, Costa Rica presentó su posición con relación a que el documento debería hacer referencia únicamente a aspectos de inocuidad de alimentos. Esta posición fue apoyada por varios países entre ellos: Cuba, Chile, Canadá, Argentina. En esta ocasión desea hacer reiterativa su posición en relación con esta propuesta.
2. No obstante lo anterior, ante la insistencia de la representación de Consumers International de mantener el punto sobre “otros temas” (engaño al consumidor y fraude económico), Costa Rica sugirió que CCFICS debería solicitar al Comité del Codex sobre Etiquetado de Alimentos (CCFL) que examinara estos temas, si los mismos competían en sus mandatos.
3. En cuanto al documento en cuestión presentado en el Apéndice III del ALINORM 05/28/30 Anteproyecto de Principios para la Inspección de Alimentos Basada en el Riesgo, Costa Rica advierte nuevamente sobre la atención de lo siguiente:
  - a. Revisar en la totalidad del documento la utilización de términos claves, tales como “producto” y “alimento”, los cuales se utilizan de manera indistinta teniendo un significado de alcance diferente. Esta revisión se propone desde el título “Anteproyecto de Directrices para la Inspección de *Alimentos* importados basada en el riesgo”.
  - b. Asimismo, se propone que en el documento se utilice el término “punto de ingreso al país”, en lugar de “frontera” de manera que claramente incluya también el ingreso de productos o alimentos por otras vías, sean estos por aeropuertos y/o puertos.
  - c. Se propone utilizar el término “**remesa**” en lugar de “**envío**” por encontrarse el primero definido en las normas internacionales.
  - d. Con respecto al párrafo 20 del documento se propone eliminarlo o modificarlo ya que el mismo no considera la base científica u otros factores que permitan categorizar el producto tal como si lo hace el “Análisis de Riesgo y la naturaleza del producto.
  - e. En el párrafo 22 se recomienda sustituir la palabra “brotes” por “enfermedades” y “conclusiones epidemiológicas” por “características epidemiológicas de éstas”
  - f. El párrafo 23 que indica: “De corresponder, el país importador [deberá verificar que se coloque un alimento en una categoría de riesgo]” debería para una mayor comprensión y claridad del párrafo, redactarse de la siguiente manera: “~~De corresponder~~, el país importador deberá verificar de acuerdo con la evaluación de riesgo correspondiente, que se coloque el alimento en una categoría de riesgo”.
  - g. En el párrafo 25 Bouling tercero, se recomienda eliminar las palabras “apropiados” y “apropiadas” ya que no deberían utilizarse en el ámbito del Codex porque estos términos generan la aplicación discrecional de los procedimientos y técnicas, debido a que no habría una homologación internacional del uso de estos conceptos y los mismos podrían no ser compatibles en los países.
  - h. En el párrafo 29 que se lee: “Los países deberán implementar una inspección en la frontera/ punto de control basado en el riesgo ...”, se propone que se lea: “Los países deberán implementar un **procedimiento de** inspección en la frontera/ punto de ~~control~~ **ingreso**, basado en el riesgo ...”.
  - i. Párrafo 32: “... [La colocación de un producto en una categoría de mayor riesgo es una respuesta apropiada]”. Con el propósito de no discriminar que la falta de cumplimiento de requisitos del país importador no necesariamente se encuentra en función de un riesgo a la salud de las personas y más podría justificarse por otras razones que limiten este cumplimiento, se propone la siguiente modificación para flexibilizar: “ ... [La colocación de un producto en una categoría de mayor riesgo ~~es una respuesta apropiada~~ **no deberá hacerse hasta tanto no se realice una investigación exhaustiva del incumplimiento de esos requisitos**]”.

- j. En el párrafo 33 el texto que dice: "... Los procedimientos de inspección deberán documentarse en una forma que sea accesible al país exportador y a otras partes interesadas, como ser por medio de internet o estando disponibles a pedido". Para una mejor comprensión se propone redactarlo de la siguiente manera: "... Los procedimientos de inspección deberán documentarse en una forma que sea accesible al país exportador y a otras partes interesadas, ~~como ser~~ por medio de internet o ~~estando~~ disponibles ~~a pedido~~ a *solicitud*".

### **3. GRUPO DE TRABAJO SOBRE PRINCIPIOS PARA LA APLICACIÓN DE RASTREABILIDAD / RASTREO DE PRODUCTOS (12 – 14 DE SETIEMBRE DE 2005)**

1. Costa Rica reitera su posición con respecto a este proyecto y propone:
  - a. Que la rastreabilidad sea considerada una herramienta de la gestión del riesgo.
  - b. Que no se aplique a todos los productos en forma generalizada sino que se base en un análisis de riesgo caso por caso.
  - c. Que en la aplicación de esta medida deben estar de acuerdo las autoridades responsables de los países involucrados.
  - d. Hasta tanto no se cuente con datos científicos que demuestren que la rastreabilidad garantiza la inocuidad de los alimentos, no debería aplicarse en forma generalizada porque incrementaría el costo de producción y se convertiría en una barrera al comercio. En este sentido Costa Rica apoya lo manifestado por Argentina y otros países.
  - e. Estamos de acuerdo con Argentina en que los sistemas de control actuales son suficientes para garantizar la inocuidad de los alimentos
2. Costa Rica desea hacer su comentario en relación con el párrafo 1 del Anexo I que dicta que: "La confianza de los consumidores en la inocuidad y la aptitud de los alimentos depende en parte del modo en que perciban la eficacia de las medidas de control de los alimentos incluida la inspección y la certificación".

Costa Rica considera que la confianza de los consumidores debe buscarse por la transparencia en los sistemas de inocuidad, en la comunicación del riesgo y la información general sobre los productos más que en la rastreabilidad del producto, por lo tanto sugiere sustituir esa frase por la siguiente redacción:

"La confianza de los consumidores sobre la inocuidad de los alimentos debe basarse en la transparencia de los sistemas de inocuidad, la comunicación del riesgo y la información general sobre los productos".

3. Finalmente, Costa Rica reitera su apoyo a los principios surgidos del Workshop realizado México el año anterior, que posteriormente fueron avalados en la 14<sup>a</sup> Reunión del Comité Coordinador FAO/OMS para América Latina y el Caribe (CCLAC), llevado a cabo en Buenos Aires, Argentina del 29 de noviembre al 3 de setiembre de 2004. Asimismo expresa su total apoyo a los comentarios expresados por la delegación de Argentina, Australia y demás delegaciones que se pronuncien en este sentido.

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## **SOUTH AFRICA**

### **TRACEABILITY / PRODUCT TRACING WITH RESPECT TO FOOD INSPECTION AND CERTIFICATION**

#### **SECTION 1 INTRODUCTION**

1. The confidence that consumers have in the safety and suitability of food derives, in part, from the perception of the effectiveness of the food (**control system**). Traceability/product tracing is a tool that may be applied, when and as appropriate, within a food inspection and certification system. Inspection, including observation, testing and record-keeping, can be one of the primary tools for verifying that a particular batch of food has been treated in a specified manner through the various phases of processing and handling of foods. Certification is one means of attesting to interested parties as to the health status and characteristics of a food.



To replace last sentence above, **Certification is a means of declaring to interested parties that stated specific processes have been implemented and the resulting products conform to specifications.**

2. Traceability/product tracing when linked to process control measures, can provide confirmation that foodstuffs comply with (relevant/specific) food safety requirements, such as conditions of production, processing and distribution. It may also provide confirmation that other requirements, as specified by the **(regulatory control measures)**, are met. Traceability / product tracing can also be used as a food safety risk management option to prevent distribution and /or enable rapid recall of a particular food product upon identification of an associated health risk.

## SECTION 2 OBJECTIVE

3. This document elaborates a set of principles to assist competent authorities in determining the appropriate design and application of traceability / product tracing. These principles cover the rationale and application of traceability /product tracing .

## SECTION 3 DEFINITIONS

*Inspection*<sup>27</sup> is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements.

*Certification*<sup>1</sup>: is the procedure by which official certification bodies and officially recognised bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

*Equivalence*<sup>28</sup>: is the capability of different inspection and certification systems to meet the same objectives.

*Traceability / product tracing*<sup>29</sup>: the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.<sup>3</sup>

## SECTION 4 PRINCIPLES

### RATIONALE FOR TRACEABILITY/PRODUCT TRACING

4. Traceability/product tracing should have clear justification with respect to food safety and/or ensuring fair practices in food trade.

### SCOPE OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS

5. The scope of traceability/ product tracing should be justified on a case-by-case basis according **(according to the risk profile relevant to the product type)**

6. The extent of application of traceability/product tracing should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required. **Alternative traceability/product tracing measures or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade**

**restrictive.**

7. Traceability/product tracing should be confined to recording the movement of food along the food continuum from where the food came (one step back) and **(directly)** to where the food went (one step forward).

### DESIGN OF TRACEABILITY/PRODUCT TRACING WITHIN FOOD INSPECTION AND CERTIFICATION SYSTEMS

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<sup>27</sup> CAC/GL 20-1995 Principles for Food Import and Export Inspection and Certification Systems

<sup>28</sup> CAC/GL 26-1997 Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems

<sup>29</sup> ALINORM 04/27/33A Appendix IV

8. Traceability/product tracing should be designed in terms of performance rather than prescriptive specifications.
9. Traceability/product tracing should be designed to cover only those stages in the food chain, which are necessary to achieve the objective.
10. Application of traceability/product tracing requirements should be effective, practical, technically (**correct**), economically feasible and proportional to the risk that is being controlled.
11. A traceability/product tracing (**system**), including its scope and related procedures within a regulatory control system should be available for consideration and comment by trading partners.
12. Traceability/product tracing applied by an importing country should be subject to equivalence if an exporting country seeks to engage in the process to judge equivalence of an alternative measure.
13. The application of traceability/product tracing should take into account the capabilities of developing countries.

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## OIE

### **Regarding the Codex request for comments on a Preliminary Set of Principles on Traceability/Product Tracing**

#### Introduction

As requested by the Codex Circular Letter CL 2005/23-FICS, the OIE wishes to submit its comments to the Codex Committee on Food Import and Export Inspection and Certification Systems on the Proposed Preliminary Draft Set of Principles for the Application of Traceability/Product Tracing With Respect To Food Inspection and Certification.

Animal identification and traceability have become issues of increasing interest as epidemiological tools, with significant importance for matters such as animal health, public health and trade.

The Member Countries of the OIE strongly support the development of international standards on animal identification and traceability that cover the entire food chain.

The international standards developed by the OIE are, in the same way as the Codex standards, in force under the WTO SPS Agreement. The relevant OIE standards are grouped in the OIE Terrestrial Code that is updated regularly, and the concept of traceability is already referenced in several chapters.

The OIE has assessed the situation on animal identification and traceability worldwide through a questionnaire sent to all OIE Member Countries in 2004. This questionnaire gathered information about the status of each of the countries in order to perform an analysis on the issues of: competent authorities and regulations, registration systems, mandatory animal identification, purposes of animal identification, elements used in animal identification, documentation used for animal movements, harmonisation and standardisation procedures applied by the Member Countries, how animal identification and traceability relate to factors such as public health, animal health, trade, bioterrorism, economic aspects, and the OIE's role in this respect.

The OIE considers that traceability is not an end in itself but rather a tool which may be used to seek information to guarantee the veracity of a piece of information or to carry out measures relating to surveillance, isolation, or even destruction of products or animals in connection with public health or animal health measures.

The OIE Animal Production Food Safety Working Group has developed the terms of reference for an *Ad hoc* Group on Identification and Traceability of Live Animals. It also underlined the importance of the cooperation between the two "sister" organisations, OIE and Codex.

As a result, the OIE convened a meeting of the *ad hoc* Group on Identification and Traceability of Live Animals. One expert from the *Codex Alimentarius* Secretariat attended in order to ensure coordination with the *Codex Alimentarius* Commission (CAC) work in this area. The *ad hoc* Group agreed on key definitions and a set of principles for good live animal identification and traceability. This work will be reviewed by the Terrestrial Animal Health Standards Commission before being circulated to OIE Member Countries for comment. These definitions and general principles are expected to become part of OIE international standards after adoption by the General Assembly of the representatives (Delegates) of OIE Member Countries.

As the next step, based on agreed principles, the *ad hoc* Group will lay out the main points that constitute a good system for identification and traceability of live animals based on the outcomes required. Finally, the Group will develop a set of recommendations for a practical implementation of the system.

The *ad hoc* Group will continue to take into account the current activities of the CAC related to traceability, in order to ensure a *continuum* between animals and product identification and traceability.

In parallel, the OIE is willing to take part in the work undertaken by CAC (notably CCFICS) in this field by contributing to its forthcoming Committees and Working Group meetings.

The exchange of information between the two organisations is crucial for the harmonised development of standards. To best serve their “clients”, both Codex and OIE have to keep in mind that their Member Countries need a traceability system that encompasses the entire food chain without gaps and duplications.

#### Comments on Annex 1 of CL 2005/23-FICS

The OIE supports this preliminary draft set of principles for the application of traceability/product tracing with respect to food inspection and certification. This work takes into consideration the same key elements as the OIE *ad hoc* Group on Identification and Traceability of Live Animals such as the need for flexibility in the system in order to meet different country’s needs, it takes into account the capabilities of developing countries, it includes an approach for determining the extent of the application of the system, and it aims at covering the food chain continuum from the raw materials to the end-products.

The OIE agrees with the proposed rationale for traceability/product tracing but suggests broadening it by including the concept of animal health. We suggest the following modification to the text:

#### “SECTION 4 PRINCIPLES

##### **RATIONALE FOR TRACEABILITY/PRODUCT TRACING**

4. Traceability/product tracing should have clear justification with respect to the public health and animal health issues related to food and feed and/or ensuring fair practices in food and feed trade.”

The application of the traceability tool to public health and animal health aspects of food and feed will help to manage risks to consumers such as zoonoses, residues and contaminants in food and feed. It must be kept in mind that this tool can be used to address animal health issues along the food and feed chain that can cause severe economic losses such as foot and mouth disease or classical swine fever.

When a Member Country sets up a product traceability system and/or an animal traceability system, it should coordinate the planning in order to avoid loss of information or unnecessary effort.

In conclusion, the OIE supports the development of guidelines for a traceability/product tracing tool through coordination between the CAC and the OIE, in order to ensure a continuum between the farm end and the consumer end of the food and feed chain.

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#### **CROPLIFE INTERNATIONAL**

CropLife International is the global trade federation representing the plant science industry. Its members are involved in the research, development and commercialisation of agricultural biotechnology products.

We appreciate the opportunity to respond to the request for comments on a “Preliminary Set of Principles on Traceability/Product Tracing,” [CL 2005/23-FICS, May 2005]. We continue to believe that such a set of principles is critical to establishing a framework for appropriate tracing of food and food ingredients as dictated by a specific, stated objective. We support continuation of this work in CCFICS and appreciate the leadership taken by Australia in advancing this work. As requested we will concentrate our comments on the extent of the scope.

Annex 1 to CL 2005/23-FICS provides, as a first step, that the scope of traceability/product tracing should be justified on a case-by-case basis depending on the agreed objectives of the food inspection and certification system within which product tracing is implemented. We strongly agree with this statement. There has also been clear support for this element both in CCLAC and CCAasia. Such flexibility ensures that over-restrictive and costly systems for traceability/product tracing are not put in place and ensures that regulators are considering “what to trace” rather than “how to trace”.

We also agree that the extent of application of traceability/product tracing should be based on an assessment of risks and with due consideration to the requirement for traceability/product tracing to be no more trade restrictive than required. Whether there is a need to trace can be considered as part of risk management, but can only be effective after an appropriate risk assessment has been conducted and, again, regulators know “what to trace”.

Paragraph 6 continues by stating that alternative measures or technical regulations should be adopted where those alternatives achieve the identified objective, are technically and economically feasible and less trade restrictive than traceability/product testing. This could be simplified somewhat to make it clear, that where a less trade restrictive traceability/product, tracing measure becomes available that clearly achieves the identified objective of the food inspection and certification system, then it should replace the original measure.

The plant science Industry continues to support confining the scope of traceability/product tracing to recording the movement of food along the food continuum from where the food came (one step back) and to where it was sent (one step forward) – as set out in paragraph 7. This approach we judge as sufficient to meet food safety objectives and our member companies already operate within this type of system. To go further adds costs and complexity to the system and introduces opportunities for confusion and non-compliance.

We do not believe that other elements need to be included in the scope section.

CropLife International would also like to take this opportunity to provide general comments on Alinorm 05/28/30, where the Australian secretariat summarizes the positions and statements of Parties and stakeholders on the scope of the application of Traceability/Product Tracing. We clearly support the application of principles that first measure the risks of a food and then, depending on the outcome of this assessment, decide whether Traceability/Product Tracing is necessary. We also support the idea that a cost/benefit analysis should be undertaken before considering Traceability/Product Tracing.

In addition, the scope of the application of traceability/ product tracing principles in food import and export inspection and certification systems should concentrate on food safety as a first priority. Fair trading objectives are secondary in our view and, in any case, should be worded so as to be consistent with Codex language (ie: to ensure fair practices in food trade). Any other objectives should not be included within the scope of traceability/product tracing within CCFICS, and Codex more generally.

Thank you again for the opportunity to provide comment on this important work. We have appreciated the opportunity to be involved both in the work of CCFICS and in the previous working group on traceability. We strongly believe that this draft set of principles for Traceability/ Product Tracing will form a good basis for consideration and discussion for the next Working Group meeting to be held in Brussels this September.