

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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Agenda Item 8

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

**Seventh Session
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Discussion paper on Guidelines for the Establishment of a Database on Importing Country Legislation

Paper prepared by India

1. BACKGROUND

Consequent to the signing of the WTO Agreements especially the SPS Agreement, the standards and requirement of different countries as related to SPS issues have become very significant. Further, in the present scenario, with increasing importance being given to global trade in foods, a need has been felt to have a clear knowledge about the requirements of the importing country. Lack of information on importing countries requirements especially with regard to health and safety aspects has often resulted in rejection of export consignments at the entry point in the importing country. It is often difficult to obtain such information due to problems such as the involvement of more than one organization in establishing these requirements, the availability of requirements in different languages which necessitates translations, frequency in changes of requirements, complicated presentation of requirements which makes them difficult to be understood by exporters.

It has, therefore, been felt that a data base containing productwise information on the legislation and safety requirements of various countries presented in a simplified and uniform format would be useful for enhancing and smoothening global trade. It has been noted that such databases are in existence at regional and national levels but no such compilation is available at international level.

To ensure that such databases follow a uniform and harmonised approach, it is necessary, as a first step, to identify the information required by the importing countries and bring out a uniform format so that each country can work on presenting the information of their country in the format finalised.

The second step would be creation of a **web site** in each country in the format finalised and input of their information into this site. The responsibility for inputting the information as well as keeping it regularly updated would lie with the Governments of each country. A web site would also need to be created by Codex Alimentarius Commission which provides links to web sites of each member. In countries where Internet facilities are not available, the information could also be hosted through the Codex web site.

At the 6th Session of the Food Import and Export Inspection and Certification Systems held in Melbourne, Australia, from 23rd - 27th February 1998,¹ the issue had been considered and, in view of the importance of the subject, it had been decided that a discussion paper on development of a database with regard to the legislative requirements of importing countries as related to SPS requirements should be prepared by India with assistance of other interested delegates including Argentina, Australia and Canada.

In the preparation of this discussion paper inputs have been taken from Argentina and Canada.

2. OBJECTIVE

To provide an automated system for information on requirements of different countries for import of food products to make it easy for the management of food imports and exports with the purpose of facilitating international trade.

The database should:

- Present information relating to safety and legislative requirements of importing countries.
- Present other information on conditions of import related to safety such as requirements of a SPS Certificate.
- Give the names and addresses of organizations to be contacted for further details.
- In case of additional information required, give reference and source for procuring these.

3. GENERAL CONDITIONS FOR THE PROPOSED DATABASE

- 3.1** The database will hold information on requirements relating to safety aspects of foods specified by various concerned organizations in a country as well as their contact addresses. The database will also hold information on other import requirements such as documentation and other records required by customs.
- 3.2** The database would be user-friendly and based on the HS Code System.
- 3.3** The database would be Web compatible with respect to languages, so that it can be translated into any language.
- 3.4** The information in the database would be presented in a simplified and uniform format (see Annex I).
- 3.5** Any deviations from international standards would need to be highlighted along with justification for the same.
- 3.6** The database would be dynamic and would require constant updating with change of requirements of a country. The responsibility of updating the database would lie with the

¹ ALINORM 99/30, paras 62-65

Governments of each country. The model organization responsible for updating the database would need to be identified by each country.

- 3.7 Each country will, further, need to identify different bodies dealing with each specific product as relating to imports including legislative requirements, certificates, phyto-sanitary certificates etc.
- 3.8 The web site would be created in each country in the format finalised. Once the web site is created it is the responsibility of the Codex Alimentarius Commission to provide links to the web site of each member.
- 3.9 The web sites would be freely accessible so that these could be utilised to get information on the safety and legislative requirements of the importing country which would further result in smooth international trade.
- 3.10 At the time this database is established, some countries would be having their own databases, these would need to be aligned with the international database.
- 3.11 For countries where Internet facilities are not available, their information could be hosted by the Codex web site.
- 3.12 The structure of the proposed database is given at Annex II.

4. ELEMENTS OF THE PROPOSED DATA BASE

The database will consist of the following information:

- a) Product along with HS Code.
- b) Country of import.
- c) Requirements as related to the following major parameters:
 - Safety and health parameters
 - Phyto-sanitary requirements
 - Packaging and labelling requirements
 - Any specific transportation/storage requirements
 - Any systems requirements such as HACCP
 - Inspection and certification requirements
 - Issues relating to judgement of equivalence
 - Dispute settling mechanisms, modalities and procedures
 - Any deviations from international standards and reasons for the same.

Note - In case the text is very large and not possible to reproduce the standard reference no. and procedure for retrieving the same may be indicated.

- d) Documentation required:
- Inspection certificates/documentation from exporting country conforming to the inspection requirements.
 - Phyto-sanitary certificates.
- e) Reference standard numbers and organization responsible along with complete addresses.
- f) Additional references (list along with details of availability).

FORMAT OF INFORMATION IN DATABASE

- Safety and health parameters
- Phyto-sanitary requirements
- Packaging and labelling requirements
- Any specific transportation/storage requirements
- Any systems requirements such as HACCP
- Inspection and certification requirements
- Issues relating to judgement of equivalence
- Dispute settling mechanisms, modalities and procedures
- Any deviations from international standards and reasons for the same
- Documentation required (with reference to safety and health)
- Reference standard numbers and organizations responsible along with complete addresses
- Additional references (list along with details of availability).

STRUCTURE OF PROPOSED DATABASE

