

# codex alimentarius commission



FOOD AND AGRICULTURE  
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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

FAO/WHO COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN

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### NATIONAL FOOD CONTROL SYSTEMS AND CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING

COMMENTS IN RESPONSE TO CL 2008/16-LAC, PART A FROM  
BOLIVIA, CHILE, COSTA RICA, CUBA, GUATEMALA, MEXICO, EL SALVADOR AND URUGUAY

#### 1. STATUS OF THE NATIONAL FOOD CONTROL SYSTEM

- (i) Structure and organization of official services responsible for food control (update information since the 15<sup>th</sup> CCLAC)

#### **Bolivia**

The institutions responsible for the control of food safety in Bolivia are:

Ministry of Rural Development, Agriculture and Environment – National Service for Animal Health, Plant Protection and Food Safety (SENASAG)

In its central structure and on the regulatory level, the SENASAG has three specific technical units that cover the control of animal health, plant protection and food safety, responsibilities that are allocated by the Law of the Republic, as well as bodies to coordinate food safety throughout the production chain from farm-to-fork. The National Food Safety Unit covers five specific fields under its responsibility, including support staff:

- National Registration and Certification
- National Inspection and Control
- National Food and Residues Analytical Laboratories
- National Monitoring and Control of the National Food Safety Programme
- National System of Ecological Production and Certification

These bodies are responsible for formulating, agreeing and implementing all provisions concerning food safety, including the register of companies and slaughterhouses, food imports and exports, risk analysis, inspection of GAPs, HACCP, laboratory accreditation, programmes of residue control, programmes of food safety assurance in selected hazard chains, traceability in prioritized chains, certification of organic produce, international relations under the Agreement on Sanitary and Phytosanitary Measures.

At the operational and executive level, the SENASAG has nine District Offices that cover the whole national territory, with its various departments and provinces. Each of these areas has a food safety unit, sometimes with infrastructural and logistics support.

The SENASAG has currently certified its Quality Management System in accordance with ISO Standard 9001:2000 directed towards streamlining internal management through the continuous enhancement of its resources and user attention service.

### Ministry of Health and Sport

The Ministry of Health and Sport includes the Food Quality and Safety Control Unit which develops a food safety programme and appraises delivery of the various food control activities. There are also the Departmental Health Services (SEDES) in the different departments to ensure compliance with the provisions of the Ministry of Health and Sport.

Given the importance of laboratory support for the development of food control, the Ministry of Health and Sport created and coordinates, through the National Institute of Health Laboratories (INLASA), the Official Network of Food Analytical Laboratories (RELOAA) recognized as such through Ministerial Regulation N° 136 of 28 March 2003, whose primary objective is to underpin food control and surveillance because of its impact on public health. This network is recognized through Administrative Resolution N° 037/2003 of 22 May 2003 by the National Service for Animal Health, Plant Protection and Food Safety (SENASAG).

### **Chile**

The Ministry of Health is the authority responsible for the sanitary control of all food products for human consumption in the country, whether produced domestically or imported. It exercises this authority through 29 health services distributed throughout the country. In accordance with the responsibilities determined by the Health Code, it is the Ministry of Health's responsibility to eliminate or control all factors, elements or agents of the environment that affect public health, security and welfare.

In the context of food safety, the sanitary authority in its regulatory and inspection role and as collective protector of public health is expected to develop and/or strengthen the epidemiological surveillance of foods and to broaden public participation in the protection, promotion and self-care of health.

Other State agencies have been entrusted with mandates for the certification of sanitary quality of foods for export.

Thus, the sanitary certification of primary foods for export is the responsibility of the Agriculture and Livestock Service (SAG) which answers to the Ministry of Agriculture.

The Ministry of Agriculture is responsible for administering, through the Agriculture and Livestock Service, all requirements relating to the issue of sanitary and phytosanitary export certificates for products of animal origin and plant products, including certification of fitness for human consumption for primary products.

On the other hand, the sanitary certification of foods of aquatic origin is the responsibility of the National Fisheries Service, which answers to the Ministry of the Economy, Development and Reconstruction.

The National Fisheries Service is the authority responsible for controlling the sanitary quality of seafood destined for export and for issuing official certificates.

### **Costa Rica**

Institutional responsibility with regard to food safety in Costa Rica lies directly with the Ministry of Health, the Ministry of Agriculture and Livestock, and the Ministry of Economy, Industry and Trade. The official bodies concerned with food safety are:

- **Intersectoral Commission for Food Safety (CIIA)**

In 2001 the Ministerial Council for Food Safety was established as the body responsible for formulating food safety policies. The Intersectoral Commission for Food Safety functions as a technical advisory committee for the ministerial council, providing support for proposals and analyses regarding safety.

The Commission comprises public institutions and private organizations concerned with food, and has the purpose of ensuring safety in the agri-food chain and improving the country's production processes and competitiveness on the international market.

Participation by private enterprise and consumers in other sectors connected with food safety is encouraged. The commission is at present inactive while awaiting the approval of an executive decree that will give it political endorsement.

- **Directorate of Records and Controls**

The main activities of this directorate within the Ministry of Health are to prescribe regulations regarding the sale of products that can directly affect health. In order to verify compliance with the regulations, it keeps a regularly updated register of such products and carries out inspections in the market and industry.

- **State Health Service**

This directorate within the Ministry of Agriculture and Livestock is responsible for protecting plants and crops from pests and ensuring that the sale of agrochemical products is carried out in compliance with the relevant technical and legal regulations, with a view to protecting human health and biodiversity and ensuring compliance with plant health regulations governing the national and international sale of plants. It has the legal obligation to carry out analyses of pesticide residues as part of surveillance activities concerning the pesticide register and the use of pesticides in agricultural products, in order to protect human and livestock health.

- **Livestock Health Directorate**

This department was created with the aim of “protecting and securing the health and improvement of livestock, their products and by-products”, in accordance with current international regulations regarding trade and the protection of human health and the environment. Through the Livestock Health Directorate, the Ministry of Agriculture and Livestock adopts and implements health measures (surveillance, inspection, quarantine, confiscation and prohibition of the importing of livestock etc.). It also undertakes planning and management activities within its sphere of authority.

- **National Codex Committee**

Executive Decree 30989-MEIC of 20 February 2003 formally consolidated the National Codex Committee, made up of the various public institutions concerned with food, the production sector, the academic sector, and consumers. One of the committee’s tasks is to harmonize national regulations with Codex standards, codes and guidelines, especially as concerns food safety. The National Codex Committee and the Codex Contact Point are attached to the Ministry of Economy, Industry and Trade, which presides over the committee.

Executive Decree 33212-MEIC, published in issue 137 of the official gazette on 17 July 2006, establishes the internal regulations of the National Codex Committee and the National Codex Alimentarius Subcommittees in Costa Rica. With these regulations, the Ministry of Economy, Industry and Trade officially sanctions the operation of the Codex Alimentarius in Costa Rica, ensuring the country’s more active participation in the process of setting international standards, which have acquired major importance worldwide as the basis for the Sanitary and Phytosanitary Measures (SPS) and Technical Barriers to Trade (TBT) Agreements of the World Trade Organization (WTO).

- **Directorate for Regulatory Improvement and Technical Regulations**

This directorate within the Ministry of Economy, Industry and Trade has the task of ensuring that national technical regulations (excluding those relating to sanitary and phytosanitary measures, as established in the TBT Agreement) are in accordance international regulations and therefore do not constitute unnecessary barriers to trade. It is also responsible for bringing national regulations into line with international standards, advising State bodies on setting priorities regarding food quality and safety, and running the Information Centre on Technical Barriers to Trade. It is in charge of:

- the Technical Secretariat of the Technical Regulations Agency;
- the Technical Secretariat of the National Codex Alimentarius Committee and Codex Alimentarius Contact Point.

## **Cuba**

The official services responsible for food control in Cuba have remained as informed at the 15<sup>th</sup> Session of the CCLAC. These are the Ministry of Public Health (MINSAP), which is responsible for the complete sanitary control of fresh products, processed products and their raw materials, and the Ministry of Agriculture (MINAG), which is responsible, through the Institute of Veterinary Medicine (IMV), for all matters relating to the veterinary control of food of animal origin, while the phytosanitary control of food of plant origin is carried out by the Sanitary Centre for Plant Protection (CNSV).

## **Guatemala**

In Guatemala we have a higher general law which is the Health Code, Decree Law 90-97, which lays down in its Article 130 the responsibilities and jurisdictions of each Ministry in relation to food safety.

## **Mexico**

Food control in Mexico is mainly the responsibility of two bodies: the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food (SAGARPA), through the National Service of Food and Agriculture Health, Safety and Quality (SENASICA) which is responsible for primary food production; and the Secretariat of Health, through the Federal Commission for Protection against Sanitary Risk (COFEPRIS), which is a decentralized body with technical, administrative and operational autonomy and is responsible for carrying out sanitary regulation, control and development, with the following functions:

- I. Elaborate and issue, in coordination with other competent authorities as appropriate, the Mexican Official Standards and other general administrative provisions.
- II. Spearhead the Federal Sanitary System, in coordination with the governments of the states and the Federal District.
- III. Identify, analyse, evaluate, regulate, control, promote and disseminate the conditions and requirements for the prevention and management of sanitary risks.
- IV. Issue official certificates on the sanitary condition of processes, products, methods, installations, services or activities.
- V. Issue, extend or revoke sanitary authorizations, and exercise sanitary regulation, control and development responsibilities established in or derived from the Law and its regulations, the Mexican Official Standards, the regulations of the COFEPRIS and other applicable provisions.
- VI. Operate the international sanitary services that the Law and its Regulations assign to the Secretariat of Health.
- VII. Apply strategies of investigation, evaluation and follow-up of sanitary risk, together or in coordination with other competent authorities.
- VIII. Apply administrative sanctions for non-compliance with the provisions of the Law, its regulations and other applicable orders, and determine preventive and corrective safety measures.
- IX. Conduct appropriate actions of sanitary control, regulation and promotion to prevent and reduce sanitary risks.
- X. Participate, in coordination with the corresponding administrative units of the Secretariat, in the implementation of actions for the prevention and control of diseases, and for epidemiological surveillance, when these are associated with sanitary risks derived from processes, products, methods, installations, services or activities.

The COFEPRIS has eight administrative units:

- a. Commission for Risk Detection and Management
- b. Commission for Sanitary Promotion
- c. Commission for Sanitary Authorization
- d. Commission for Sanitary Operation
- e. Commission for Analytical Control and the Extension of Coverage

- f. General Coordination of the Federal Sanitary System
- g. General Legal and Advisory Coordination
- h. General Secretariat

The heads of these administrative units have the powers and functions determined in the Regulation of the Federal Commission for Protection against Sanitary Risk, published in the Official Gazette of the Federation (DOF) on 13 April 2004, which is available on the COFEPRIS web site: [www.cofepris.gob.mx](http://www.cofepris.gob.mx).

**SENASICA:** On 10 July 2001 the Rules of Procedure of the SAGARPA featured in the Official Gazette of the Federation, established specific functions for the National Service of Food and Agriculture Health, Safety and Quality (SENASICA) as follows:

- Determine policies and guidelines to help improve the safety of foods of animal, plant, aquaculture and fisheries origin.
- Propose general provisions through regulations and Mexican Official Standards that seek to prevent, control and combat pests and diseases that affect agriculture, livestock and plant, aquaculture and fishery species.
- Regulate and evaluate food safety operational programmes put into effect in coordination with state governments and subsidiary bodies.
- Conduct inspections and certify, in accordance with relevant laws, establishments, production units, processes, systems, transport, warehouses and retail outlets in which food is handled.
- Recognize, authorize and, as appropriate, certify systems of food production, processing, verification and inspection, in order to guarantee its sanitary quality for domestic consumption or export.

The **SENASICA**, formally the National Commission for Plant and Animal Health (CONASAG), was created in 1996 as a decentralized organ of the SAGARPA to guarantee the marketing of products without phyto- and zoonitary risk in order to enhance the competitiveness of Mexican products on the domestic market for the benefit of Mexican producers. In order to achieve its objectives, the SENASICA has specific Directorates for each area.

- **Directorate of Plant Protection (DGSV):** The purpose of this Directorate is to direct the implementation of sectoral policies and strategies for plant protection through the management and implementation of phytosanitary orders and procedures aimed at preventing, controlling and eradicating pests and diseases that affect agriculture in the country.
- **General Directorate of Animal Health (DGSA):** The responsibility of this Directorate is to plan, organize, direct, control and regulate the livestock health and hygiene services, by providing zoonitary services, conducting studies and applying technologies, as well as undertaking actions aimed at watching for, preventing, controlling and/or eradicating, as appropriate, diseases that affect the livestock population in order to enhance production and marketing and to bolster national productivity.
- **General Directorate of Safety of Food from Agriculture, Aquaculture and Fisheries (DGIAAP):** The purpose of this Directorate is to help ensure the sanitary quality and safety of food of agricultural, aquacultural and fishery origin, through policies, a regulatory framework, plans, activities and services to foster and regulate the application and certification of systems designed to reduce contamination risks in the production and primary processing of foods for human consumption, and the good use and management of inputs for agricultural sanitary protection and production, to support the competitiveness of the country's producers and to safeguard consumer health.
- **General Directorate of Phytosanitary Inspection (DGIF):** This Directorate is responsible for defining and evaluating programmes, policies and strategies of phyto- and zoonitary control and supervision in international agricultural sanitary inspection offices, in ports and airports and at borders, control posts and phyto- and zoonitary cordons, in accordance with regulations to prevent pests and diseases that affect agriculture from entering the country and to prevent the spread of pests and diseases that affect crops and animals and are present on the national territory, thus helping develop appropriate phyto- and zoonitary campaigns and at the same time reduce risks to public health.

There are also support bodies such as the National Consultative Committee on the Standardization of Phytosanitary Protection (CONAPROF), (Approved Subsidiary Bodies) that participate with the SENASICA in drawing up Mexican Official Standards and implementing control and certification processes. These bodies, which are included in the Federal Laws on Plant Health and Animal Health, are made up of producer organizations, academic associations and private and public institutions, as well as approved control and certification agencies that play a key role in achieving the objectives of the SENASICA.

The SENASICA also has special programmes (Fruit Fly, Mediterranean Fly and Eradication of Cotton Plant Pests) aimed at preventing, controlling and eradicating specific pests or groups of pests that have a strong economic impact on the country. These programmes have an infrastructure that fully justifies the responsibility of the institution for phyto- and zoosanitary protection of the country. Finally, the SENASICA has a strategic plan for plant health, with its own budget, evaluation and control instruments and institutional policies.

Lastly, evaluation of market quality is the responsibility of the Federal Office of Consumer Protection (PROFECO).

### **El Salvador**

Control services for unprocessed foods and authorization of food import installations. The Ministry of Agriculture and Livestock is responsible for such services and authorization:

- through the General Directorate of Plant and Animal Health and its Food Safety Division, which is responsible for ascertaining the safety of fresh products of both animal and plant origin;
- through the General Directorate of Plant and Animal Health and its Plant and Animal Health Certification for Trade Division, which is responsible for ascertaining the safety of processed and unprocessed products of plant and animal origin for export or import.

Control services for processed food products and authorization of food processing plants. The Ministry of Public Health and Welfare is responsible for controlling processed foods.

- For this purpose, it has a Food Control and Hygiene Section, which is intended to establish health regulations for establishments that process, store, transport, market and distribute food products, and to ensure compliance with technical regulations and good manufacturing practices.
- The strategies it promotes include intersectoral coordination, dissemination of food legislation, extension and education, and health control and surveillance.
- The Food Control and Hygiene Section operates on three levels: higher, regional and local. The higher level is responsible for formulating regulations, participating in technical subcommittees to draw up standards, participating in the Customs Union with recognition of the sanitary register, authorizing imports, and providing guidelines for surveillance of food entering the country in the context of the Customs Union. At the national regional level, the Integrated Basic Health System Centres (SIBASIs) are responsible for supervising food establishments, local-level monitoring of compliance with annual action plans, and the training of inspectors. The local level is responsible for inspecting establishments, training food handlers, supervising the running of food establishments, and food sampling.

Control services for food on sale through the Consumer Protection Office.

Consumer protection through the Directorate for Verification and Control: control of food products on sale, including the labelling of prepackaged foods.

Support bodies to increase interinstitutional coordination among food control services and the National Food Safety Commission:

- The National Food Safety Commission was established, made up of the Ministry of Public Health and Welfare, the Ministry of Agriculture and Livestock, the Ministry of the Environment and Natural Resources and the Consumer Protection Office, with the overall objective of interinstitutional coordination with regard to food health and safety.

## Uruguay

Responsibility for overseeing the sanitary quality of food in the country is shared between various bodies: the Ministry of Public Health (foods for special diets, foods for medicinal use, modified foods, bottled water, dietetic beverages and fortified foods), the Ministry of Livestock, Agriculture and Fisheries (*in natura* dairy and meat foods), the 19 Municipal Food Safety Inspection Bureaus (unmodified processed foods, counter foods). The sanitary inspection of imported foods for authorization of sale is carried out by the Ministry of Livestock, Agriculture and Fisheries for *in natura* foods and by the Technological Laboratory of Uruguay for processed foods. With regard to exported foods, the Ministry of Livestock, Agriculture and Fisheries is responsible for inspection and the Ministry of Public Health is responsible for issuing certificates permitting their sale.

### (ii) Legislation and regulations on food safety and quality - including import/export matters (update information since the 15<sup>th</sup> CCLAC)

## Bolivia

The Draft Law on Food is in the process of approval by the legislative authority.

**Ministry of Rural Development, Agriculture and Environment – National Service for Animal Health, Plant Protection and Food Safety (SENASAG)** is equipped with legal provisions that regulate the procedures of control of animal health, plant protection and food safety. The SENASAG web page is found at [www.senasag.gov.bo](http://www.senasag.gov.bo).

The legislation supporting the SENASAG in the control of food safety is as follows:

- Law 2061 of 16 March 2000 establishing the National Service for Animal Health, Plant Protection and Food Safety as decentralized body of the Ministry of Rural Development, Agriculture and Environment, and whose responsibilities include the establishment, control and assurance of food safety in the agricultural production and processing chains.
- Supreme Decree 25729 of 7 April 2000 approving the regulations of the law establishing the SENASAG and determining its functions relating to food:
  - Conduct activities relating to food safety in the national sphere.
  - Conduct the registration of agrifood processing industries.
  - Authorize and certify the functioning of agricultural establishments and processing plants with regard to health and food safety.
  - Issue import and export sanitary certificates.
  - Administer the provision of services to carry out its institutional mission.
  - Regulate sanitary requirements for the import of animals, plants, products and by-products of agricultural and forestry origin, and agricultural inputs.
  - Draw up regulations on food safety and the technical regulation of food quality in coordination with other institutions.
  - Regulate procedures for the inspection, control and monitoring of food safety in the agricultural production and processing chains.
  - Regulate the seizure, destruction, return or final disposal of animals, plants, products and sub-products of agricultural and forestry origin, and agricultural inputs.
  - Regulate the import, use and other activities undertaken with live genetically modified organisms (GMOs), in coordination with other relevant national agencies.
  - Regulate the system of service accreditation within the framework of Law 2061.
  - Promote the harmonization and equivalence of international standards, and sanitary and phytosanitary measures.
  - Establish training programmes in animal health, plant protection and food safety.

- Participate in technical negotiations with international organizations in areas within its jurisdiction, under the coordination of the Ministry of External Relations and Worship.
  - Manage technical and financial assistance to strengthen animal health, plant protection and food safety in the country.
  - Coordinate with public and private institutions relevant actions for performance of its institutional function.
  - Sign conventions and contracts with public and private national institutions.
  - Exercise all other functions necessary for the performance of its institutional mission.
  - Lead the national programme of food safety in coordination with the Ministry of Health and Social Welfare and the Municipal Governments.
  - Establish mechanisms of permanent liaison with the National Codex Committee.
- Supreme Decree 26590 stating that, before clearance, the National Customs Authority should request the sanitary import permit issued by the SENASAG for products under its sanitary inspection remit, including foods and beverages for human consumption.
  - Supreme Decree 26510 designating the SENASAG and municipalities as responsible for the control of prepackaged food labelling.
  - Supreme Decree 28147 designating the SENASAG as the authority responsible for the registration of food importers and exporters in all categories.
  - Multi-ministerial Resolution N° 002 of 19 February 2006 designating the National Service of Animal Health, Plant Protection and Food Safety (SENASAG) as the National Authority responsible for the National System of Control of Ecological Production in the Republic of Bolivia.
  - Miscellaneous SENASAG Administrative Resolutions on: sanitary requirements for the preparation, transport, storage and bulk-breaking of foods and beverages for human consumption, slaughterhouse operators, procedure for the sanitary control of imports, sanitary registration, control of labelling, certification for export, certification and control of HACCP, control of GAPs, accreditation of laboratories, programmes of control of residues, programmes of food safety assurance in hazard chains, traceability in prioritized chains, certification of organic produce, and so forth.

#### Ministry of Health and Sport:

Decree Law N° 15629, Health Code determines that the Ministry of Health is responsible for safeguarding public health throughout the national territory. The Preamble Title, Consolidated Chapter, Art. 3 states: "It is the responsibility of the Executive Power through the Ministry of Social Welfare and Public Health to define national health policy, the design, planning, control and coordination of all activities throughout the national territory, in public and private institutions without exception. No other institution can therefore exercise the role and functions of the Ministry of Health".

Its articles 53, 55 and 56 state that the Health Authority shall formulate, inspect and control the application of the National Food Regulation, which will determine all conditions that need to be met by foods for human consumption and conditions for industries that manufacture, package, store, distribute and sell food products and that the Ministry of Health and Sport should optimize its functions and capacities to ensure that the provisions are fully observed.

Supreme Decree N° 05190 brings into force the Food and Beverages Sanitary Regulation for the sanitary control of food and beverages for public consumption.

This regulation sets minimum sanitary standards for the inspection of liquid and solid foods for human consumption; of spirits produced, imported, sold or consumed in the country; and of any other substance used in preparation or composition. It also forbids the production, manufacture, registration, storage, sale and import of foods and beverages that do not comply with the standards.

Ministerial Resolution N° 687 authorizes the transfer of the Programme of Food Safety Control from the Directorate of Development of Health Services to the Food Control Unit of the National Institute of Health Laboratories (INLASA).



Ministerial Resolution N° 136 states that the Ministry of Health and Sport has created and coordinates through the National Institute of Health Laboratories (INLASA) the Official Network of Food Analytical Laboratories (RELOAA).

Ministerial Resolution N° 0301 approves the National Programme of Surveillance and Control of Food Safety (PRONVIA) that is to be applied throughout Bolivia through specific programmes in each region. It also states that the activities and strategies of control and surveillance of food safety and fortification shall be coordinated at national, departmental and municipal levels.

### Chile

1. There have been changes in the legislation and regulations, such as implementation of an obligatory HACCP system which will enter into effect in 2009. There has also been work on revising and updating the list of food additives, the maximum residue limits for pesticides, nutritional labelling, statements of food nutrients and health claims. A change to the limit for cyclamate is in the pipeline, from a current ADI of 0 – 11 mg/kg body weight to 0 -7 mg/kg body weight, and to allow the use of cyclamate in accordance with the new ADI, without restriction in tablets and other foods for adults, and to limit the concentration of cyclamate in low-calorie soft drinks to a maximum of 250 mg/litre.
2. With regard to trans-fats, a meeting was held on 9 June 2008 in Rio de Janeiro between public health authorities and representatives of the food industry and vegetable oil companies of the Americas, convened by the Pan-American Health Organization, to promote a regional reduction in trans-fat consumption. The meeting reached a formal commitment on the part of the private and public country representatives to work together towards achieving, in the shortest possible time, the public health objective summarized in the so-called Declaration of Rio de Janeiro as the “*Trans-Fat Free Americas*”.
3. We are pleased to report in particular that we committed to eliminate trans-fats of industrial origin in foods consumed by Chileans. We will implement this sanitary measure by means of an amendment to current national legislation, jointly agreed by the representatives of the companies concerned, academia, other public sectors and consumers. To this end, we have proposed a national goal of reducing industrial trans-fats to a maximum of 2% in margarine and oils within one year, and in remaining foods within five years.

### Costa Rica

- **Law 7475 Approving the Uruguay Round Agreements**  
Under this law, all the Uruguay Round Agreements are ratified, including those on Technical Barriers to Trade and on Sanitary and Phytosanitary Measures.
- **Law 7473 on Implementation of the Uruguay Round Agreements on Multilateral Trade Negotiations**  
This law establishes the spheres of authority of public institutions with regard to the Uruguay Round Agreements.
- **General Law 5395 on Health**  
Under this law, the Ministry of Health is the lead agency, responsible for defining the national health policy and coordinating activities relating to public health. It bans in general terms the importing, processing, use and marketing of altered, deteriorated, contaminated, adulterated or falsified foods. It states that foods must be produced, handled, transported, preserved, stored, sold and distributed to consumers in hygienic conditions appropriate for each type of action or operation and in a way that protects food safety.
- **General Law 8495 on the Livestock Health Service**  
This law regulates livestock health protection, public veterinary health and the operation of the country's Livestock Health Service.
- **Law 8279 on the National Quality System**  
This law, promulgated in 2002, officially creates the Technical Regulations Agency, the Codex Contact Point and the Technical Secretariat of the National Codex Committee within the Ministry of Economy, Industry and Trade.

- **Law 7472 on the Promotion of Competition and Effective Defence of the Consumer**

This law protects consumers' rights, including the health and safety of the food they consume. With regard to food, it gives the Ministry of Economy, Industry and Trade responsibility for ensuring that information provided to consumers is correct and reflects the true nature of products offered to them, in order to avoid any deception.

- **Law 7664 on Phytosanitary Protection**

This law designates the State Phytosanitary Service as the authority responsible for carrying out operations for the sanitary protection of plants. Its functions and obligations include that of bringing such operations into line with international phytosanitary measures. The Centre for Information and Notification on Sanitary and Phytosanitary Measures was also established under this law, operating under the State Phytosanitary Service, in compliance with the principle of transparency.

- **Regulations concerning Joint Verification of Compliance with Technical Regulations 34129-MEIC/MAG/S**

These regulations are intended to optimize the State's resources in supervising compliance with the legislation and associated technical regulations to ensure that the country's inhabitants have access to food and products for human consumption that have the benefit of reliable sanitary and phytosanitary measures. The State's resources will be optimized by providing the officers of the various relevant departments of the Ministry of Economy, Industry and Trade, the Ministry of Agriculture and Livestock, the Ministry of Health and the National Production Council with official standing so that they provide mutual support for the inspection, sampling and verification of the food, agricultural and livestock products and by-products that are marketed in the country; this is ensured through a permanent joint verification programme.

### **Cuba**

Current legislation in the country includes Law 62 on Public Health, Decree Law 64 on Basic Sanitary Provisions relating to food safety, and Decree 182 on Standards and Quality. The Cuban Parliament is currently examining the Decree Law on Food Safety and Security. Although all these aspects target the same objectives, Resolution 234 of the Ministry of External Trade includes aspects that are specific to the import and export of foods that are regulated in the country.

### **Guatemala**

Regulation on Food Safety (969-99); Regulation on the issue of sanitary permits for milking parlours, milk collection centres and dairy transport (427-2005); Regulation on beef, pig and poultry slaughterhouses (411-2002); Regulation on the issue of sanitary permits for crops (72-2003); Regulation on aquatic products (343-2005).

### **Mexico**

The regulatory instruments (see figure) that need to be observed for food safety and quality can be consulted on the COFEPRIS web page at [www.cofepris.gob.mx](http://www.cofepris.gob.mx) and are in general as follows:



- General Health Law. Title 12 Chapters I and II.
- Regulation on the Sanitary Control of Products and Services.
- Appendix to the Regulation on the Sanitary Control of Products and Services.
- Mexican Official Standards (NOM).
- Agreement on authorized substances such as additives and processing aids in foods, beverages and food supplements.

The **General Health Law** sets general provisions that need to be observed for the sanitary control of products and services and for their import and export, and specifies that the processing of products should be carried out under hygienic conditions without adulteration, contamination or spoilage.

The **Regulation on the Sanitary Control of Products and Services** was published in the Official Gazette of 9 August 1999 and aims out to regulate, control and enhance the sanitary quality of processing, import and export, and of activities, services and establishments associated with products, including food. Its appendix determines specifications and provisions for products for which there is no Mexican Official Standard, which are revoked when the corresponding standard comes into effect.

The **AGREEMENT determining authorized substances as additives and processing aids in foods, beverages and food supplements**, whose latest amendment was published on 7 July 2006, lists the additives and processing aids that can be used in food production.

The **Mexican Official Standards (NOMs)** aim to establish the characteristics and/or specifications that products and processes need to meet when these may pose a risk to human health. They are published in the Official Gazette and their elaboration is subject to the rules of the Federal Law on Metrology and Standardization and its Regulations. There are currently 22 NOMs in effect applying to food, supported by two NOMs on good sanitary practices, eight on microbiological assay methods and two on physical and chemical methods.

In order to improve the promulgation of Mexican regulations, covering not only deregulation but also reform of proposed or existing regulations, and including the introduction of new regulations to bridge existing juridical gaps resulting from economic, social and technological change, the Agreement with guidelines for the establishment of a regulatory moratorium was published on 12 May 2004, followed on 2 February 2007 by the Agreement on Regulatory Quality, which sets guidelines for the promulgation of regulations. The COFEPRIS has been integrating NOMs in follow-up to this policy, so that those on the same topic can be incorporated into a single juridical instrument, producing the following compact regulatory framework:

Topic	Existing NOMs	Ongoing proposals
Good sanitary practices	NOM-120 Hygienic and sanitary practices for the processing of foods, soft drinks and alcoholic beverages.	<b>PROY-NOM-251-SSA1-2005. Hygienic practices for the processing of foods and beverages.</b>
	NOM-093 Hygienic and sanitary practices in the preparation of foods dispensed in fixed establishments.	
Fisheries	NOM-027 Fresh, chilled and frozen fish	<b>PROY-242. Fresh, chilled, frozen and processed fishery products. Sanitary specifications and testing methods.</b>
	NOM-028 Canned fish	
	NOM-029 Fresh, chilled and frozen crustaceans.	
	NOM-030 Canned crustaceans.	
	NOM-031 Fresh, chilled and frozen bivalve molluscs.	
	NOM-032 Canned bivalve molluscs.	
Dairy products	NOM-129 Fishery products: dried-salted, smoked, fresh, chilled and frozen molluscs cephalopods and gastropods.	<b>PROY-NOM-243-SSA1-2005. Products and services. Milk, formula, combined dairy products and dairy derivatives. Sanitary provisions and specifications</b>
	NOM-035 Whey cheeses.	
	NOM-036 Ice-creams from cream or milk or vegetable cream, sherbets and sorbets and bases or mixtures for ice-creams.	
	NOM-121 Cheeses: fresh, ripened and processed.	
	NOM-184 Milk, formula and combined dairy products	
NOM-185 Butter, creams, sweetened condensed dairy product, fermented and acidified dairy products, milk-based cakes.		

Topic	Existing NOMs	Ongoing proposals
Cereals	NOM-147 Cereals and cereal products. Cereal flours, meals and powders. Foods based on cereals, edible seeds, flour and their mixtures. Bakery products.	<b>PROY-NOM-247-SSA1-2005. Products and services. Cereals and cereal products. Cereal flours, meal and powders. Foods based on cereals, edible seeds, flours, meals or powders or their mixtures. Bakery products. Sanitary provisions and specifications. Testing methods.</b>
	NOM-188 Control of aflatoxins in cereals for human and animal consumption.	

With regard to the remaining NOMs, some have been ratified without change, while others are in the process of individual revision.

NOM	Status
NOM-040 Iodized salt and fluoridated iodized salt.	Ratified
NOM-086 Foods and non-alcoholic beverages with changed composition.	Under revision
NOM-130 Hermetically sealed foods submitted to heat treatment.	Ratified
NOM-131 Food for infants and young children.	Under revision
NOM-159 Eggs, egg products and derivatives.	Ratified
NOM-186 Cocoa, products and derivatives. I Cacao. II Chocolate. III Derivates.	Ratified
NOM-187 Dough for tortillas, tostadas and flour for its preparation and processing facilities.	Ratified
NOM-194 Sanitary requirements in slaughterhouses, carcass preparation, storage, transport and sale.	Ratified
NOM-201 Water and ice for human consumption in packaged or bulk form.	Under review
NOM-213 Processed meat products.	Modified in April 2008

The market liberalization process has obliged countries to apply the Agreement on Sanitary and Phytosanitary Measures to regulate trade in order to avoid the spread of pests and diseases that affect agriculture and livestock and the risks of food contamination, using science-based principles and in a transparent and harmonized framework.

Standardization plays a key role in this process, and it is the Federal Law on Metrology and Standardization that determines the procedure for the elaboration of Mexican Official Standards (NOMs) which establish the requirements and specifications that products, processes, facilities and services need to meet when these could pose a risk to human, animal or plant health or to the environment. These provisions are mandatory for individuals.

The **SENASICA** has three Federal Laws that were revised last year:

- Federal Law on Animal Health (25 July 2007)
- Federal Law on Plant Health (26 July 2007)
- General Law on Sustainable Fisheries and Aquaculture (24 July 2007)

**El Salvador*****Central American Technical Regulations (regional regulations)******Sanitary register and reciprocal recognition among countries of the Central American region regarding:***

1. Food and beverages. COMIECO Resolution 121.
2. RTCA 67.01.30:06. Processed foods. Procedure for granting sanitary licences to factories and warehouses (COMIECO Resolution 176-2006).
3. RTCA 67.01.31:06. Processed foods. Procedures for granting the sanitary register and sanitary registration (COMIECO Resolution 176-2006).
4. RTCA 67.01.32:06. Requirements for the importing of processed foods for purposes of exhibition and tasting (COMIECO Resolution 176-2006).
5. RTCA 67.01.33:06. Processed foods and beverages industry. Good Manufacturing Practices. General Principles (COMIECO Resolution 176-2006).
6. RTCA 01.01.11:06. Prepackaged product quantity (COMIECO Resolution 168-2006).
7. RTCA 67.01.15:06. Flour. Fortified wheat flour. Specifications (COMIECO Resolution 201-2007).
8. RTCA 67.04.40:07. Processed foods and beverages. Edible oils and fats. Specifications (COMIECO Resolution 215-2007).
9. RTCA 67.04.47:08. Processed foods and beverages. Fruit nectars. Specifications (COMIECO Resolution 226-2008).

***List of Obligatory Salvadoran Standards (See Annex to CX/LAC 08/16/7):***

- National Council for Science and Technology (CONACYT) Law
- Health Code (Ministry of Public Health)
- Plant and Animal Health Law (Ministry of Agriculture and Livestock) and Executive Agreements (Hygiene of Meat, Law for the Promotion of Hygienic Production of Milk and Milk Products and Supervision of Their Place of Sale and respective regulations, including honey processing plants)
- Technical standards for the authorization and control of food establishments
- Technical manual for food handlers
- Manual containing guidelines, measures and procedures for the implementation of food programmes.

**Uruguay**

Uruguay's food legislation is contained in the National Food Safety Regulations approved in Decree 315 of 1994 and its amendments, summarized in its third edition of 2008. When drawing up these regulations, the main references used are the measures concerning foods contained in the Codex, together with European Union and regional regulations, taking the country's particular needs into account.

Within this legislative framework, Article 2 explicitly states that the Codex Alimentarius shall be applied in all cases where expressly laid down. The Ministry of Public Health supports the work of commissions for the introduction of modifications to the National Food Safety Regulations, taking as its basis the standards and guidelines of the Codex Alimentarius.

**(iii) Establishment of equivalence or other trade facilitation agreements with other governments****Bolivia**

Bolivia has not entered into any agreement of equivalence.

With regard to agreements to facilitate trade, the SENASAG has entered into the following agreements through bilateral protocols:

Country	Product	Purpose of the protocol
Peru	Dairy and meat products	In accordance with Andean standards, the Sanitary Authority of Bolivia implement a system of surveillance that guarantees the animal health and the safety of these products, in such a way that the sanitary certificate of origin is accepted by the Sanitary Authority of Peru as assurance of compliance.
Argentina	Beef	The Sanitary Authority of Bolivia recognize the establishments authorized by the Sanitary Authority of Argentina for the export of beef to Bolivia.
Argentina	Banana	The Sanitary Authority of Argentina recognizes the implementation of the system of certification of good agricultural practices supervised by the Sanitary Authority of Bolivia.

Various food products are currently exported on the basis of the Codex Alimentarius standards.

### **Costa Rica**

Given the high costs involved for developing countries in approving and controlling an equivalence or other type of agreement, it was decided to develop a set of technical regulations for the Central American region, and Costa Rica takes part in these negotiations. With regard to food legislation, our country participates in negotiations of the Central American Customs Union, specifically in proposing the following rules:

1. technical regulations for nutritional labelling;
2. nomenclature and classification of alcoholic beverages;
3. general labelling of prepackaged foods;
4. labelling of fermented alcoholic beverages;
5. labelling of distilled alcoholic beverages.

The following regulations have been approved:

1. processed foods: procedures for granting the sanitary register and sanitary registration;
2. requirements for the importing of processed foods for purposes of exhibition and tasting;
3. processed foods and beverages industry: Good Manufacturing Practices – general principles;
4. flour: fortified wheat flour;
5. processed foods and beverages: edible oils and fats – specifications.

### **Cuba**

Cuba has a National Trade Facilitation Group and two subgroups dealing respectively with Sanitary and Phytosanitary Measures (SPS) and Technical Barriers to Trade (TBT), which have established equivalence agreements with selected countries, including those of ALBA and MERCOSUR, which are at different stages in accordance with the ALADI.

### **Guatemala**

We are currently working on the establishment of an equivalence agreement on systems of inspection of cattle slaughterhouses with the United States of America and on the elaboration of the Central American Regulation on Microbiological Criteria.

### **Mexico**

#### **PROTLCUEM**

The Project for Facilitation of the Free Trade Agreement between Mexico and the European Union (PROTLCUEM) is a programme aimed at promoting bilateral trade cooperation by streamlining government and business procedures and thus simplifying some of the activities envisaged in the FTA between Mexico and the Member States of the European Union (EU).

“The Economic Partnership, Political Coordination and Cooperation Agreement between the United Mexican States and the European Community” was signed in September 1997, laying the foundations for the entry into effect in 2001 of the Free Trade Agreement between the two parties (TLCUEM).

A “Framework Agreement for Execution of Financial and Technical Aid and for Economic Cooperation in Mexico”, was signed in May 2002 to facilitate application of the Agreement. Subsequently, in November 2004 a “Specific Agreement on Financing” was signed to determine the cooperation conditions of the PROTLCUEM.

At the end of this year, the Federal Commission will sign an addendum to the Agreement on Financing under which it will be a beneficiary of this facilitation project and Mexican industry will be helped with the streamlining of procedures of export to the EU.

### **El Salvador**

Recognition of the sanitary register in the framework of the Customs Union.

### **Uruguay**

Together with Brazil, Argentina and Paraguay, Uruguay makes up MERCOSUR, a trade treaty that seeks to facilitate trade within the region. Requirements for the movement of foods are coordinated in the framework of this treaty (for example, a list of authorized additives, limits for pesticide residues, labelling, Good Manufacturing Practices). Uruguay also has trade agreements with many countries recognizing official control services in the form of inspections by the purchasing countries, for example trade agreements with the United States, Mexico, Israel and Chile.

## **(iv) Identified need for capacity building and training to strengthen the national food control system**

### **Bolivia**

- 1) Building of laboratory capacity to detect pesticide and veterinary drug residues in foods.
- 2) Building of capacity to implement a network of internal and external warning.
- 3) Building of capacity to implement a system of risk analysis on the basis of Codex Alimentarius guidelines.
- 4) Strengthening of capacity to detect other food contaminants (micotoxins, heavy metals)
- 5) Further enhancement of systems of quality assurance regarding analytical findings of official laboratories.
- 6) Strengthening of capacity to inspect and certify the current system of inspection and control of food safety.
- 7) Strengthening of capacity to implement food safety assurance systems (HACCP)
- 8) Building of capacity to develop and implement systems of education, training and dissemination related to food safety.

### **Costa Rica**

The following needs have been identified:

1. training for food producers, consumers and distributors on food safety and labelling, as well as ongoing training on food regulations and a greater participation in drawing up Codex standards;
2. cooperation to bring together the relevant national institutions and coordinate action at the Central American level regarding food poisoning caused by marine biotoxins during their flowering period;
3. boosting of control and surveillance programmes for foods produced and consumed within the country;
4. development of a traceability system covering the whole food chain for products entailing the greatest risk to consumers and also those of major consumption;
5. carrying out of studies on the overall diet of the region, inasmuch as the region lacks reliable data from the various countries on which to base the necessary actions to ensure the inhabitants’ well-being or assess exposure to risk and subsequently decide on how to deal with contaminants in food;
6. creation of regionally recognized laboratories with specializations varying according to the individual country, making the best use of existing resources.

**Cuba**

There is an identified need for capacity building and training at the Central Agencies of the Cuban State (OACE) in WTO/FAO/WHO methodologies. Although trained and qualified human resource potential exists to provide training, there is need to strengthen risk analysis in practical terms and in accordance with Cuba's environmental conditions.

As regards capacity building, there is a need for analytical and structural strengthening of the country's network of laboratories, especially as regards chemical contaminant determinations associated with international food trade.

**Guatemala**

We need to strengthen the sphere of food safety as this is an area with extensive social and public health implications. We need more interaction between Ministries with jurisdiction over food safety. We also need more inspectors of livestock slaughterhouses and professionals capable of conducting HACCP audits. We also need quarantine professionals so that there is better epidemiological surveillance for the diagnosis of food-borne diseases.

**Mexico**

Appropriate human resource training through the design of specialized courses in the assessment of food risks, information technology and management, and the design and implementation of food safety policies.

**El Salvador**

Training in:

- design and implementation of risk evaluation programmes; food safety indicators for the various links in the food chain; sampling plans to define food quality standards with a view to establishing microbiological food safety indicators.
- Strengthening of laboratories (infrastructure, equipment, training and technical staff).
- Improvement in the food inspection system (infrastructure, equipment, training and technical staff).

**Uruguay**

1. Need for a national-level lead agency for food safety
2. Boosting of the national presence in such international fora as the Codex
3. Boosting of the work of the National Codex Committee
4. Holding of staff training programmes
5. Formulation of an agenda for innovation and research on food safety
6. Strengthening of the laboratory network
7. Modernization of the food control and surveillance system, focusing on prevention and standardization
8. Strengthening and improvement of food hygiene and control programmes
9. Development of food safety information systems
10. Improvement in the management of food emergencies

**(v) Activities to increase awareness on food safety and quality among the consumers and other specified groups**

**Bolivia**

The Ministry of Health and Sport has been active in the following events:

- organization of food fairs
- training of specific groups in the food industry
- training of market vendors
- training of food handlers in enclosed environments (zoos and hospitals)



At the national level, the SENASAG has pursued the following activities to raise food safety awareness among consumers and producers:

- Training courses on GMPs, HACCP specifically targeting food processing companies and their associations at national level.
- Training courses on GAPs for primary chain sectors.
- Training courses on official regulations for prepackaged food labelling directed towards producers and municipal authorities.
- Consumer awareness-raising campaigns using the printed media (leaflets, triptychs, etc.) and other means of communication.
- Training and dissemination workshops on food hygiene for consumers.
- This activity is ongoing in the SENASAG plan of operations.

### **Chile**

Members of the National Codex Committee have been giving talks in institutes of higher education that provide vocational training in the food sector.

There are plans to extend those talks to other social groups during the period 2008-2009.

### **Costa Rica**

As part of activities to increase awareness on food safety and quality, Costa Rica has held the following events:

**26–27 October 2006:** National Seminar on the Traceability of Food Products

**31 October–1 November 2007:** Practical Workshop in San Carlos on the Preparation of High-Quality Food in Safe Conditions

**13 March 2008:** Coordination Workshop for the National Codex Subcommittees

**5–6 June 2008:** Central American Seminar on Food Contaminants

**20 August 2008:** Seminar in Guanacaste on Food Safety in Tourist Zones

The country has given public officials and private individuals introductory talks on the working of the Codex in the country, and also given talks to specific institutions.

### **Cuba**

Through the National Codex Committee, the National Office of Consumer Protection, the NGO Hombre y la Naturaleza and the OACEs involved in the food chain, there has been increased awareness of food safety and quality among consumers and other groups, although financial resources are needed to help develop this work.

### **Guatemala**

We need to design courses on hygienic food handling, appropriate management of the cold chain, Codex Alimentarius and food trade and food-borne diseases and to better disseminate information on new legislation and the current national situation.

### **Mexico**

Awareness-raising activities are already indicated in the document CX/LAC/04/14/5 “*Information and Reports on Food Control and Food Safety Issues including Codex Standards*”.

### **El Salvador**

The National Food Safety Commission holds outreach and awareness-raising days concerning food safety, intended for producers, processors, distributors and consumers.

The Ministry of Public Health and Welfare provides training for food handlers.

The Ministry of Agriculture and Livestock provides training for producers and processors.

**Uruguay**

A lead agency for food safety and quality is needed. Such a body would be responsible for adequate dissemination of these topics (Risk Analysis and Management).

Introduction of food safety and quality as subjects in primary and secondary education programmes: this activity is being carried out, but should be stepped up.

Establishment of links with consumers' associations and the official consumer protection body.

**(vi) Any other relevant information****Bolivia**

Bolivia has been actively involved in the implementation of the Andean Food Safety System, under the Andean Community of Nations.

**Cuba**

None.

**Mexico**

Mexico's participation is important for raising awareness in government sectors and the food chain to promote food safety and quality.

**Uruguay**

Recently – on 11 August 2008 – the President of the Republic approved Decree 400/008 which established the Interinstitutional Commission for Food Security, made up of the Ministry of Health, the Ministry of Livestock, Agriculture and Fisheries, the Ministry of Industry, Energy and Mines, the National Conference of Mayors, the National Food Institute, the Technological Laboratory of Uruguay, among others, with the task of reviewing and updating food safety standards and designing the regulatory framework needed in order to establish a lead agency in this regard.

**2. NATIONAL CODEX CONTACT POINT AND OTHER NATIONAL STRUCTURE FOR CODEX MATTERS****(i) Activities of the Codex Contact Point (update information since the 15<sup>th</sup> CCLAC) and any information about change of contact details (if not yet notified)****Bolivia**

Bolivia's Contact Point since the creation of the National Codex Committee in 1997 has been the Bolivian Institute for Standards and Quality – IBNORCA.

The work is carried within the framework of its mandate to formulate voluntary technical standards using the Codex international standards as point of reference.

It is also involved in the formation of technical committees to review pipeline Codex documentation, given its responsibility for disseminating all information to stakeholders and, together with them, for drawing up national positions.

Although the structure of the Contact Point has not been changed and its responsibilities have remained unchanged since the last session of the CCLAC, the work has increased in terms of the formulation of standards and participation in the Codex, as described below.

**Chile**

The Codex Contact Point in Chile has historically been in the Ministry of Health. However, as the Chair of the National Committee rotates, a Technical Secretariat has been established to advise the National Committee and carry out the work of coordination between the National Sub-Committees, the National Committee and the Codex Committees at international level.

**Costa Rica**

The responsibilities of the Codex Contact Point are set out in the 17<sup>th</sup> edition of the Codex Procedural Manual.

**Cuba**

The Codex Contact Point continues to be in the National Standards Office, which keeps the OACEs informed of Codex activities and carries out all duties set out in the Codex Procedural Manual.

**Guatemala**

Activities include coordination and communication at national, regional and international level, liaising between the Codex Secretariat and Member States, coordinating activities relating to Codex within the country, receiving Codex documents and texts and ensuring that these are distributed within the country; sending comments on proposals from the CAC and subsidiary bodies; building a library of Codex agreed texts; promoting Codex activities throughout the country; and establishing technical committees within the country.

**Mexico**

- To act as a link between the international organization and the national sectors responsible for Codex matters.
- To establish and/or dissolve mirror Codex committees and/or working groups to address issues under examination.
- To receive and distribute Codex technical and working texts among coordinators of the national sub-committees.
- To coordinate at national level the work of the Codex commodity and horizontal sub-committees.
- To participate in the meetings of the mirror sub-committees in which issues and national positions are determined and delegations are designated to attend an international meeting.
- To reconcile the interests of industry and government to boost Mexico's participation.
- To transmit to the Codex Secretariat the national positions of the different Codex committees.
- To accredit Mexican delegations with the Codex Secretariat and Mexico's Ministry of Foreign Affairs.
- To prepare the logistics and technical aspects of the international meetings of the Codex Committee on Fresh Fruits and Vegetables (CCFFV).
- This year, as regional coordinators, to prepare the logistics and technical aspects of the meeting of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC).
- To coordinate and update with Argentina the CCLAC virtual platform.
- To update directories of national coordinators of mirror sub-committees and Codex contact points of the CCLAC.
- To coordinate the Codex e-learning course for the CCLAC.

**El Salvador**

Codex Contact Point: National Council for Science and Technology (CONACYT).

Contact Point: Ing. Evelyn de Vanegas: [evanegas@conacyt.gob.sv](mailto:evanegas@conacyt.gob.sv); [vanegasevelyn@hotmail.com](mailto:vanegasevelyn@hotmail.com)

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Coordination of Codex National Mirror Committees

Dissemination of training and information

Coordination of the National Codex Commission

## Uruguay

The Contact Point is responsible for: executing the decisions of the National Codex Committee; acting as Uruguay's Contact Point for the Joint FAO/WHO Programme; planning, coordinating and acting as the link between the National Codex Committee and the Advisory Commission of the Ministry of Public Health; organizing the country's international-level participation in the various meetings of the Codex Commission and its auxiliary bodies; coordinating the work of the technical subcommittees; preparing and submitting (i) comments on the issues focused on by these subcommittees and (ii) Uruguay's regulatory proposals, to ensure that they are representative of the country; disseminating information on the standards, guidelines and recommendations of the Codex; and, on the request of the acting Chair, convening meetings of the National Codex Committee and the technical subcommittees.

### (ii) Structure, composition and operation of a National Codex Committee (or equivalent or similar structure) or plans for its establishment (update information since the 15<sup>th</sup> CCLAC)

## Bolivia

In Bolivia, Codex Alimentarius activities are carried out through the National Codex Alimentarius Committee – CNCA, established by Supreme Decree N° 24645 of 14 June 1997.

The objectives of the CNCA include:

- Acting as a body for the proposal of food policies and standards.
- Being part of the Committee of the International Codex Alimentarius to follow-up its objectives at national level.
- Facilitating the realization of the objectives of the Joint FAO/WHO Food Standards Programme at national level.

The CNCA is made up of the following institutions:

- Ministry of Health and Sport (as Chair)
- Ministry of Rural Development, Agriculture and Environment
- Ministry of External Relations and Worship – Vice-Ministry of International Economic Relations
- Ministry of Production and Micro-enterprise – Vice-Ministry of Medium and Large Enterprise and Industry (as member)
- Ministry of Finance
- National Customs Authority of Bolivia
- National Chamber of Industries (as member)
- National Chamber of Commerce (as Vice-Chair)
- National Chamber of Exporters of Bolivia
- FAO Representation (*guest organization*)
- PAHO/WHO representation (*guest organization*)
- Municipal Governments of La Paz and El Alto
- University Mayor de San Andrés (UMSA)
- University Mayor de San Simón (UMSS)
- AIS CODEDCO
- SEDECO
- National Institute of Health Laboratories - INLASA (representing the Network of Official and Food Analytical Laboratories (RELOAA) and the National Network of Food Control Laboratories

- Bolivian Institute of Standards and Quality – IBNORCA (as Executive Secretary and Codex Contact Point).

The functions and responsibilities of the CNCA have remained unchanged since it was established, but it has stepped up its activities in the following areas:

- Training of CNCA members to enhance understanding of Codex Alimentarius activities
- Dissemination of CNCA activities among stakeholders through seminars
- Support to the technical committees that draw-up national positions

Also noteworthy is its work in preparing the critical review for the proposed standard on grain quinoa.

### **Chile**

There is a National Committee made up of representatives of the Ministries of Foreign Affairs, Agriculture, Health and the Economy, in addition to representatives of private industry, academia and consumers. The Agriculture and Livestock Service of the Ministry of Agriculture currently holds the Chair. The National Committee heads 15 Sub-Committees that replicate the Codex Committees, in accordance with the country's interests. Each of these groups includes representatives of the above-mentioned sectors. Coordination is through e-mail and formal meetings. Proposals from the Sub-Committees are put to the National Committees for endorsement and the establishment of a “country position”.

The National Codex Committee was established by Decree N° 19 of 1996 of the Ministry of Health, and its regular members the Ministers or their representatives. The current composition of the Committee is therefore:

Representative of the Minister of External Relations: Mr Antonio Bayas, Directorate of Multilateral Policy.

Representative of the Minister of Agriculture: Mr Miguel Peña, Head of the International Affairs Division of the Agriculture and Livestock Service.

Representative of the Minister of Health: Mr Tito Pizarro, Head of the Department of Food and Nutrition.

Representative of the Minister of the Economy: Mrs Ana María Vallina, Head of the Department of External Trade.

Representative of the Private Industry Sector: Mrs Marisol Figueroa, appointed by the Sociedad de Fomento Fabril (SOFOFA).

Representative of the Academic Sector: Mr Héctor Araya, appointed by the Council of Deans.

Representative of the Consumer Sector: Mr Eduardo Castro, President of the Organization of Users and Consumers of Chile (ODECU)

Advisers: Mr Gonzalo Ríos K., Division of International Affairs, SAG

### **Costa Rica**

The National Committee is currently made up of:

- a. public sector: relevant government departments and bodies;
- b. private sector: national bodies, chambers, associations and companies, including producers, distributors and exporters involved with these matters;
- c. academic sector: higher education and research institutions that carry out activities in branches of science and technology that are of interest to the subcommittee;
- d. consumers: associations, groups or individuals representing the interests of end consumers.

The operation of the National Committee is governed by Executive Decree 33212-MEIC establishing the internal regulations of the National Codex Committee and the National Codex Alimentarius Subcommittees in Costa Rica.

### **Cuba**

Cuba has its National Codex Committee with members from all the State agencies. It operates in a systematic manner and maintains its original structure and operating procedures.

**Guatemala**

Establishment of Government Agreement 214-2002 creating the National Codex Alimentarius Committee of Guatemala and modified in Article 4 by Government Agreement 247-2007. Establishment of Ministerial Agreement 1126-2002, listing the functions of the Codex National Committee and Technical Committees.

**Mexico**

A Mexican Codex Alimentarius Committee (CMCAC) has been established with the following structure:

- Chaired by the Director of the General Directorate of Standards (DGN) of the Secretariat of the Economy.
- An Executive Secretariat represented by the International Standardization Section of DGN.
- 27 CMCAC sub-committees and working groups, some coordinated by the Secretariat of Agriculture, Livestock, Rural Development, Food and Fisheries (SAGARPA), others mostly by the Secretariat for Health, through the Federal Commission for Protection against Sanitary Risks (COFEPRIS), the Secretariat of the Economy, Chambers of Commerce and Industry:

SAGARPA: PFV, FFP, MMP, CPL\*, RVDF; FFV and AF\*.

COFEPRIS: PR, NFSDU, MAS, FA, FH, FICS, FBT, AMR, CF and TFQFT.

Secretariat of Economy (SE): GP, LAC, CAC and EXEC.

Federal Consumer Protection Commission (PROFECO): CCPC\*

Joint Coordination SE and PROFECO: FL.

Chamber or Industry: FO, PMPP\*, VP\*, S\*.

\*Even when these are adjourned sine die.

**El Salvador**

The National Codex Commission is made up of representatives of the following sectors:

***Government:***

Ministry of Agriculture and Livestock

Ministry of Public Health and Welfare

Ministry of Foreign Affairs

***Consumers:***

Consumer Protection Office

Consumer Protection Centre

***Business sector:***

Salvadoran Association of Industrialists

Chamber of Commerce and Industry

Agro-Livestock Chamber of El Salvador

Corporation of Salvadoran Exporters

***Academic sector:***

University of El Salvador

José Simeón Cañas Central American University

The National Commission meets in ordinary session every three months and in extraordinary session as required. It has a working plan based on Codex guidelines concerning strategic lines of action (See Annex).

## Uruguay

In line with Decree 527/994 of 1994, the Government created the present National Codex Alimentarius Committee, made up of the minister of his or her highest-level representative with the following portfolios: Ministry of Foreign Affairs, Ministry of Economy and Finance, Ministry of Livestock, Agriculture and Fisheries, Ministry of Public Health, Ministry of Industry, Energy and Mines, Ministry of Housing, Regional Planning and the Environment; also a representative of the National Conference of Mayors and a representative of the Focal Point (Technological Laboratory of Uruguay).

The Chair of the National Codex Alimentarius Committee is held by the ministers or their representatives in rotation, for a period of six months each. The first Chair was held by the Ministry of Foreign Affairs, followed by the Ministry of Livestock, Agriculture and Fisheries, the Ministry of Public Health and the Ministry of Industry, Energy and Mines.

The National Codex Alimentarius Committee is responsible for: collaborating with the Joint FAO/WHO Food Standards Programme; coordinating work to bring Uruguay's standards into line with the Codex Alimentarius; appointing technical subcommittees to help in study of the various issues; and appointing delegates to participate in meetings of the Codex Alimentarius Commission and its auxiliary bodies.

### (iii) Participation in Codex committees (update information since the 15<sup>th</sup> CCLAC)

#### Bolivia

Since the 15<sup>th</sup> Session of the CCLAC, Bolivia has participated in the following Codex Committees

- Codex Committee on Food Labelling – 35<sup>th</sup> Session
- Codex Committee on Food Import and Export Inspection and Certification Systems – 36<sup>th</sup> Session
- Codex Committee on Food Labelling – 36<sup>th</sup> Session

National positions were sent to the following Committee:

- Codex Committee on Nutrition and Foods for Special Dietary Uses.

#### Chile

- |   |                                   |
|---|-----------------------------------|
| ✚ General principles                          | ✚ Pesticide Residues              |
| ✚ Inspection and Certification Systems        | ✚ Food Labelling                  |
| ✚ Analysis and Sampling                       | ✚ Fish and Fishery Products       |
| ✚ Contaminants                                | ✚ Fresh Fruits and Vegetables     |
| ✚ Additives                                   | ✚ Food derived from Biotechnology |
| ✚ Nutrition and Food for Special Dietary Uses | ✚ CAC                             |

#### Costa Rica

The country is represented in Codex fora by members of the National Committee or any of the national subcommittees as nominated by the National Committee for this purpose. If a member of a subcommittee employed in the private sector is nominated to represent the country at an International Codex Meeting, he or she shall be invested with official status as a representative or delegate by the Ministry of Economy, Industry and Trade following approval by the Government, and must comply with the General Law on Public Administration and current regulations.

#### Cuba

The Republic of Cuba participates actively in 100 percent of the Codex Committees for which it has created standardization technical committees that mirror those of the international organization, analysing and submitting opinions on texts circulated by each of them.

However, because of financial and visa problems, especially for meetings taking place in the United States, Cuba is unable to participate in the international meetings or working groups that are set up by the Codex.

**Guatemala**

- 39<sup>th</sup> Session of the Committee on Food Hygiene (1 representation)
- 29<sup>th</sup> Session of the Committee on Nutrition and Foods for Special Dietary Uses (2 representations)
- 31<sup>st</sup> Session of the Codex Alimentarius Commission (1 representation)

**Mexico**

Mexico's participation in Codex activities has been constantly increasing, with an 85 percent participation in 2007 in the international meetings of the Codex Committees. Even when Mexico is not represented at international level, it sends comments on the topics to be discussed. The meetings that were not attended were those of the CCCF, CCFO, CCPFV and the CCFPP.

**El Salvador**

- 2003: Codex Commission
- 2005: Committee on Fats and Oils
- 2006: Committee on General Principles; Committee on Food Hygiene; Committee on Food Additives and Contaminants; Committee on General Principles
- 2007: Committee on Pesticide Residues
- 2008: Codex Commission 34<sup>th</sup> Period of Sessions

**Uruguay**

The following Technical Subcommittees have been appointed in Uruguay, coordinated by experts from the Ministry of Livestock, Agriculture and Fisheries, the Ministry of Public Health and the Technological Laboratory of Uruguay: General Principles; Food Additives; Contaminants in Foods; Food Hygiene; Food Labelling; Methods of Analysis and Sampling; Pesticide Residues; Residues of Veterinary Drugs in Food; Food Import and Export Inspection and Certification Systems; Nutrition and Foods for Special Dietary Uses; Processed Fruits and Vegetables; Milk and Milk Products; and Foods Derived from Biotechnology.

The technical subcommittees are made up of representatives from the public and private sectors, who meet when required to respond to texts from the Codex Alimentarius.

Through their coordinators, the technical subcommittees produce proposals concerning food standards being debated in the Codex Alimentarius, then, through the Contact Point and after approval by the National Codex Committee, these proposals are submitted to the International Committee.

In 2008, Uruguay participated in Meeting 8 of the Codex Committee on Milk and Milk Products, Meeting 61 of the Codex Executive Committee and Session 31 of the Codex Commission.

**3. PARTICIPATION OF CONSUMERS IN STANDARDS SETTING****(i) Consumer participation in Codex related activities at national and international level (update information since the 15<sup>th</sup> CCLAC)****Bolivia**

There are two consumer organizations that participate in the CNCA: the AISCODEDCO and the SEDECO. These two organizations are able to participate in all technical committees working in food related areas.

They are currently involved with the following technical committees:

- CTN 3.14 Labelling – AISCODEDCO and SEDECO
- CTN 3.27 Special dietary uses – AISCODEDCO
- CTN 3.29 General food issues – SEDECO
- CTN 3.33 Food Import and Export Inspection and Certification Systems – SEDECO.



## Chile

In Chile, the participation of consumers in the National Codex Committee is established in Decree N° 19/97 of the Ministry of Health, “Establishment of the National Codex Alimentarius Committee”, appointing one member of consumer organizations to represent their interests and concerns related to food on the Committee, with the same representation status and the same functions and obligations as the other members of the National Committee.

Consumers are also formal members of the Codex Alimentarius sub-committees, which are working groups made up of representatives of the Ministries and public and private bodies and individuals specialized in particular fields and with an understanding of the national situation, mainly in the areas of standardization, marketing and technology related to food.

In spite of the above, the participation of consumers in Codex work has often been hampered because consumer organizations do not have sufficient financial or human resources to operate *ad honorem*, which in practical terms prevents them from participating in all ambits of Codex work.

## Costa Rica

The National Codex Committee of Costa Rica has promoted the participation of consumers in the National Committee, which includes a representative of the National Federation of Consumers’ and Users’ Associations. The country’s position with regard to Codex standards is expounded at National Codex Committee meetings, in which the relevant public institutions, production sectors, exporters, consumers and the academic sector also participate.

## Cuba

At national level, consumers are represented on the National Codex Committee and on the Standardization Technical Committees and through the NGO “El Hombre y la Naturaleza, which is a member of Consumers International.

## Guatemala

Although the LIDECON (Consumer League) is a member of the National Codex Committee of Guatemala, it is not very active and only participates occasionally. The representation of this consumer representative body is therefore inadequate.

## Mexico

The Regulations of the Federal Law on Metrology and Standardization state in Chapter V, Section II, Article 65, on Mexican committees for participation and attention to international organizations, that committees, sub-committees and working groups can involve services and entities of the Federal Public Administration, national standards agencies, chambers, industry, associations, schools and institutions of higher education and research, that are active or show an interest in the topic under discussion. **They are also open to participation by associations, groups or persons that represent the interests of consumers or service users**, which explains the participation of the Federal Office of Consumer Protection (PROFECO) which is Mexico’s office for the promotion and protection of consumer rights.

## El Salvador

At the national level, the Consumer Protection Centre, an NGO, participates in the various committees, contributing to the formulation of technical standards and the analysis of regulatory texts related to the Codex, ensuring that they incorporate consumers’ interests. Between 2006 and 2008, the centre has taken part in the Committees on Food Labelling, Prepackaged Foods, and Drinking and Bottled Water, and the National Codex Commission. It has also taken part in meetings organized by the National Council for Science and Technology and the National Codex Commission with the aim of spreading awareness of the importance of the Codex Alimentarius, food standards in El Salvador based on the Codex, and the structure and functions of the National Codex Alimentarius Commission.

On 16 and 17 June 2008, the centre took part in the course on “The regulatory process of the Codex Alimentarius and you” organized by the Inter-American Institute for Cooperation on Agriculture (IICA) and the Food and Agriculture Organization of the United Nations (FAO).

In the international arena, as the representative of the consumer sector in El Salvador, the Consumer Protection Centre took part in the fifth meeting of the Pan American Commission for Food Safety (COPAIA) held on 10 June 2008 in Rio de Janeiro.

The Consumer Protection Office (a governmental body) took part in formulation of the obligatory Salvadoran standards establishing the quality and safety of foods.

### **Uruguay**

Consumers in Uruguay are represented in Codex technical subcommittees by representatives of consumers' and users' associations.

## **(ii) Activities aimed at increasing consumer participation in food standards setting (update information since the 15<sup>th</sup> CCLAC)**

### **Bolivia**

No activity has been carried out in this regard.

### **Chile**

Consumer representatives on the different Codex Committees are always invited to meetings and provided with information. However, consumers are not so strongly organized in Chile as in other countries and often lack opportunities to canvass national opinion. They also lack resources which makes the work a mission as Codex requires a considerable amount of time to study each agenda item.

### **Costa Rica**

With regard to consumer participation in setting national food standards, our country directly involves consumers in this process through a representative on each of the National Technical Committees that draw up technical regulations, many of which are harmonized with Codex standards. However, with regard to national subcommittees directly connected with the Codex, consumer participation has been ensured through Executive Decree 33212 establishing the internal regulations of the National Codex Committee and the National Codex Alimentarius Subcommittees in Costa Rica.

It should be pointed out that in our country application of Law 7472 of December 1995 on the Promotion of Competition and Effective Defence of the Consumer and Law 8220 of March 2002 on the Protection of Citizens from Excessive Requirements and Administrative Procedures has led to the establishment of a National Consumer Commission, with responsibility for verifying that products comply with regulations protecting consumers, including regulations for the food sector. The publication of proposals for technical regulations or decrees means that citizens (all of whom are consumers) have the opportunity to comment and thus to participate in the setting of standards.

### **Cuba**

Workshops, conferences, courses and events are held for the benefit of different consumer groups.

### **Guatemala**

Conduct of refresher seminars and establishment of direct communication channels to clear consumer doubts. Promotion of consumer participation through support in resolving non-tariff barriers relating to food.

### **Mexico**

These activities fall within the remit of PROFECO which has two institutional strategic thrusts:

- Impacting on regulatory policy and maintaining an updated and meaningful legal framework for consumer relations;
- Encouraging and monitoring supplier compliance with rules and standards.

### **El Salvador**

The Law on the Constitution of Technical Standardization Committees lays down that the committees must encompass the sector (governmental and non-governmental) representing consumers.

Coordination has been carried out with bodies representing consumers in order to encourage active participation in the setting of technical food standards.

### **Uruguay**

Dissemination of activities of the various technical subcommittees through consumers' and users' associations.

The technical subcommittees are made up of representatives of the public and private sectors, who meet when required in order to respond to texts of the Codex Alimentarius.

ANEXO 2

PLAN DE TRABAJO DE LA COMISION NACIONAL DEL CODEX

LINEAS DE ACCION	ACTIVIDAD	FECHA	RESPONSABLE
Asesorar al gobierno (MSPAS, MAG, Defensoría del Consumidor, MARN, Órgano Judicial (jueces), Aduanas) sobre las mejores decisiones posibles en relación con las normas del Codex y su aplicación	1- Elaboración del inventario de normas Codex oficializadas, tanto obligatorias como recomendadas.	<b>EJECUTADO</b> (Se enviara el 29/02/2008 la base de datos a miembros de la Comisión)	<b>CONACYT</b>
	2- Divulgación de las actividades de Codex a la Comisión Nacional de Codex	<b>PENDIENTE</b> (Ver programa adjunto / reuniones nacionales de la Comisión del Codex Alimentarius)	<b>COMISION NACIONAL DE CODEX</b>
	3- Divulgación de las actividades de Codex a los usuarios gubernamentales y al sector privado	<b>PENDIENTE</b> ( 3 actividades programadas UCA/Mayo, UES/Septiembre, CONACYT/Octubre (Divulgación Nacional del Codex)	<b>COMISION NACIONAL DE CODEX</b>
	4- Gestionar una reunión con CNA y la Comisión del Codex `para dar a conocer planes de trabajo.	<b>PENDIENTE</b> (8/03/2008)	<b>CONACYT</b>
	5- Difusión en temáticas específicas a personal gubernamental (por ejemplo inspectores del MAG, MSPAS y Defensoría del Consumidor)	<b>PENDIENTE</b> (Tema específico: Toma de muestra, Planes de muestreo, Evaluación de la conformidad)	<b>COMISION NACIOANAL DE CODEX</b>
	6- Reunión interinstitucional para planificar la verificación del cumplimiento de normas Codex (producto: documento a entregar a las instituciones de cómo se verifica la conformidad)	<b>PENDIENTE</b> (Envió de nota notificando, las normas Codex objeto de verificación de cumplimiento Abril 2008)	<b>COMISION NACIOANAL DE CODEX</b>

LINEAS DE ACCION	ACTIVIDAD	FECHA	RESPONSABLE
Formular la respuesta del país a las propuestas de la Comisión Nacional del Codex;	1- Análisis de las propuestas recibidas de los Comités Espejo y redacción de la Propuesta Nacional.  2- Gestionar el envío de las propuestas recibidas de los Comités Espejo como Propuesta Nacional.	<b>DE ACUERDO A PROGRAMACIÓN DE COMITES ESPEJOS</b>	<b>CONACYT</b>
Proponer a las partes pertinentes que representarán al país en las distintas reuniones del Codex;	1- Conocimiento de la Agenda Anual de Codex  2- Elaborar las propuestas de participación de El Salvador en las Reuniones de Codex (Escoger entre el personal participante en los Comités Espejo o Comisión Nacional los participantes en las reuniones de Codex)  3- Presentación del informe de participación a l Comisión Nacional Codex	<b>EJECUTADO</b>  <b>DE ACUERDO A PROGRAMACIÓN DE COMITES ESPEJOS</b>  <b>PENDIENTE</b>	<b>CONACYT</b>
Designar los subcomités técnicos que sean necesarios para la participación eficaz del país en el Codex;	1- Elaborar el programa de reuniones de los Comités Espejo de Codex relacionados con la Agenda Anual de Codex	<b>EJECUTADO</b>	<b>CONACYT</b>
Desempeñar otras funciones que el gobierno (MSPAS, MAG, Defensoría del Consumidor y MARN) considere apropiadas.	1- Elaborar un proyecto de cooperación con fondos FAO y OPS para fortalecer la implementación de las normas Codex (CONACYT es responsable de elaboración de la propuesta)	<b>PENDIENTE</b> (Se hará propuesta de proyecto )	<b>CONACYT</b>