



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

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Agenda Item 4(b)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

FAO/WHO COORDINATING COMMITTEE FOR NORTH AMERICA AND THE SOUTH WEST PACIFIC

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COMMENTS AND INFORMATION ON NATIONAL FOOD CONTROL SYSTEMS, CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AND THE USE OF CODEX STANDARDS AT THE NATIONAL LEVEL

(replies to CL 2009/28-NASWP of Canada, Cook Islands and the United States of America)

Question 1: Strengthening National Food Control Systems

CANADA

(i) Updated structure and organisation of official services responsible for food control

Canada promotes a “gate to plate” approach to food safety in partnership with all levels of government, industry and consumers. At the Federal level, regulatory responsibility for food safety and nutrition is a shared responsibility between Health Canada and the Canadian Food Inspection Agency (CFIA). Health Canada is the regulatory body responsible for establishing standards and policies for food safety and nutrition. The CFIA is the regulatory body responsible for enforcing the standards established by Health Canada. Since the 10th session of CCNASWP, no significant changes were made to the structure and organisation of official services responsible for food control.

More information on the Structure and organization of Canadian official services for food control can be found at the following website address:

HC website: <http://www.hc-sc.gc.ca/ahc-asc/branch-dirgen/index-eng.php>

CFIA website: <http://www.inspection.gc.ca/english/agen/agene.shtml>

(ii) Updated legislation and regulations on food safety and quality including import/export matters

Food Regulatory System

Legislative Modernization

The Government of Canada introduced the Food and Consumer Safety Action Plan (FCSAP) in 2007 to strengthen Canada's safety system for food, health and consumer products. Initiatives included modernization of the legislative and regulatory framework for food safety. In 2009, the Independent Investigator into the August 2008 listeriosis outbreak, Sheila Weatherill, recommended that the Government “simplify and modernize federal legislation and regulations which significantly affect food safety”. In the March 2010 Speech from the Throne, the Government of Canada committed to reintroduce legislation (which had been prepared in 2008) to protect Canadian families from unsafe food and health products. The Canadian Food Inspection Agency (CFIA) and Health Canada are currently working on approaches to the modernization of food related statutes in the legislative framework to best respond to the recommendations of the Independent Investigator, and consistent with the commitments made under FCSAP.

Listeria Policy

Canada is in the process of finalizing revisions to its 2004 policy on *Listeria monocytogenes* in foods. The main areas of change from the 2004 policy include: new end-product compliance criteria, updated definitions of which food can/cannot support growth of *Listeria monocytogenes*, more details related to sampling in the

compliance action decision tree, environmental monitoring programs, post-process treatments and/or *Listeria monocytogenes* growth inhibitors and increased focus on outreach.

Sodium

In July 2010, the *Sodium Reduction Strategy for Canada* was presented to the Minister of Health by the Sodium Working Group. This is a multi-stakeholder group consisting of representatives from food manufacturing and food service groups, health-focused non-governmental organizations, the scientific community, consumer advocacy groups, health professional organizations and various government departments and agencies. The report recommends a three-pronged strategy involving food supply, education and research components as well as monitoring and evaluation. Health Canada is developing sodium reduction targets for foods to be applied within a structured voluntary program by the food industry aimed at reducing average sodium intake by about 30% to 2300 mg per day by 2016. Mandatory nutrition labelling for pre-packaged foods, which came fully into effect in 2007, requires almost all pre-packaged foods to include a Nutrition Facts table that lists "sodium" as one of 13 nutrients that **must** appear on the labels.

Information on Canada's Sodium Reduction Strategy can be found at the following URL:

<http://www.hc-sc.gc.ca/fn-an/nutrition/sodium/index-eng.php>

Import Licensing

The Canadian Food Inspection Agency (CFIA) is consulting on a regulatory proposal to enhance import controls for foods in the Non Federally Registered Sector (NFRS). This sector includes all food and food ingredient regulated solely under the Food and Drugs Act and accounts for 70% of the food products available in the Canadian marketplace. This proposal applies to importers of food products and ingredients that meet the definition of an "agricultural product" and are within the scope of the NFRS. The proposed initiative contains two parts: general provisions and licensing provision. The general provisions establish minimum food safety and labelling requirements for imported foods in the NFRS that meet the definition of "agricultural product". The licensing provision requires all importers of food products and ingredients that meet the definition of "agricultural product" in the NFRS to have a license in order to import such products into Canada and lays out the conditions for licensing. The purpose of this proposed initiative is to: strengthen the accountability of importers in this sector for the safety of the food products that they import; better identify and engage regulated parties importing food products and ingredients in this sector; and facilitate and enhance verification of compliance with Canadian requirements, thereby reducing the risk of unsafe products entering the Canadian marketplace. Responses received during this consultation will be considered in drafting the pre-publication version of the regulations. Further information is available at: <http://www.inspection.gc.ca/english/fssa/imp/lic/lice.shtml>

COOK ISLANDS

Food safety is identified as a health priority for the Cook Islands and is integrated into the Cook Islands National Strategy and Action Plan to Prevent and Control Non Communicable Diseases and recognized in the national Health Strategy and Cook Islands National Sustainable Development Plan. Ministries with responsibility for food safety include the Ministry of Health, Ministry of Internal Affairs, Ministry of Agriculture and the Ministry of Marine Resources. There is a Food Act but no regulations or standards. Contaminant monitoring is not undertaken and foodborne disease surveillance is carried out and recorded electronically.

The Food Act 1992-93 specifically empowers the introduction of a multisectoral Food Safety Advisory Committee, and identifies the Ministry of Health as having primary responsibility for protecting the safety of consumers against unsafe food. The Committee has yet to be established and the Act is not risk-based. Draft food regulations were prepared in 1995 and revised in 2007 and is soon be finalised. At present codex standards are not being fully implemented as the draft food regulations with Ministry of Health is still in the legislative process in terms of becoming law. As for import and export of agricultural products including meat products in which quarantine compliance are being implemented by the Biosecurity Service of the Ministry of Agriculture in accordance to the Biosecurity Act 2008. The Biosecurity Act are in many respects in consistent with international obligations in respect of trade, reflect global best practice, good governance principles so as to improve its trading competitiveness and economic base.

The Cook Islands is a member of the Codex Alimentarius Commission and the Codex focal Point is located within the Ministry of Agriculture. A National Codex committee has been established and includes representatives from the Ministry of Agriculture (Chair), Ministry of Foreign Affairs and Immigration, Ministry of Marine Resources, Ministry of Health and Chamber of Commerce. The Cook Islands is a signatory to PICTA, PACER and Contonou Agreement. Although not a signatory to the WTO. In addition other relevant Acts exists and includes Public Health Act, Biosecurity Act 2008, Fair Trading Act 2008 and Fish Export Regulations 2006.

UNITED STATES OF AMERICA

The United States has multiple agencies that are charged with ensuring Food Safety. The Food and Drug Administration (FDA) has authority over all food products, except meat and poultry, which is covered by the Food Safety and Inspection Service (FSIS). The Environmental Protection Agency (EPA) regulates pesticide use and establishes tolerance levels in the U.S. FDA is responsible for enforcing these tolerances on all foods except meat, poultry, and certain egg products, which are monitored by FSIS. The Animal and Plant Health Inspection Service (APHIS) safeguards national animal and plant health in the U.S. by inspecting for disease and/or pests. This multi-pronged system has proven to be effective in protecting American consumers while granting U.S. market access to other countries.

Currently under consideration, the Food Safety Bill would give the FDA power to perform a mandatory (rather than voluntary) recall on tainted food, quarantine geographical areas, increase the number of inspections, and access food producers' records. House of Representative lawmakers approved their version of food safety legislation in July 2009, but action in the Senate is unlikely before the November 2010 elections.

Question 2: Strengthening Codex at the National level

CANADA

Canada continued with the implementation of its *Strategic Framework for Canada's Participation in Codex 2008-2012*. The Office of the Codex Contact Point for Canada is located in the Food Directorate, Health Products and Food Branch, Health Canada. The Codex program is managed through an Interdepartmental Committee for Codex (IDC/CODEX) whose membership includes officials from Health Canada, the Canadian Food Inspection Agency, Agriculture and Agri-Food Canada, the Department of Foreign Affairs and International Trade, Industry Canada and the Pest Management Regulatory Agency. The IDC/Codex provides the strategic direction for Canada's program, and prioritizes initiatives to strengthen effectiveness and impact of Canada's program at national and international level.

The *Strategic Framework for Canada's Participation in Codex 2008-2012* can be found at this address:

<http://www.hc-sc.gc.ca/fn-an/intactivit/codex/activit/strateg-codex-2008-2012-eng.php>

The first Canadian Food Inspection Agency (CFIA) Annual Report on Codex was published in 2010. The *2009-2010 CFIA Codex Annual Report and Objectives for 2010-2011* identifies key issues and developments related to CFIA Codex activities in the course of the last year. It highlights the significance of CFIA Codex activities, reports on achievements and identifies key CFIA objectives for the coming year. It is a tool that contributes to enhanced planning and performance monitoring.

COOK ISLANDS

The National Codex Contact Point (NCCP) is based in the Ministry of Agriculture in which facilitate linkages with Secretariat of the Codex Alimentarius Commission based in Rome, Codex Trust Fund in Geneva and CCNASWP coordinated from Tonga. NCCP act as the program coordinator for the distribution of Codex Documents/Texts, invitation to participate to Codex meetings and liaise with inter governmental department on training programmes on Food Control Standards.

The need to speed up the process of the food legislations is an immediate priority for the Cook Islands as it required covering the protection of public health, protection of consumers and conditions of fair trading.

As a result of the WHO assistance in collaboration with the Ministry of Health in which a review of the food regulations has completed and it is currently waiting for public consultation.

The Fishing Industry has in recent years been guided under the application of the Hazard Analysis and

Critical Control Point (HACCAP) standards and the Food (Fish Export Processing) Regulations 2006 for fish export.

The enactment of the Biosecurity Act 2008 deals with the international framework in which includes the WTO Agreement on the application of Sanitary and Phytosanitary measures (SPS Agreement), the International Plant Protection Convention (IPPC) and Codex Alimentarius Commission (CAC) to which Cook Islands is a party, and the agreement for the Organisation Internationale des epizooties (OIE) in which involved the animal health

UNITED STATES OF AMERICA

The United States has established effective mechanisms nationally and internationally to ensure that horizontal communication on cross cutting issues occurs between delegates to various food standards related international organizations. This includes consultations by our delegates with consumer groups and industry representatives during the drafting process of the U.S. position, followed by public meetings prior to each Codex Committee session that solicit input on the draft U.S. position from the public at large. These public meetings which are notified via the Federal Register, press releases and the U.S. Codex website, are open to all interested parties. They also afford the opportunity for those who cannot physically attend to participate via telephone.

Question 3: Training and Capacity Building

CANADA

Canada has supported various training and capacity building initiatives.

Canada provided expertise in support of three (3) SPS and Codex workshops held in Trinidad & Tobago, Barbados and the Bahamas from May to July 2010. These initiatives were funded by STDF, and organized by the Inter-American Institute for Cooperation in Agriculture (IICA). The objectives of these workshops were to strengthen SPS and Codex capacities in CARICOM countries.

A workshop on Nutrition Labelling was held prior to the 38th session of the Codex Committee on Food Labelling (CCFL) in Québec City. This workshop was organized by regulatory officials from the Quad countries. The objectives of the workshop were to share approaches and perspectives on nutrition labelling from various part of the world. The workshop was attended by 81 participants from 24 governments and 13 non-governmental organizations, including industry and consumer groups. The workshop was organized around 4 themes/panels, each led by one of the Quad countries, with participation from other countries from different regions of the world, including Pacific Islands countries.

COOK ISLANDS

The Global effects of climate change, population pressure, rising fuel prices and unstable economic conditions are being felt by Pacific Island Countries - increasing food prices and exacerbating the already heavy reliance of imported and processed foods. They also contribute to reduced local production and create uncertainty around food supply.

The Cook Islands held its first Food Summit on 12 & 13 November 2009 and was attended by key stakeholders from government, private and non government organizations, food producers and traders on Rarotonga and the Outer Islands. The Summit was supported by Secretariat of the Pacific Community (SPC) and World Health Organization (WHO). The main objectives were to: 1) Identify and discuss strategies that will improve food security nationally and 2) Contribute to the Pacific Food Summit 2010.

In addition to the various recommendations, a major milestone was the formation of a steering committee which was given the responsibility of establishing a multi-sectoral National Food Group which would have the overall responsibility of co-ordinating and monitoring issues pertaining to food security - food safety, quality and production in the Cook Islands.

The Cook Islands participated in the FAO/WHO Pacific Food Safety and Quality Legislation Expert Group (PFSQLEG) meeting in 2007 held in Manila, Philippines and Training Course on Risk based Food Inspection and Certification in Wellington, New Zealand, November 2009. The second informal meeting of the PPSQLEG was also held in the same venue in Wellington. Representatives from the Cook Islands also attended the Food Summit 2010 held earlier this year in Vanuatu.

UNITED STATES OF AMERICA

In April 2010, the U.S. Codex office participated in an IICA sponsored event in Jamaica. It was a workshop on the Codex Alimentarius and SPS Agreement. The FDA provided funding that helped bring several NASWP countries to the event, including Fiji, Tonga, and Cook Islands.

Question 4: Regional Strategic Plan-priority areas for implementation

CANADA

Canada remains committed to the objectives identified in the CCNASWP Regional Strategic Plan. We are currently exploring mechanisms to enhance our ability to contribute to the achievement of these objectives, in particular Objective 3 - Promote the development and enhancement of the capacities of national Codex Contact Points and their supporting infrastructures of the PIC members to carry out their core functions and Objective 4 - strengthen the exchange of scientific and technical expertise amongst the developed and developing members of the region.

COOK ISLANDS

The Cook Islands strongly support the six strategic objectives as set in the Strategic Plan 2008-13 in which are critical in ensuring the enhancement of the codex work at both regional and national level.

The country is heavily reliant on imported food. Nationally, 83.4% of food consumed is imported, while 16.6% is locally produced. This has led to high prevalence rates of non-communicable diseases (NCD's) such Cardiovascular disease, diabetes, hypertension and obesity and further reduce local food production. NCD's in particular Cardiovascular diseases are the major causes of mortality and morbidity. Climate change, evident in the changes in rainfall patterns and frequency of cyclones, can negatively impact on local food production and contribute to the reliance on imported food.

Priority areas for effective implementation of the strategic plan to meet the training needs of the Cook Islands are as follows;

1. Strengthen capacity building on National Food Control System for key stakeholders at port of entry for regulatory agencies such as Customs, Health, Marine Resources, Ministry of Transport and Trade, Internal Affairs and Agriculture.
2. Public consultation on Food laws that covers food safety and quality, inspection and certification system, Hygiene, Food Processing, Food labelling for both commercial and private sectors
3. The development and enhancement of the capacities of the NCCP and their supporting infrastructures.
4. Establish national mechanisms for standards process.
5. Support practical training on the importance of international harmonisation and the development of national standards and regulations based on Codex.

UNITED STATES OF AMERICA

The United States does not have any specific comments to this question.

Question 5: Codex Standards-national priorities, interests and training needs

CANADA

One of Canada's priorities in Codex is to influence Codex standards and processes, and take a leadership role in promoting science as the basis for decision making in Codex. A priority area of work for Canada is the development of a discussion paper on issues surrounding standards and related text held at step 8. Canada is co-leading the electronic working group on this subject. The discussion paper will provide recommendations to CCGP for its consideration at its 27th Session.

COOK ISLANDS

With the limited resources that is available in our national budget for NCCP. Cook Islands expressed as well request the assistance of Codex Alimentarius in regards of the development of capacity building at the national level relating to strengthening national food systems, consumer participation in food standards setting and the use of Codex Standards.

The in- country training emphasized general awareness and understanding of Codex among key stake holders such as the politicians, government agencies, farmers, food handlers' and others. It is apparent that the response from community sometime questions on what Codex is all about or how it relates to our welfare. Therefore, it is important that national awareness programme on Codex work at the grass root level are effectively promoted and greater participation of stakeholders in the Food Industry. The volume of Asian products arriving into the country in recent years has increased as well labelling on packages is a concern as current legislation has weakness.

One of the current priority is to pass the Food Regulation in order to implement Codex Standards at the national level and Food labelling has been identified as an important area in the Food Control System. The lack of legislation that covers labelling on import foods in foreign language and inadequate information of nutritional health value of products are considered important in the development of a national standards as well protection of human health.

UNITED STATES OF AMERICA

The United States strongly supports the science-based approach to food safety decision making.

Question 6: Any Other Matters

CANADA

There are no other matters that Canada would like to raise in response to CL 2009/28-NASWP.

COOK ISLANDS

1. Share information and expertise on food safety and quality, as well as on food law, regulations and standards development, and enforcement.
2. Share concerns, resources and research findings on food safety, food quality and its regulation.
3. Provide guidance on how to strengthen good regulatory practises.
4. Focus CCNASWP agenda on Codex issues of particular interest to the region such as the Kava, Noni, etc.
5. PIC member countries to continue to avail of funding assistance under the FAO/WHO Project and Fund for enhancing the participation of developing countries in the Work of Codex.
6. Codex Trust fund assistance to maximise coverage of subject areas of interest to the region and ensure members benefit from a wider range of committees.
7. Capacity Building needs of the Codex Contact Points to strengthen Codex structures at the national level and facilitate greater participation of Members in Codex work.

UNITED STATES OF AMERICA

The United States of America does not have any other issues or matters to raise under this question.