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**AGENDA ITEM 5.1**

**CX/FICS 20/25/5 Add.1**

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

#### Twenty-Fifth Session

Hobart, Australia, 27 April – 1 May 2020

### PROPOSED DRAFT GUIDANCE ON PAPERLESS USE OF ELECTRONIC CERTIFICATES (Revision of the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates – CXG 38-2001)

#### Comments at Step 3 in reply to CL 2020/01/OCS-FICS

Comments of Brazil, Canada, Colombia, European Union, Honduras, India, Indonesia, Israel, Paraguay,  
Malaysia, Nicaragua, New Zealand, United States of America

#### Background

1. This document compiles comments received through the Codex Online Commenting System (OCS) in response to CL 2020/01/OCS-FICS issued in February 2020 with a deadline for submission of comments of 1 May 2020.

#### Explanatory notes

2. The comments submitted through the OCS are hereby attached as **Annex I** and are presented in table format, while **Annex II** contains comments submitted by email.

3. As a result of the rescheduling of the CCFICS25 session from 27 April-1 May 2020 to 22-26 March 2021, the timelines for the EWG on Paperless use of electronic certificates were adjusted. The EWG is continuing its work including addressing the attached comments (Annex I and II).

## ANNEX I

**PROPOSED DRAFT GUIDANCE ON PAPERLESS USE OF ELECTRONIC CERTIFICATES (REVISION OF THE *GUIDELINES FOR DESIGN, PRODUCTION, ISSUANCE AND USE OF GENERIC OFFICIAL CERTIFICATES – CXG 38-2001*)**

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<p>Brazil would like to thank for the opportunity to comment such an important document. We acknowledge that some of the remarks provided in a previous round of comments were considered and few others were not.</p> <p>In the preamble of the document we would like to propose a minor change for a better comprehension. Instead of "...require official certificates issued by or with the authority of the exporting country's competent authority." we suggest the following wording: "...require official certificates issued by or with the competent authority of the exporting country.</p> <p>On the definition of "single voice" (section 3 - definitions) of the document we have identified a possible spelling mistake. The correct wording might be: "Single Window is a facility that enables..." and not "Single Window is asa facility that enables..."</p> <p>In regard to Annex II Brazil still believes it is repetitive. On paragraph 5 (section 2) and paragraph 9 (section 4) it is suggested the existence of exchange protocols. Brazil would like to ask if there is any standard exchange protocol.</p>	<p><b>Brazil</b></p>
<p>New Zealand continues to support the progress of the Revisions to the Guidelines Revision of the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates (CXG 38-2001). The revision and updating of CXG 38/2001, including to further support paperless electronic certification is both timely and necessary. The revised paper presented as Appendix I to CX/FICS 20/25/5 has been significantly improved by the electronic working group which New Zealand has actively participated in and we acknowledged the leadership of the Netherlands and Australia in achieving this outcome.</p> <p>New Zealand has a small number of comments and following an appropriate consideration of these and any other comments received in response to CL/FICS2020/2/OCS-FICS New Zealand would like to see a recommendation that the revisions to CXG 38/2001 progress to step 5 / 8 the next time CCFICS has the opportunity to meet.</p> <p><u>ADDITIONAL COMMENTS:</u></p> <p>1) New Zealand recommends that the second part of the definition for Certificate is deleted. This second sentence is not a definition it's a statement of how certain approaches to food control systems are implemented.</p> <p>2) New Zealand also recommends that the Definition for ELECTRONIC CERTIFICATE should be moved from Annex II to the main text as the term is now used more than once in the main text and should be defined here rather than in an Annex.</p> <p>3) Consideration should also be given to including a definition of SIGNATURE in the main text which incorporates the full range of options currently used in international trade (e.g. facsimile signatures and coded date and time stamped approval numbers that are able to be independently verified)</p> <p>4) Paragraph 22 – New Zealand recommends amendment of bullet 2 of paragraph 22 to read:</p>	<p><b>New Zealand</b></p>

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<p>- be designed so as to minimize the potential for fraud including use of a unique identification number, or other appropriate means to ensure security (for example, use of watermark paper, electronic signature or other security measures for paper or digital images of certificates and use of secure lines and systems for data exchange and authentication)</p> <p><b>Rationale:</b> For completeness and to include the full range of currently available mechanisms some of which are a transition step to electronic systems but are not full electronic paperless certification.</p>	
<p>Canada thanks the Netherlands and Australia for their leadership of the Electronic Working Group and drafting revisions to Codex guidance related to paperless certification. Canada agrees with the direction set by the Netherlands and Australia to develop guidance that supports the implementation of paperless certification. Nevertheless, Canada is of the view that the guidance should recognize the reality where countries may still be operating with paper-based systems. As such, Canada has provided proposed text to be added to Section 7 of Annex II to support a step by step transition from paper to paperless certification.</p> <p>Canada notes that the text in Annex II of the revised guidance for paperless certification is highly technical, which may lead to inconsistent implementation because of different interpretations of the text. As such, Canada offers some suggestions to simplify the text using plain language in the detailed comments that follow below. Canada will continue to support efforts to format the text in plain language through the next round of discussions by the Electronic Working Group.</p> <p>We understand that revisions in the main document are to be made only to the extent necessary to support the contents of Annex II, and as such, Canada has limited its detailed comments on the main document to those amendments that are specific to the topic of paperless certification. Canada notes that some revisions that are not relevant or specific to paperless certification were made to the main text, that may be outside the scope of the current work, as indicated in some of the detailed comments on the text. Should revisions to the main document be deemed useful, Canada suggests that the Committee may wish to consider undertaking such updates as potential new CCFICS work in the future order to respond to new challenges affecting global trade to provide importing countries with additional tools to verify that food is safe and traded under fair conditions without placing unnecessary burdens on exporting countries.</p>	<p><b>Canada</b></p>
<p>Use of paper certificates section 41 bullet 4 in bracket should read. (the signature may be hand written or an electronic signature);</p> <p>Significant revision.</p> <p>Rationale: the proposed update to the text is necessary to recognize changes to technology that provide multiple methods to authorize documents using electronic means.</p>	<p><b>Canada</b></p>
<p>Canada proposes to move the definition of "electronic signature" from Annex II to the definition section in the main document, and in support of the proposed revisions to paragraph 41. Canada has also made revisions to this definition in order to simplify the text and enhance clarity.</p> <p>The electronic signature is data (i.e. letters, characters, numbers or other symbols) in electronic form which is associated with certification</p>	<p><b>Canada</b></p>

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<p>data in electronic form and which is used with the intention to be bound by the contents of the signed official certificate. An electronic signature must meet the following minimum requirements:</p> <ul style="list-style-type: none"> <li>• The signatory can be associated with the electronic data that is being signed;</li> <li>• There is clear intent to sign;</li> <li>• The reason for the signature is clear;</li> <li>• The data integrity of all components (including the original electronic data being signed, the electronic signature, and any supporting information) is maintained over time</li> </ul>	
<p>Indonesia would like to express her appreciation to Netherland as a Chair and Australia as a Co-Chair of the EWG for their efforts to prepare the Proposed Draft Guidance on Paperless Use of Electronic Certificates (Revision of the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates – CXG 38-2001).</p> <p>We need to noting that the implementation of electronic certificate can only be done based on agreements with countries that are ready to implement electronic certificate. If countries have already implemented electronic certificate, then electronic certificate should be fully implemented (no longer accept paper or scanned paper certificates). It is intended to avoid dualism of certificates, except in an emergency as agreed in the agreement.</p> <p>Please find below Indonesia specific comments on the draft guidance.</p>	<b>Indonesia</b>
<p>It has been observed that certain revisions, as follows, have been proposed in the text of these Guidelines which appear to be outside the terms of reference of the currently assigned work, i.e aspects concerned to and resolving issues that would facilitate the paperless use of e-certificates. These proposed revisions need to be reviewed specifically in the context of the given terms of reference:</p> <ul style="list-style-type: none"> <li>• Section 5: USE OF OFFICIAL CERTIFICATES; Paragraph 9, first bullet</li> </ul> <p>"complies with the relevant laws and regulations of the exporting country".</p> <p>This bullet has been added which does not relate to paperless certification</p> <ul style="list-style-type: none"> <li>• Section 9, Principle F, paragraph 26: "Legislation/regulation" has been replaced with "mandate" in the proposed text</li> </ul>	<b>India</b>
<p>The European Union and its Member States (EUMS) would like to thank the Netherlands and Australia for leading the electronic working group developing the proposed draft guidance on electronic certification</p> <p>The EUMS support the proposed draft guidelines as presented in Appendix 1 of CX/FICS 20/25/5 without further comments. They provide useful guidance for competent authorities when implementing a transition to paperless exchange of official certificates.</p>	<b>European Union</b> Mixed Competence European Union Vote
<p>Paraguay is grateful for the opportunity to review this document and in general supports the progress being made.</p>	<b>Paraguay</b>
<b>SECTION 3 – DEFINITIONS</b>	
<p><b>Certificates</b> are those <del>paper or electronic</del> documents, which describe and attest to attributes of consignments of food destined for international trade.</p>	<b>Nicaragua</b> Nicaragua proposes that the text be deleted, since the definition of

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	certificates should be generic and independent of the medium.
<p><b>Paperless exchange of official certificates</b> is the act of competent authorities or certifying bodies providing and receiving storing the certificate information data and attestations together with the certificate data set in electronic form and includes the storage of such certificates form.</p> <p><b>Rationale:</b> The 'certificate information' and 'certificate data set' is duplicative. Recommend replacing 'information' with 'data'.</p>	<b>USA</b>
<p>Paperless exchange of official certificates is the act of competent authorities or certifying bodies providing and receiving the official certificate information and attestations together with the certificate data set in electronic form and includes the storage of such certificates.</p>	<b>Indonesia</b> We proposed to use the term <u>"official certificate in electronic form"</u> since official certificate already included information and attestations.
<p>Exchange of official certificates in paperless electronic format is the act of competent authorities or certifying bodies providing and receiving the certificate information and attestations together with the certificate data set in electronic form and includes the storage of such certificates.</p>	<b>Nicaragua</b> Nicaragua proposes the amendment in order to be consistent with the definition and the ways in which certificates can be exchanged (on paper or electronic media). This amendment is recommended throughout the document.
<p><b>Single Window</b> is a facility that enables public and private stakeholders involved in trade and transport to lodge standardized information and documents with a single entry point to fulfill all import, export, and transit related-related regulatory requirements<sup>4</sup>.</p>	<p><b>USA</b> Is this definition needed in Codex guidance? It appears to be extracted from Recommendation 33. An alternative approach is to footnote this standard at the first-place single window is used in the guidance.</p> <p>2. WHAT IS A SINGLE WINDOW?</p> <p>As specified in UN/CEFACT Recommendation Number 33, the Single Window concept covered in these Guidelines refers to a facility that allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfil all import, export, and transit-related regulatory requirements. If information is electronic, then individual data elements should only be submitted once.</p> <p>Need to check link as this is directed to the UNECE home page.</p>
<p>Single Window is a facility that enables public and private stakeholders involved in trade and transport to lodge standardized information and documents with a single entry point to fulfill all import, export, and transit related-related regulatory requirements<sup>4</sup>.</p>	<b>New Zealand</b> Editorial errors need to be corrected including spelling and repeated words

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<p>Single Window is a facility that enables public and private stakeholders involved in trade and transport to lodge enter standardized information and documents with through a single entry point to fulfill all import, export, and transit related-related regulatory requirements<sup>4</sup>.</p>	<p><b>Canada</b>            Editorial and substantive comments.</p> <p>Canada would suggest deleting the qualifiers “public and private” since the distinction between these categories is not clear and the term “stakeholders” is sufficient to encompass all relevant categories of stakeholders.</p> <p>Further, we recommend some editorial revisions to simplify the text. The term “lodge” is not commonly used for data entry. We suggest using “enter” in lieu of “lodge” in the sentence.</p>
<p>E(bis). Importing and exporting countries should consider using single window facilities, where they exist, for the paperless exchange of official certificates.</p>	<p><b>USA</b>            With regards to the text "using single window facilities", the U.S. does not support this as a principle. The option to use a single window is adequately addressed in Annex II.</p>
<p><del>E(bis). Importing and exporting countries should consider using single window facilities, where they exist, for the paperless exchange of official certificates.</del></p>	<p><b>Canada</b>            Canada would suggest deleting this text since it is captured and further elaborated in Annex II.</p>
<p>E (bis). Importing and exporting countries should consider using single window facilities, where they exist, for the paperless exchange of official certificates <u>in electronic format</u>.</p>	<p><b>Nicaragua</b></p>
<p>H. Competent authorities should take appropriate action to prevent the use of fraudulent certificates and should assist, as appropriate, in the timely investigation of such use.</p> <p>I. Importing countries should not reject an official certificate for the sole reason that it is in electronic format, in accordance with the legislation in each country.</p>	<p><b>Nicaragua</b>            Nicaragua proposes to incorporate principle (I) with the aim of reiterating that a certificate in electronic form can offer the same security as a paper certificate and it is therefore important to be able to verify the authenticity of the certificate and that it is consistent with the national legislation.</p>
<p><b>SECTION 5 – USE OF OFFICIAL CERTIFICATES</b></p>	
<p><b><u>Principle A</u></b></p>	
<p><b>Official certificates should be required only where attestations and essential information are necessary to ensure that food safety and/or fair practices in the food trade requirements are met.</b></p>	
<p>Para 9 bullet 1</p> <p><del>– complies with the relevant laws and regulations of the exporting country</del></p>	<p><b>Canada</b>            Canada recommends deletion of this text. We understand that revisions to the body of the text were to be made only to the extent necessary for inclusion of paperless certification. This proposed addition is not specific to</p>

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	<p>paperless certification and hence, is beyond the scope of this work.</p> <p>Further, this new text goes beyond the mandate of Codex by specifying all laws and regulations. Also, requirements between importing and exporting countries may differ, for example in relation to label language, format, nutrition information. It may not be feasible to comply with both laws and regulations of the exporting and the importing country at the same time.</p>
<p>Para 9 bullet 1</p> <p><del>– complies with the relevant laws and regulations of the exporting country</del></p> <p><u>Para 9 bullet 3</u></p> <p>So, dash 3 in para 9 should be changed into:</p> <p>complies with fair trade practices requirements of the importing country.</p>	<p><b>Indonesia</b></p> <p>Indonesia would like to delete dash 1 in para 9</p> <p>The export requirements should comply to the requirements of the importing country not the exporter country. In this regard, surveillance for export certificate issued should meet the food safety requirements of the importing country without taking into account the food safety requirements of the exporting</p>
<p>10. The importing country should consider the need to provide flexibility to allow such assurances to be provided by alternative means so long as food safety and fair practices in food trade are assured.</p>	<p><b>USA</b></p> <p>With regards to the text "alternative means", through the edits within the EWG, it appears the original para 10 has been deleted.</p> <p>10. It may be the case that national legislation does not authorize an exporting country's competent authority to issue the certificate required by the importing country. Such information should be communicated to the importing country. In such instances, the importing country should consider the need to provide flexibility to allow such assurances to be provided by alternative means so long as food safety and fair practices in food trade are assured.</p> <p>It appears para 10 in this draft is duplicative to the para 11 in Section 6. The U.S. requests clarification why this is needed</p>
<p>10. The importing country should consider the need to provide flexibility to allow such assurances to be provided by alternative means so long as food safety and fair practices in food trade are assured.</p>	<p><b>New Zealand</b></p> <p>New Zealand recommends the following additional text be</p>

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	<p>included after the current paragraph 10:</p> <p>Competent authorities are encouraged to review and update their legislative and administrative requirements to remove barriers that may prevent the future adoption of electronic certification systems, such as for example a requirement to accept or exchange certificates only in paper form.</p> <p>Rationale: While we understand that how countries may transition to electronic systems is expanded in Annex II New Zealand believes we need to include a clear statement in the main text to alert countries to the wider changes that may be necessary before the commencement of a transition to electronic exchange can start.</p>
<p>10. <u>The It may be the case that national legislative does not authorize an exporting country's competent authority to issue the certificate required by the importing country.</u> Such information should be communicated to the importing country. In such instances, the importing country should consider the need to provide flexibility to allow such assurances to be provided by alternative means so long as food safety and fair practices in food trade are assured.</p>	<p><b>Canada</b></p> <p>Canada notes that text was deleted from paragraph 10 of the original document (CAC/GL 38-2001). The rationale for deleting the text is not clear since it is not specific or relevant to amendments related to paperless certification. Without this text, the remaining sentence duplicates paragraph 11. Since the revision is not relevant to amendments related to paperless certification, Canada would suggested reinstating the deleted text (highlighted) and has included it in paragraph 10.</p>
<p>10. The importing country should consider the need to provide flexibility to allow <u>such assurances official certificates</u> to be provided by alternative means so long as food safety and fair practices in food trade are assured.</p>	<p><b>India</b></p> <p>We believe that this point as currently drafted is implying what is already covered under the Section 6: Alternatives to the use of Official Certificates, Principle B. Therefore to fit the intent of this point in the context of paperless certification, we suggest the above modification.</p>
<p><b>SECTION 6 – ALTERNATIVES TO THE USE OF OFFICIAL CERTIFICATES</b></p> <p><b><u>Principle B</u></b></p> <p><b>Exporting countries may provide assurances through means other than consignment- by-consignment certificates, as appropriate.</b></p>	
<p>11. Alternative arrangements that provide equivalent assurances with respect to food safety or ensuring fair practices in the food trade should be considered.</p>	<p><b>Honduras</b></p> <p>Honduras suggests that there should be more clarity in defining</p>



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	what the alternative arrangements are.
<b>SECTION 8 – DESIGN OF OFFICIAL CERTIFICATES</b>	
<b>Principle E</b>	
<b>E. Official certificates regardless of their mode of transmission and their contents, should present certificate data elements in a form that simplifies and expedites the clearance process while meeting the importing country requirements</b>	
- be in a language or languages fully understood by the certifying officer in the exporting country, or in transit countries, where appropriate, and by the receiving authority in the importing country or those countries in which the inspection of the food takes place. Ce. required the certificate can be accompanied by an official translation.	<b>Honduras</b>
- be in a language or languages fully understood by the certifying officer in the exporting country, or in transit countries, where appropriate, and by the receiving authority in the importing country or countries in which the inspection of the food takes place. Where required, the certificate can be accompanied by an official translation.	<b>Colombia</b> An expression needs to be amended so that it can be understood more easily:  Where required, the certificate can be accompanied by an official translation.
<b><u>Principle E(bis)</u></b>	
Principle E(bis)	<b>USA</b>  The U.S. has questioned the addition of this proposed principle under Section 4. If the Committee supports a new principle, the U.S. questions what additional value para 24 adds to the guidance. We suggest this is adequately covered in Annex II.
<del>E(bis). Importing and exporting countries should consider using single window facilities, where they exist, for the paperless exchange of official certificates.</del>  Canada would suggest deleting this text since its intent is captured in Annex II. If a principle is needed regarding design and single window, Canada would suggest the following text  <b><i>“The design of the paperless official certificate should enable certificate information and attestations to be entered through a Single Window System.”</i></b>	<b>Canada</b>
24. The certificate information and attestations (together certificate data set) should enable lodgment through a Single Window system;  FOR CLARITY New Zealand recommends the additional text at end of or following paragraph 24 to read:  <b><i>The inclusion of identifiers common to other border clearance agency processes (e.g HS codes or permit numbers where known) can help facilitate the necessary linkages.</i></b>	<b>New Zealand</b>
<del>24. The certificate information and attestations (together certificate data set) should enable lodgment through a Single Window system;</del>  Canada would suggest deleting this text since its intent is captured in Annex II. If a principle is needed regarding design and single window, Canada would suggest the following text	<b>Canada</b>

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<p><b><i>“The design of the paperless official certificate should enable certificate information and attestations to be entered through a Single Window System.”</i></b></p>	
<p>24. The certificate information and attestations (together certificate data set) <b><u>of official certificates</u></b> should enable lodgment through a Single Window system;</p>	<p><b>Indonesia</b> This para under principle E explains about mode of transmissions, therefore to make it consistent we add “of official certificates” in para 24.</p>
<p>24. Importing and exporting countries should consider using single window facilities, where they exist, for the paperless exchange of official certificates. The certificate information and attestations (together with the certificate data set) should enable lodgment through a Single Window system;</p>	<p><b>Colombia</b> An expression in the following text should be revised so that it is easier to understand:  24. The certificate information and attestations (in conjunction with the certificate data set) should enable lodgment through a Single Window system;</p>
<p><b>SECTION 9 – ISSUANCE AND RECEIPT OF OFFICIAL CERTIFICATES (RESPONSIBILITY OF CERTIFYING OFFICERS, SECURITY AND PREVENTION OF FRAUD)</b></p>	
<p><b><u>Principle F</u></b></p>	
<p><b>The competent authority of the exporting country is ultimately responsible for any certificate it issues or authorizes to be issued.</b></p>	
<p><u>Para 26 bullet 1</u>  – be designated and adequately empowered by national/regional<sup>11</sup> mandate in a transparent manner to provide the particular attestations required in an official certificate;</p>	<p><b>USA</b> The U.S. needs clarification on the specific relationship to paperless certification. Otherwise, this is out of scope for the current project document.</p>
<p><u>Para 26 bullet 1</u>  – be designated and adequately empowered by national/regional<sup>11</sup> <del>mandate</del> <u>legislation or regulation</u> in a transparent manner to provide the particular attestations required in an official certificate;</p>	<p><b>Canada</b> Canada notes the original text as found in CAC/GL 38-2001, referred to “legislation or regulation”. This text was replaced with “mandate”. The revision is not specific to paperless certification, hence, would be beyond the scope of the current work. Canada would suggest reverting to the original text.</p>
<p>New Zealand suggests an additional paragraph immediately before paragraph 30 to read as follows: <b>XX. Importing countries should accept manually or electronically generated and approved official certificates where they are:</b>  <b>1) They are printed and signed by a certifying officer either manually or through the application of a computer applied representation of the certifying officer’s approval; or</b> <b>2) As agreed between the exporting and importing countries, they are exchanged electronically including use of recommended or mutually agreed security measures such as electronic signatures</b></p>	<p><b>New Zealand</b></p>

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<p><b><i>Importing countries may also accept scanned copies of printed certificates where their authenticity can be validated by an agreed parallel means.</i></b></p> <p>RATIONALE: to provide additional guidance on the transitional mechanisms as countries move towards full paperless electronic certification</p>	
<p>30. Where paperless exchange of certificates is under consideration the exporting and importing countries should have:</p>	<p><b>USA</b></p> <p>With regards to the text "exporting and importing countries", Principle F relates to the responsibility of the competent authority in the exporting country issuing the certificate. Is this appropriate placement for this para? Or should these points be captured in Annex II?</p>
<p>30. Where paperless exchange of certificates is under consideration the exporting and importing countries should have:</p>	<p><b>Canada</b></p> <p>Canada would suggest deletion of paragraphs 30 and 31 since they are duplicative of information found in Annex II.</p>
<p>- appropriate controls in place to facilitate the <del>trustworthy</del> <b>secure</b> paperless exchange of official certificates;</p>	<p><b>New Zealand</b></p> <p>New Zealand recommends the first bullet point is amended. The word '<del>trustworthy</del>' should revert to '<b>secure</b>'. Trustworthy is a subjective term.</p>
<p>- infrastructure for competent authorities to provide and/or receive certificate information and attestations of official certificates in electronic form.</p>	<p><b>Indonesia</b></p> <p>To make it consistent with para 24.</p>
<p>- appropriate means to retain store and archive the data.</p>	<p><b>Colombia</b></p> <p>An expression in the following text should be revised so that it easier to understand: Appropriate means to store and archive the data.</p>
<p>31. Where paperless exchange of certificates is in place</p>	<p><b>USA</b></p> <p>These points do not appear to be unique to paperless exchange. Suggest deletion.</p>
<p><b><u>Paperless exchange of official certificates (annex II).</u></b></p>	
<p>Paperless exchange of official certificates (annex II).</p>	<p><b>Canada</b></p> <p>Canada would suggest deletion of paragraphs 42 to 45 since they are duplicative of information found in Annex II.</p>
<p>44. A decision to implement the paperless exchange of official certificates should take into account the availability of the required</p>	<p><b>Colombia</b></p> <p>An expression in the following text</p>

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<p>infrastructure and capabilities of involved countries and include a contingency plan to ensure <del>disruption</del> to trade is minimal in the event of system <u>breakdown failure</u>.</p>	<p>should be revised so that it is easier to understand:</p> <p>44. A decision to implement paperless exchange of official certificates should take into account the availability of the required infrastructure and capabilities of involved countries and include a contingency plan to ensure disruption to trade is minimal in the event of system failure.</p>
<p>45. The exporter or their agent should be notified when an electronic certificate has been authorized for a consignment and where appropriate, be informed about the status of a certificate that is exchanged paperless.</p>	<p><b>Nicaragua</b></p>
<p><b><u>Presentation of original certificates</u></b></p>	
<p>46. <del>In the case of paper certificates</del> the importer or consignee is responsible for ensuring that the product and the original certificate, in accordance with the importing country's requirements, is presented to the importing country's authorities or to the authorities in a country carrying out import controls on behalf of the importing country.</p>	<p><b>USA</b> For Para. 46, the U.S. recommends deleting the following text" "In the case of paper certificates".</p>
<p>47. <del>When countries exchange official certificates paperless, the importing country's competent authorities should ensure that the importer/consignee or their representative provides necessary or appropriate details to the importing country's authority or the authority carrying out import controls on behalf of the importing country to allow the consignment identity to be verified.</del></p>	<p><b>USA</b> For Para. 47, the U.S. has the following comment. Unclear objective. This appears to require additional responsibility to the importing country's competent authority when certificates are transmitted electronically. Suggest deleting and modifying para 46 to address both paper and paperless certificates.</p>
<p>47. <del>When countries exchange official certificates paperlesspaperless certificates, the importing country's competent authorities should ensure that the importer/consignee or their representative provides necessary or appropriate details to the importing country's authority or the authority carrying out import controls on behalf of the importing country to allow the consignment identity to be verified.</del></p>	<p><b>Canada</b> Canada would suggest deletion of paragraph 47. It covers the same objective of paragraph 46, but creates an inconsistency in the approach whereby it shifts accountability from the importer to the importing country's competent authority. Any additional guidance should be provided in Annex II.</p>
<p>47. When countries exchange official certificates paperless, the importing country's competent authorities should ensure that the importer/consignee or their representative provides necessary or appropriate details to the importing country's authority or the authority carrying out import controls on behalf of the importing country to allow the consignment identity to be verified.</p>	<p><b>Japan</b></p>
<p>47. When countries exchange paperless official certificates, the importing country's competent authorities should ensure that the importer/consignee or their representative provides the necessary or appropriate details to the importing country's authority or the authority carrying out import controls on behalf of the importing country to allow the consignment identity to be verified.</p>	<p><b>Colombia</b> State which system or mechanism would be used to determine the authenticity of the system: seal, signature or other.</p>

TEXT AND PROPOSED CHANGE	NAME OF MEMBER/OBSERVER AND COMMENT
<p>47. When countries exchange paperless electronic official certificates, the importing country's competent authorities should ensure that the importer/consignee or their representative provides the importing country's authority <u>the recognized bodies</u> in the importing country, or to the authority carrying out import controls on behalf of the importing, <u>exporting country should provide</u> the necessary details or appropriate means to allow the consignment certificate <del>identity</del> <u>authenticity</u> to be verified.</p>	<p><b>Nicaragua</b> Nicaragua suggests redrafting the text given that the exporting country is responsible for establishing the mechanisms for the importing country to verify the authenticity of a certificate in electronic format.</p>
<p><i>Revocation of certificates</i></p>	
<p>Para 49. When, for good and sufficient reason including errors, there is cause to revoke a certificate, the exporting competent authority should revoke the original certificate as soon as possible and notify the exporter or their agent in hard copy or by electronic means of the revocation. The notice should reference the number of the original certificate to which the revocation refers and provide all particulars regarding the consignment and the reason(s) for the revocation. In the situation that the certificate is already under the responsibility of the importing country the appropriate food control authority should be notified in hard copy or by electronic means. Confirmation that the revoked original paper certificate has been destroyed or marked as revoked should be confirmed to the issuing authority.</p>	<p><b>Canada</b> Canada notes that the revisions to this text are not within the scope of the current work since they are not specific to paperless certification.</p>
<p>Para 49. When, for good and sufficient reason, including errors, there is cause to revoke a certificate, <u>the exporting country's competent authority</u> should revoke the original certificate as soon as possible and notify the exporter or their agent, in hard copy or by electronic means, of the revocation. The notice should reference the number of the original certificate to which the revocation refers and provide all particulars regarding the consignment and the reason(s) for the revocation. <u>In the situation that the certificate is already under the responsibility of the importing country, the appropriate food control authority should be notified in hard copy or by electronic means. Confirmation that the revoked original paper certificate has been destroyed or marked as revoked should be confirmed to the issuing authority.</u></p>	<p><b>Colombia</b> More information is required in paragraph 49:  It should indicate how, to whom or by what means notice of the revocation of a certificate should be sent. This information needs to be expanded on for both electronic and paper certificates</p>
<p><b>ANNEX II PAPERLESS EXCHANGE OF OFFICIAL CERTIFICATES</b></p>	
<p>SECTION 1: INTRODUCTION</p>	
<p>3. The Codex generic model official certificate (Annex 1) is transposed into an independent generic reference model for application in message exchanges in accordance with international standards.</p>	<p><b>Colombia</b> It is suggested that the term "independent" in paragraph 3 be deleted as it is not required.  The generic reference model is an input for countries. The term does not contribute to the paragraph.</p>
<p>SECTION 3 – DEFINITIONS</p>	
<p>All definitions for this guidance should be included in the main text.</p>	<p><b>USA</b></p>
<p>New Zealand understand some countries wanted to broaden the current definition of <b>Electronic Signature</b> to incorporate other computer-applied representations of a certifying officer's approval of the certificate.</p>	<p><b>New Zealand</b></p>

TEXT AND PROPOSED CHANGE	NAME OF MEMBER/OBSERVER AND COMMENT
<p>New Zealand understands the drivers behind this but suggests this may be better achieved by including a definition of <b>SIGNATURE</b> in the main text which incorporates the full range of options currently used in international trade (e.g. facsimile signatures and coded date and time stamped approval numbers that are able to be independently verified)</p> <p>We also recommend that the Definition for <b>ELECTRONIC CERTIFICATE</b> should be moved from Annex II to the main text as the term is now used more than once in the main text and should be defined here rather than in an Annex.</p>	
<p>Electronic certificate is the digital representation (including images where necessary) of the wording and data describing and attesting to attributes of a consignment of food destined for international trade, transmitted by authenticated and secure electronic means from the exporting country's competent authority to the importing country's competent authority.</p>	<p><b>New Zealand</b></p> <p>New Zealand recommends the definition is amended by including the words 'as viewed or' immediately before 'transmitted'.</p> <p>RATIONALE: for clarity as a certificate may be 'viewed' by the importing country as well as being transmitted</p>
<p>Electronic <u>official</u> certificate is the digital representation (including images where necessary) of the wording and <u>data information</u> describing and attesting to attributes of a consignment of food destined for international trade, transmitted by authenticated and secure electronic means from the exporting country's competent authority to the importing country's competent authority.</p>	<p><b>Indonesia</b></p> <p>To make it consistent by inserting the word "official" between the word "electronic certificate" and replacing "data" into "information"</p>
<p>Digital signature is the mathematical scheme for verifying the authenticity of digital messages which is used to implement the electronic signature.</p>	<p><b>USA</b></p> <p>Further discussion is needed on digital/electronic signatures to ensure clarity on intent. The current definitions are highly technical that may introduce confusion and difficulty in translation. There is value in selecting one term — and suggest 'electronic signature' would be the logical choice. The EWG can refine these definitions.</p>
<p>Digital signature is the mathematical scheme for verifying the authenticity of digital messages which is used to implement the electronic signature.</p> <p><u>Proposal</u></p> <p>New Zealand recommends the definition is amended to read: Digital signature is a mathematical scheme for verifying the authenticity and integrity of digital messages which <u>may be</u> used to implement the electronic signature.</p> <p>RATIONALE: for clarity with respect to the link to the electronic signature.</p>	<p><b>New Zealand</b></p>
<p><del>Digital signature is the mathematical scheme for verifying the authenticity of digital messages which is used to implement the electronic signature.</del></p>	<p><b>Canada</b></p> <p>Canada would propose deletion of this definition.</p> <p>Rationale: We do not find that it adds clarification to the text. Further, the term only occurs once in the whole text (in Section 4,</p>

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	paragraph 9) and, where it occurs, Canada has suggested revisions that omit this term from the text altogether. Hence, the definition becomes unnecessary
Digital signature is the mathematical scheme for verifying the authenticity of digital messages which is used to implement the electronic signature.	<p><b>Nicaragua</b> Nicaragua considers that this definition contradicts what is stated in the introduction "number 2". It also includes terms that are not in the definitions, for example "digital messages".</p> <p>Although the ITU x.800 in ISO 7498-2 defines a digital signature (data appended to, or a cryptographic transformation of, a data unit that allows a recipient of the data unit to prove the source and integrity of the data unit and protect against forgery), it is considered that its complexity will not contribute to the understanding of the document, and it is therefore proposed that the definition be removed.</p>
Electronic signature is data in electronic form which is attached to or logically associated with certification data in electronic form and which is used with the intention to be bound by the contents of the signed official certificate.	<p><b>Canada</b> Canada has proposed revisions to the text of this definition to use plain language and we have moved it from Annex II to the main text.</p>
Electronic signature: data in electronic form which is attached to or logically associated with other data in electronic form and which may be used to identify the signatory in relation to the data message and to indicate the signatory's approval of the information contained in the data message. <u>are data in electronic form which is attached to or logically associated with certification data in electronic form and which is used with the intention to be bound by the contents of the signed official certificate.</u>	<p><b>Nicaragua</b> Nicaragua proposes using the definition in the Model Law on Electronic Signatures, see: <a href="https://www.uncitral.org/pdf/english/texts/electcom/ml-elecsig-e.pdf">https://www.uncitral.org/pdf/english/texts/electcom/ml-elecsig-e.pdf</a></p>
Non-repudiation service is a technology with the goal to generate, maintain, make available and validate the issuance of the official certificate in order to help resolve potential disputes between the importing and exporting country about the occurrence or non-occurrence of the issuance of that certificate.	<p><b>USA</b> The US has previously questioned the relevance of defining "non-repudiation service" as this suggests this is the only option available to achieve the goal of authenticity, security, and verification of paperless exchange. This term can have multiple legal, regulatory, or technical meanings, depending on the context, and could invite confusion. We suggest further discussion is needed in the EWG</p>
Non-repudiation <u>rejection</u> service is a technology that aims to generate, maintain, make available and validate the issuance of the	<p><b>Colombia</b> We suggest changing the name of</p>

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official certificate in order to help resolve possible disputes between the importing and exporting country about the occurrence or non-occurrence of the issuance of that certificate.	the definition of the non-repudiation service to the non-rejection service, on the basis that this is a mechanism by which the body that issues the certificate cannot deny that it issued it and the one that receives it cannot deny that it received it
Section 4 – TRANSITION TO PAPERLESS EXCHANGE OF OFFICIAL CERTIFICATES	
Section 4 – TRANSITION TO PAPERLESS EXCHANGE OF OFFICIAL CERTIFICATES	<p><b>USA</b></p> <p>The U.S. agrees with other member countries that there is a potential gap and need to elaborate on alternative modes that can be used to transition from paper to paperless. As example, some member countries currently use digital image viewers or PDF issuance/exchange which provide steps toward achieving trust and full confidence between importing and exporting countries, while also encouraging movement toward system-to-system XML exchange as the end goal. The placement of this concept should be discussed within the EWG.</p>
SECTION 4 - TRANSITION TO EXCHANGE OF OFFICIAL CERTIFICATES IN <u>PAPERLESS ELECTRONIC FORMAT</u>	<p><b>Nicaragua</b></p> <p>Nicaragua proposes changes to the term in line with the definitions.</p>
7. Competent authorities should have implemented <del>internal capabilities and established internal IT and data security protocols at the a secure national level</del> prior database with capacity to generate official certificates before initiating discussions and pursuing bilateral/multinational bilateral/multilateral arrangements for paperless exchange of <del>official certificates and taking the following into consideration</del> certificates.	<p><b>Canada</b></p> <p>Revision is proposed to simplify the language.</p>
7. The competent authorities should have implemented internal capabilities and established internal IT and data security protocols at the national level prior to pursuing bilateral/multinational arrangements for the <del>paperless</del> exchange of official certificates <u>in electronic format</u> and should take the following into consideration.	<p><b>Nicaragua</b></p>
<del>National internal preparational considerations</del> 8. <u>Considerations to prepare for paperless certification at the national level</u>	<p><b>Canada</b></p> <p>Revision proposed to clarify the title.</p>
<p>8. In collaboration</p> <p>8.1 The competent authority should work collaboratively with all stakeholders, including internal and external information technology experts, <del>experts</del> (note for greater clarity: external information technology experts could include those working in the private sector who provide consultation services and experts working for the competent authorities should review together with of other countries who are available to assist <del>the public and private stakeholders</del> exporting country with development of its system), to identify the existing processes at national level for providing producing and/or receiving official certificates including identification of and the data</p>	<p><b>Canada</b></p> <p>Revisions proposed to paragraph 8 to simplify the language. Text in parenthesis was included to provide additional clarity on the reference to external information technology experts and may be removed in future versions of the document, depending on the views of Codex members.</p>





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elements involved. Consideration should also be given that need to <del>facilitating</del> be captured by the exchange of official electronic certificates via a single window system.	
Exporting countries should consider digitizing their export procedures, including inspections and protocols and how the data elements of their export certificates <sup>15</sup> are processed and how they are organized and relate to one another <sup>16</sup> .	<b>Canada</b> Part of the changes in 8.1
<u>Footnote 16</u> According to the principles set out in Section 4 and elaborating on the information provided in Sections 8 and 9 of this guidelines	<b>Canada</b> Text was deleted.
<u>Footnote 17</u> According to section 8 of this Annex	<b>Canada</b> Text was deleted
Importing countries should consider digitizing their import procedures and protocols and how the data elements of their import certificates <sup>17</sup> are used in their import protocols.	<b>Canada</b> Part of changes from 8.1
<u>Footnote 18</u> According to the principles set out in Section 4 and elaborating on the information provided in Sections 8 and 9 of this guidelines and section 8 of this annex	<b>Canada</b> Text was deleted.
<u>Para 9</u> 8.2. In this process <del>designing the systems electronic certification system, data elements and protocols</del> the competent authority of the exporting country should ensure that <del>are selected</del> their system is <del>designed to be involved</del> operate in a manner that is consistent with international guidance on transmission of electronic data in commerce. This is necessary to ensure that there is capacity for paperless exchange certification. For greater clarity, the electronic certification system should follow where considered appropriate, relevant international standards, recommendations and guidance for	<b>Canada</b> Revisions to clarify and simplify the language
9. In doing so, the competent authority should review its import and export processes and adjust those processes as needed to support the efficient use of the electronic certification system. For example, the competent authority should look at the flow of information from food business operators through their systems such that the information provided by the food business operator is available to all parties (e.g. importing country's competent authority) without the need to duplicate the information provided by the food business operator through data entry. <sup>9</sup> In this process the systems, data elements and protocols that are selected to be involved in paperless exchange should follow where considered appropriate, relevant international standards, recommendations and guidance for	<b>Canada</b> Revisions proposed to clarify and simplify the language.
9 (1) The end-to-end communication New Zealand recommends the first point is amended to read: The end-to-end communication including acknowledgement of receipt and acceptance status of the consignment.	<b>New Zealand</b> For clarity and completeness
9 (3) The non-repudiation service (including digital signature <sup>19</sup> and certifying officer identity) New Zealand recommends the third point is amended to read:	<b>New Zealand</b> This point relates to the 'relevant international standards, recommendations and guidance for matters associated with

TEXT AND PROPOSED CHANGE	NAME OF MEMBER/OBSERVER AND COMMENT
9 (3.) Reliability, authenticity and security protocols such as electronic digital signature, a non-repudiation service, certifying officer identity.	reliability, authenticity and security aspects of systems which should be clearly stated as such. A non-repudiation service is only one option for this, further the current structure of this bullet is very confusing as both 'non-repudiation service' and 'digital signature' are separately defined terms and the current drafting implies these and 'certifying officer identity' are all one and the same.
9 (3.) Capacity to verify transmission and receipt of the data; and The non-repudiation service (including digital signature <sup>19</sup> and certifying officer identity)	<b>Canada</b> Proposed revision to simplify the language.
9 (3) The non-repudiation service (including digital signature <sup>19</sup> and certifying officer identity) using Public Key Infrastructure	<b>Indonesia</b> To explain in more detailed about the implementation of non-repudiation service using Public Key Infrastructure Scheme.
9 (3) The non-repudiation service (including digital electronic signature <sup>19</sup> and certifying officer identity)	<b>Nicaragua</b> As per the comments on the definitions (digital signature and electronic signature)
<u>Footnote 20</u> A valid digital signature, where the prerequisites are satisfied, gives a recipient very strong reason to believe that the message was created by a known sender (authentication), and that the message was not altered in transit (integrity)	<b>Canada</b> Text was deleted.
9 (4) <del>Where possible, lodging them with a Single Window system</del> <sup>20</sup> . RATIONALE: Proposed revision to simplify the language.	<b>Canada</b>
Considerations to implement paperless certification at the Bilateral/multinational <del>considerations lateral/multinational</del> level	<b>Canada</b> Proposed revision to clarify the purpose of this section.
10. Exporting and importing countries should coordinate to identify:	<b>USA</b> The references to essential data elements and alignment with single window systems suggests the need to revisit the generic model certificate. This needs further discussion within the EWG to determine whether this work is within scope of the TOR for the use of paperless certificates.
10(9.1.) Exporting and importing countries should coordinate to identify:	<b>Canada</b> The purpose of the proposed revisions is to simplify/clarify the text
10 (1) The essential data elements needed for issuance and receipt of electronic official certificates between to identify the two countries certified goods;	<b>Canada</b> The purpose of the proposed revisions is to simplify/clarify the text.

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10 (2) Connection protocol responsible <del>for the</del> to ensure mutual confidence in transmission of electronic certificates <del>by end-to-end communication with consideration of each country's information technology or data management and security requirements;</del> and,	<b>Canada</b> The purpose of the proposed revisions is to simplify/clarify the text.
10 (3) Paperless exchange protocols, considering each country's information technology or data management and security requirements, to ensure mutual confidence in a secure and authenticated transmission of electronic certificates.	<b>Canada</b> The purpose of the proposed revisions is to simplify/clarify the text.
10 (3) <del>Paperless exchange</del> exchange protocols, considering each country's information technology or data management and security requirements, to ensure mutual confidence in a secure and authenticated transmission of electronic certificates.	<b>Nicaragua</b> Nicaragua proposes deleting the text to avoid duplication.
10 (4) 3. <del>Single Window Interoperability where appropriate</del> <u>Single Window Interoperability</u> <sup>21</sup>	<b>Canada</b> The purpose of the proposed revisions is to simplify/clarify the text.
11. Paper versions of the certificates should <del>may</del> stay in parallel to the electronic exchange until both the importing and exporting country are satisfied that.	<b>USA</b> The respective exporting and importing countries should have flexibility whether there is a need to continue to generate a paper version of the certificate
11 (Renumber as 9.2.) <del>Paper versions of the certificates</del> <u>Competent authorities should stay in parallel include contingency plans as part of their plans to the electronic exchange until both the importing and exporting country are satisfied that. implement paperless certification to prevent disruptions to trade caused by system failures</u>	<b>Canada</b> The purpose of the proposed revision is to simplify and clarify the text
11 (1) The connectivity of their respective systems is reliable for the full scope of official certificate clearance activities (e.g. acceptance, rejection, or replacement) and types of acknowledgement agreed;	<b>Canada</b> The purpose of the proposed revision is to simplify and clarify the text.
11 (2) The integrity, authenticity and security of the exchange meets agreed criteria; and	<b>Canada</b> The purpose of the proposed revision is to simplify and clarify the text.
11 (3) Understandings are in place as to how business continuity will be dealt with should anything effect the system-to-system exchange.	<b>Canada</b>
<b><u>SECTION 5 – EXAMPLES OF EXCHANGE MECHANISMS</u></b>	
12. The concepts below are the electronic <del>certification</del> solutions identified to date, each delivering electronic certificates in a specific format together with dedicated security features.  New Zealand recommends the text is amended to read:  12. The mechanisms below are the electronic solutions identified to date, each delivering <u>or providing access to electronic certificates</u> in a specific format together with dedicated security features.	<b>New Zealand .</b>  For clarity and consistency with heading – the examples are electronic solutions

TEXT AND PROPOSED CHANGE	NAME OF MEMBER/OBSERVER AND COMMENT
<p>The electronic certification system of the importing competent authority retrieves (“pulls”) or receives (the information having been “pushed”) “sent”) certificate data directly from the electronic certification system of the exporting competent authority through a web service interface (e.g. Simple Object Access Protocol [SOAP]).</p>	<p><b>Colombia</b> We suggest changing an expression in the following text, so that it is easier to understand.</p> <p>1. The electronic certification system of the importing competent authority retrieves (“pulls”) or receives (the information having been “sent”) certificate data directly from the electronic certification system of the exporting competent authority through a web service interface (e.g. Simple Object Access Protocol [SOAP]).</p>
<p>13. The examples above do not exclude future evolved electronic certification mechanisms and exchanges of electronic representations of certificates (e.g. secured PDF format) which competent authorities consider suitable to meet their requirements.</p>	<p><b>New Zealand</b> New Zealand recommends the brackets and example ‘(e.g. secure PDF format)’ are deleted</p> <p>RATIONALE: Exchange of a PDF is not a future solution for a paperless electronic certification mechanism it is a transitional approach and is provided for within the definition of ‘electronic certificate’ and within the main body of the guidelines.</p>
<b><u>SECTION 6 – ROLES AND RESPONSIBILITIES</u></b>	
<p>14. The paperless exchange of electronic official certificates between exporting and importing countries using UN/CEFACTSPS standardized language, structure and exchange protocols for sanitary and phytosanitary certification presents the following responsibilities of involved competent authorities and business operators.</p>	<p><b>Nicaragua</b></p>
<p>The exporting competent authority makes available the issued official certificate to the importing competent authority and confirms to the exporting business operator the status of the official certificate that is exchanged <del>paperlessexchange</del>.</p>	<p><b>Nicaragua</b></p>
<b><u>SECTION 7 – ADDITIONAL FUNCTIONALITIES TO RETRIEVE CERTIFICATE INFORMATION</u></b>	
<p>15. The exporting competent authority may consider</p> <p>New Zealand recommends the entire current text of paragraph 15 and the two sub-points is deleted replaced with the following:</p> <p>15. Countries may consider moving directly from paper certificates to paperless government-to-government electronic data exchange. Alternatively countries may consider transitioning to the ultimate goal of solely using paperless electronic data exchange using a number of incremental steps. Such steps may include for example the supply of paper certificates or digital images of these for a period, with the exporting country also providing the certificates either electronically or providing an alternative means for the importing country to validate the authenticity of paper or digital images. Irrespective of what means are proposed, the details should be mutual agreed and documented in a manner that provides an appropriate degree of transparency and commercial certainty for commercial exporters and importers.</p>	<p><b>New Zealand</b></p>

TEXT AND PROPOSED CHANGE	NAME OF MEMBER/OBSERVER AND COMMENT
<p>RATIONALE: to provide clear additional guidance on the available mechanisms as countries transition or move towards full paperless electronic certification.</p>	
<p>15. The Countries may consider moving directly from paper certificates to paperless government-to-government electronic data exchange. Where the exporting country has capacity to produce electronic official certificates, the exporting competent authority may consider propose for consideration by an importing country to use paper certificates or digital images of certificates with electronic signatures to produce electronic official certificates as an incremental step towards paperless electronic data exchange. In either case, the exporting competent authority may provide the importing country or other interested parties as needed, with the following options to retrieve certificate information:</p>	<p><b>Canada</b> Significant change, to support step by step transition from paper to paperless certification.</p>
<p>the use of secured technology as a means to provide authorities with lawful accessibility to information about certified shipments (viewer).</p>	<p><b>New Zealand</b> sub-point to be deleted if replacement paragraph 15 accepted</p>
<p>to provide a service, for example a dedicated website, to enable authorities involved in border clearance or transit to verify certificate information which is issued through its electronic certification system (verification tool).</p>	<p><b>New Zealand</b> sub-point to be deleted if replacement paragraph 15 accepted</p>
<p>to provide a service, for example a dedicated website, to enable authorities involved in border clearance or transit to verify certificate information which is issued through its electronic certification system (verification tool).</p>	<p><b>Canada</b> The purpose of the proposed revision is to simplify and clarify the text.</p>
<p><b>SECTION 8 – GENERIC REFERENCE MODEL OF THE GENERIC MODEL OFFICIAL CERTIFICATE</b></p>	
<p>The U.S. has previously expressed concerns regarding the technical detail that is included in Section 8 and 9. The guidance needs to provide flexibility to importing and exporting countries for use of the data elements reflected in the generic model official certificate as they develop electronic certificates for paperless exchange. The U.S. can resubmit previous proposed edits, if these sections remain in the guidance.</p> <p>At this time, the U.S. suggests these highly technical sections are removed from this guidance. If there is support to develop a Codex data model, a comprehensive review of the generic model official certificate will need to be undertaken.</p>	<p><b>USA</b></p>
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>descriptions for the generic model offici</p> </div> <div style="text-align: center;">  <p>Generic Reference Model.pdf</p> </div> </div> <hr style="width: 100%;"/>	<p><b>Israel</b> it is importing that the exporting country will have a certificate verification system ,its mean that if authenticity of a export health certificate is in question, the state officer in the importing country can use the online EHCS(Export Health certification system)certificate viewer for verification.</p>
<p><b>SECTION 9 –EXAMPLES OF DATA MODELING THE GENERIC MODEL OFFICIAL CERTIFICATE</b></p>	
<p><b>SECTION 9 – EXAMPLES OF DATA MODELING: THE GENERIC MODEL OFFICIAL CERTIFICATE</b></p>	<p><b>Nicaragua</b> Nicaragua suggests that the recommended XML format</p>

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	incorporate elements in its scheme so that countries can determine the type of "electronic signature" used and its format if it varies from country to country.

## ANNEX II

## COMMENT OF Malaysia

Malaysia thanks Netherland, Australia and the rest of the EWG members for the effort and in preparing the revised text. Malaysia would like to share our views and offer some comments for consideration as follows:

General comments

Malaysia can generally agrees to the proposed changes in the general guidance which aims to develop guidance on the use of electronic certificates by competent authorities and the migration to paperless certification.

General Guidance

Malaysia proposes some editorial amendment for consideration as follow:

**Single Window** is ~~asa~~ facility that enables public and private stakeholders involved in trade and transport to lodge standardized information and documents with a single entry point to fulfill all import, export, and transit ~~related~~-related regulatory requirements<sup>5</sup>

**Principle E(bis)**

**E(bis). Importing and exporting countries should consider using single window facilities, where they exist, for the paperless exchange of official certificates.**

24. The certificate information and attestations (together with certificate data set) should enable lodgment through a Single Window system;

**Paperless exchange of official certificates (annex II).**

43. The electronic systems that are used for paperless exchange of official certificates should:

-ensure the technology that generates, maintains, makes available and validates the issuance of this certificate ~~and~~ prevents any alteration by a non-approved party after issuing.

Annex II

Malaysia notes that this are aimed to be guidance for competent authorities, taking into consideration international standards and recommendations on implementing paperless exchange of official certificates and also countries experiences. As such we have no objection to the level of technical detail as presented in this Annex. We view that the information is beneficial and provide strong basis for Codex members in considering paperless certification and members can apply these elements into their system design as appropriate.