

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 5

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

FAO/WHO COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN

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INFORMATION ON NATIONAL FOOD CONTROL SYSTEM AND CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING (CL 2006/33-LAC, PART A)

COMMENTS FROM BRAZIL

The structure and organization of official food control services in Brazil is shared by ministries which act at specific fields of the production/consumption food chain. The Ministry of Agriculture, Livestock and Food Supply (MAPA) acts in primary, semi-industrialized and industrialized farming, also in storage of regulating supplies and in the transport for industrial production as well as for exportation. The Ministry of Health - MS is responsible for inspection and for public health risk control of available food for consumers, including private and public food services. The Legal Metrology is also involved in this structure represented by the Ministry of Development, Industry and Foreign Trade (MDIC). The Ministry of Justice (MJ) takes part in it by defending consumers' rights and guaranteeing the application of the Brazilian Consumer Protection Code, approved by Law 8078/90.

A) NATIONAL FOOD CONTROL SYSTEM

In Brazil, the bodies responsible for food control are the Ministry of Agriculture, Livestock and Food Supply (Secretariat of Animal and Plant Health - SDA) and the Ministry of Health (National Health Surveillance Agency).

Ministry of Agriculture, Livestock and Food Supply

The general structure of the Ministry of Agriculture, Livestock and Food Supply (MAPA) and information on its divisions, sectors and officials can be found on its Web site at: <http://www.agricultura.gov.br> and https://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2005/Decreto/D5351.htm

The MAPA body responsible for food control is the Secretariat of Animal and Plant Health (SDA) whose structure was set out in the Rules of Procedure approved in 21 January 2005.

The SDA has six departments: the Department of Inspection of Animal Products (DIPOA), the Department of Inspection of Plant Products (DIPOV), the Department of Inspection and Livestock Inputs (DFIP), the Department of Agricultural Inputs (DFIA), the Department of Animal Health (DSA) and the Department of Plant Health (DSV).

The functions of the Secretariat of Animal and Plant Health include providing information for the formulation of agricultural policy on plant and animal protection; planning, regulating and supervising, under specific legislation can be found on Web site at: https://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2005/Decreto/D5351.htm

In addition to their routine production and facility control activities, the MAPA's Technical Departments conduct special control programs to monitor the quality of agricultural products under their responsibility, in particular:

SAFETY AND QUALITY OF FOODS

AGROFIT – Online database providing access to information on the correct and safe utilization of pesticides for plant protection purposes, with information and indications on use, dose, crop, method of application and withdrawal period for the guidance of producers, consumers and other interested parties.

Web site: http://extranet.agricultura.gov.br/agrofit_cons/principal_agrofit_cons

DATABASE OF ESTABLISHMENTS REGISTERED UNDER THE FEDERAL INSPECTION SYSTEM. Information system covering all animal product establishments registered with the DIPOA/SDA/MAPA.

Web site: http://www.agricultura.gov.br/portal/page?_pageid=33,961057&_dad=portal&_schema=PORTAL

SISBOV – BRAZILIAN SYSTEM OF BOVINE AND BUBALINE ORIGIN IDENTIFICATION AND CERTIFICATION

Web site: http://www.agricultura.gov.br/portal/page?_pageid=33,961114&_dad=portal&_schema=PORTAL

SISLEG – FEDERAL AGRICULTURAL LEGISLATIVE SYSTEM

Web site: <http://extranet.agricultura.gov.br/sislegis-consulta>

NATIONAL PLAN OF CONTROL OF RESIDUES IN ANIMAL PRODUCTS - PNCR

This Plan is actually being revised.

Ministry of Health/National Health Surveillance Agency

The National Health Surveillance Agency (ANVISA) was created by Law 9782 of 26 January 1999. It operates under special self-governing regime, i.e. as a regulatory agency with administrative independence, financial autonomy and continuity of managerial staff for the duration of their mandate. In the Federal Public Administration Structure, the Agency is attached to the Ministry of Health.

The institutional objective of the Agency is to protect public health through sanitary control of the production and marketing of products and services subject to health surveillance, including associated environments, processes, inputs and technologies. The Agency is responsible for health control at ports, airports and borders, and for liaison with the Ministry of Foreign Affairs, Ministry of Agriculture, Livestock and Food Supply, Ministry of Development, Industry and Foreign Trade, research and analytical laboratories, academia and foreign institutions on international issues relating to health surveillance.

ANVISA coordinates the activities of the National Health Surveillance System (SNVS). Its actions dovetail with those of the state and local governments for the Brazilian Universal Public Health System Unified Health System (SUS). Thus, there is a major integration between the federal government, its 27 federal units and its 5600 municipalities (or districts).

The National Health Surveillance System is wide-ranging and complex but is being streamlined with the introduction of successive governmental measures to render its work more rapid, more efficient and based on scientific understanding.

The Agency is responsible for the regulation, control and inspection of products and services made available to the public.

As regards specific food-related responsibilities are:

- Coordinates, supervises and controls activities of registration, information, inspection and control of risk by setting standards and guidelines and by promoting the appropriate organization of technical and administrative procedures in order to ensure proper health surveillance of foods, beverages, bottled water, inputs, packaging, food additives, contaminants and residues of veterinary drugs and pesticides;
- Encourages scientific research in health surveillance;

- Promotes the training of health surveillance personnel in programs such as the HACCP and Good Manufacturing Practices;
- Fosters expansion of the public health laboratory network to meet demand for food analysis;
- Stimulates the accreditation of health surveillance laboratory services at federal, state and municipal level;
- Stimulates and promotes the adoption of scientific methods of risk analysis in health surveillance actions by personnel of the National Health Surveillance System;
- Supports food safety surveillance actions at ports, airports, borders and customs posts;
- Helps prepare and harmonize standards to be agreed in international forums including Codex and MERCOSUR;
- Participates in technical activities for the incorporation of internationally agreed regulations into national legislation;
- Coordinates activities for the evaluation of specific chemical products such as selected additives and contaminants, as well as active ingredients of veterinary drugs and crop protectants.
- Strengthen decentralized control actions of state and municipality governments in the Unified Health System Brazilian Universal Public Health System;
- Prioritize inspection in industrial food production, with the adoption of Good Manufacturing Practices and the HACCP;
- Participates actively in national and international technical committees working on food safety standards and guidelines.

The organizational structure of ANVISA and its food-related offices can be found on its Web site: www.anvisa.gov.br

ANVISA's food-related offices include the Food Office and its technical offices:

A – Special Products Office, responsible for managing:

- a.1 – food registration procedures;
- a.2 – the formulation of technical regulations for general and special dietary foods, and for general and nutritional labelling;
- a.3 – the coordination of the National Codex Committee's Technical Groups on Food Labelling, Methods of Analysis and Sampling, Nutrition and Foods for Special Dietary Uses; Edible Fats and Oils.

B – Science and Technology Office, responsible for managing:

- b.1 – administrative procedures and the evaluation of risk for the registration and/or inclusion and/or extension of food additives and processing aids;
- b.2 – studies and research on food contaminants such as veterinary drug residues;
- b.3 – studies and research on food packaging materials;
- b.4 – Codex issues relating to food additives, processing aids and contaminants;
- b.5 – the updating of technical regulations and other regulatory texts on additives, processing aids and contaminants and packaging materials.

C – Office of Inspection and Control of Food Risk, responsible for managing:

- c.1 – food quality monitoring programs based on associated health risks;
- c.2 – the coordination of the National Codex Committee's Technical Groups on Food Hygiene;
- c.3 – Codex issues connected to the Committee on Food Import and Export Inspection and Certification Systems;

- c.4 – the federal coordination of food inspection actions by state and municipal health surveillance units;
- c.5 – the formulation of technical regulations on Good Manufacturing Practices and HACCP for general and specific industries;
- c.6 – the updating of technical regulations and other regulatory texts on GMP, HACCP and Risk Analysis;
- c.7 – education of consumers and the National Health Surveillance System - SNVS on food safety.

D – Office of Technical Competence in Food Safety: responsible for managing:

- d.1 – technical training programs on the HACCP and Good Manufacturing Practices at federal, state and municipal level, with in-person and distance courses ;
- d.2 – technical training programs on health surveillance, public health and epidemiology of outbreaks of food-borne diseases;
- d.3 – technical training programs on application of the HACCP and Good Manufacturing Practices for technical staff of micro, small and medium enterprises.

The Food Office also liaises closely with the Toxicology Office and Public Health Laboratories Office of the Directorate of Food and Toxicology, and with ANVISA's Ports, Airports and Borders Office, International Relations Office, Information Office and Inspectorate.

B) FOOD LEGISLATION

ANVISA Food Legislation

When formulating and updating food legislation, ANVISA invites all parties to preliminary discussions, including representatives of government, industry, academia and consumers. Before adopting any regulatory provision, ANVISA submits proposed regulation to public consultation. The basis and rationale for proposed regulation reflect the decisions of the Codex Alimentarius, MERCOSUR and international agreements or, in their absence, of recognized international organizations

Brazil makes best effort to establish its standards and technical regulations in accordance with international references in order to develop its foreign trade, as well as guarantee international scientific criteria for the evaluation of its products, with the intention of protect consumers health.

Further information on ANVISA legislation can be found on its Web site: www.anvisa.gov.br

The federal sanitary legislation regulates the Good Manufacturing Practice (GMP), applicable to the whole food industry in general, and specifically to industries involved with particularly food categories. The legislation is available on this URL: <http://www.anvisa.gov.br/alimentos/bp.htm>.

Technical Resolution (Resolução) RDC nº 275, October 21st 2002: It establishes the Technical Regulation for Standardized Operational Procedures applicable to Food Producers and Food Industrials. It also establishes the Good Manufacturing Practices Check List.

The purpose of this technical resolution is to update general legislation, introducing the continuous control of the GMP and the Standardized Operational Procedures, besides of promoting the harmonization of inspection sanitary standards. This regulation complements the Administrative Act (Portaria) SVS/MS nº 326/97.

Administrative Act SVS/MS nº 326 July 30th 1997: Approves the technical regulation “Hygienic-Sanitary Conditions and Good Manufacturing Practices for Producers / Food Manufacturing Establishments”.

Based on the Codex Alimentarius Recommended International Code of Practice General Principles of Food Hygiene. CAC/VOL. A, 2nd Edition (1985) and harmonized in Mercosur, this Administrative Act establishes the general requirements for hygienic-sanitary conditions and Good Manufacturing Practices for Producers /Food Manufacturing Establishments.

Technical Resolution RDC nº 216, September 15th 2004: It establishes the Technical Regulation for Good Food Services Practices.

It regulates the procedures that shall be adopted by food services with the purpose of guaranteeing hygienic-sanitary conditions to prepared food. This federal legislation may be complemented by the sanitary surveillance organs of each federal unit in order to consider the local reality and promote improvements of hygienic-sanitary conditions to prepared food.

Technical Resolution RDC n° 218, July 29th 2005: It establishes Technical Regulation for Hygienic-Sanitary Procedures of Vegetable Food and Drink Manipulation.

Applicable to both food services and food stores (permanent, provisory or ambulant installations)

Specific Legislation:

Technical Resolution n° 172, July 4th 2003: It presents the Technical Regulation of Good Manufacturing Practices for Processed Peanuts and Derived Products Manufacturing Establishments.

Technical Resolution n° 352, December 23rd 2002: It presents the Technical Regulation of Good Manufacturing Practices for Producers/Pickled Fruits and Vegetables Manufacturing Establishments. It also presents the Good Manufacturing Practices for Producers/Pickled Fruits and Vegetables Manufacturing Establishments Check List.

Technical Resolution RDC n° 267, September 25th 2003: It establishes the Technical Regulation of Good Manufacturing Practices for Frozen Food Manufacturing Establishments. It also presents the Good Manufacturing Practices for Cold Food Manufacturing Establishments.

Technical Resolution) RDC n° 81, April 14th 2003: It establishes the mandatory identification of pickled palmito (*Euterpe edulis*) manufacturer, printed on metallic cover's lateral surface of the glass package. It also establishes the elaboration, implementation and maintenance of Standardized Operational Procedures for acidification and thermal treatment.

Technical Resolution RDC n° 18, November 18th 1999: It republishes the technical Resolution n° 363, July 29th 1999, because of its incorrectness, on the original published, in the Brazilian Official Journal (Diário Oficial da União) August 2nd 1999 n° 146-E, section 1, page 16.

Technical Resolution RDC n° 28, March 28th 2000: It establishes the Good Manufacturing Practices procedures for salt processing establishments for human consumption purpose. It also establishes the sanitary inspection at salt processing industries check list.

Technical Resolution RDC n° 173, September 13th 2006: It establishes the Industrializing and Trade Good Practices for natural mineral water and natural water. It also establishes Industrializing and Trade Good Practices for natural mineral water and natural water check list.

IMPORT AND EXPORT

In Brazil, the control of imported food is centralized and takes place at each national point of entry, at ports, airports and border posts.

The whole food import system is now computerized and accessible on the Internet, with information on controls for each product and the respective agencies responsible for the evaluation, acceptance or rejection of shipments.

MAPA Food Legislation

MAPA food legislation can be consulted on the following site:

SISLEG – Federal Agricultural Legislative System

Web site: <http://extranet.agricultura.gov.br/sislegis-consulta>

Information about import and export can be found on Web site at: <http://extranet.agricultura.gov.br/sislegis-consulta/consultarLegislacao.do?operacao=visualizar&id=7536>

C) COOPERATION ON FOOD CONTROL AND TRAINING

The Brazilian Government, in order to guarantee populations health protection, makes best effort to establish cooperation with Countries and other international actors. This cooperation occurs both on MERCOSUR and on other regional and/or bilateral agreements. ANVISA (National Health Surveillance Agency) has participated on international forums, specifically on Codex Alimentarius and Mercosur, with the purpose of discussing standards and technical regulations harmonization.

A Memorandum of Understanding on Food Products Trade was signed between ANVISA and ANMAT (Argentina) in order to simplify inspection procedures and sanitary control of food products and to make faster bilateral trade in 45 categories products. ANVISA is also evaluating the possibility of signing a Memorandum of Understanding with Uruguay with the same purpose.

The Ministry of Agriculture, Livestock and Food Supply established the following agreements:

- Pre agreement on cooperation and recognition in the sanitary area of fishing products and aquiculture among the competent authorities of Argentina, Brazil, Chile and Uruguay.
- Complementary settlement to the Treaty of Friendship and Cooperation, about Mechanisms and Sanitary Requirements for the Commerce of Fish and Fish Products signed between Brazil and Ecuador.
- Understanding between Brazil and Norway about sanitary and technical directives for the bilateral commerce of products of fishing, aquiculture and its derived.
- Intentions Protocol about the sanitary requirements for the Fish Products Commerce between Brazil and Peru.
- Intentions Protocol about the sanitary requirements for the commerce of animals and products of animal origin between Brazil and Argentina.
- Complementary settlement to the agreement of technical cooperation between the government of Brazil and the government of Costa Rica for implementation of the project "vegetables production techniques improvement under environments protected in Costa Rica".
- Agreement between the government of Brazil and the government of Lebanon about technical cooperation, sanitary and phytosanitary procedures, celebrated in Beirut, in 4 of December of 2003.
- Complementary settlement to the agreement of commerce between the government of Brazil and the government of India about sanitary and phytosanitary measures.
- Memorandum of Understanding between the Ministry of Agriculture, Livestock and Food Supply of Brazil and the General Administration for Supervision of the Quality, Inspection and Quarantine of China in the area of sanitary and phytosanitary safety of food products.
- Understanding Protocol between the Ministry of Agriculture, Livestock and Food Supply of Brazil and the Ministry of the Agriculture, Fishing and Food of Spain in the area of sanitary and phytosanitary safety of products of animal and vegetable origin and others issues of mutual interest.

NATIONAL CODEX CONTACT POINT AND OTHER NATIONAL STRUCTURE FOR CODEX MATTERS

a) and b) Activities of Codex Contact Point and National Codex Committee

Brazil's National Codex Committee, the CCAB, was established in 1980 by Resolution CONMETRO 01/80. Its main duties are to represent the country and defend national interests in the Codex Committees and to promote the use of Codex standards as basic reference for the drafting and updating national food legislation and regulations.

The CCAB has 14 members representing sectors related to food: the Government, industry, consumers and academia. It is coordinated and serviced by the National Institute of Metrology, Standardization and Industrial Quality (INMETRO).

The National Committee comprises an array of technical groups monitoring the work of individual Codex Committees and coordinated by CCAB members. These groups are open to all sectors with an interest in the topic under examination.

As of October 2006, the CCAB had held 211 regular sessions and over 56 extraordinary sessions, serving mainly to monitor the work of the Codex Committees of primary relevance to Brazil. Since the 14th CCLAC session in December 2004, CCAB Codex-related activity has taken the form of replies to circular letters, the drafting of documents and the presentation of Brazil's position at meetings. During this period, Brazil has attended meetings of the following Codex Committees:

Codex Committee on Food Import and Export Inspection and Certification Systems, Codex Committee on Fresh Fruits and Vegetables, Codex Committee on Fats and Oils, Codex Committee on Food Additives and Contaminants, Codex Committee on Pesticide Residues, Codex Committee on General Principles, Codex Committee on Food Labelling, Executive Committee of the Codex Alimentarius Commission, Codex Alimentarius Commission, Codex Committee on Food Hygiene, Codex Committee on Milk and Milk Products, Ad Hoc Codex Intergovernmental Task Force on Foods Derived from Biotechnology, Codex Committee on Residues of Veterinary Drugs in Foods, Codex Committee on Fish and Fish Products, Ad Hoc Codex Intergovernmental Task Force on Animal Feeding, Codex Committee on Nutrition and Foods for Special Dietary Uses and Ad Hoc Codex Intergovernmental Task Force on Fruit and Vegetable Juices.

In addition to its routine activities, the National Committee holds an annual workshop each February to evaluate its performance, with the participation of all the members of the technical groups.

The CCAB is continuously publicizing its and Codex activities through presentations during food industry courses, conferences and workshops and has set up a dedicated Web site:

CCAB/INMETRO - <<http://www.inmetro.gov.br/qualidade/comites/ccab.asp>>

The site carries the following information:

- structure and functioning of the Codex program;
- structure and functioning of the CCAB;
- calendar of Codex and CCAB meetings;
- list of Codex standards;
- summary reports of Codex Committee meetings;
- draft Codex guidelines and standards under discussion in Codex Committees;
- list of circular letters under discussion in Codex Committees;
- news.

Brazil also chaired the Codex Ad Hoc Intergovernmental Task Force on Fruit and Vegetable Juices which has been tasked with reviewing fruit and vegetable juice standards and updating their methods of analysis and sampling. The work was concluded in 2005 with the approval by the Commission of the General Standard for Fruit Juices and Nectars..

The CCAB works closely with FAO in conducting technical cooperation and assistance projects and is currently discussing a second mission to Angola in improving the functioning of the its National Codex Committee and setting its food control system.

The CCAB's contact details are:

CCAB coordination

INMETRO

W3 Norte - Quadra 511, Bloco B, 4º Andar

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CONSUMER PARTICIPATION IN STANDARD SETTING

Bodies representing consumers (governmental and non-governmental) have been involved in the work of the Codex Alimentarius Committee of Brazil (CCAB) since 1992. The non-governmental body representing consumers in the CCAB is the Brazilian Institute for Consumer Defence (IDEC) and the governmental body is the Department of Consumer Protection and Defence / Ministry of Justice. Consumers are, both legally and formally, fully involved in the activities carried out by the National Committee and its Technical Groups. Thus, they participate in the development of the national position for Codex meetings and may participate in Brazilian delegations for these meetings.

Consumers participate not only in the activities by the National Committee but also in its Technical Groups.

Consumers have financial and technical difficulties in achieving wider participation. Bodies representing consumers do not have their own resources to participate in meetings and rely on the support of the body coordinated by the National Committee. They also have technical difficulties due to the lack of experts for other Codex issues, who might participate in National Committee meetings.

Considering the non-governmental body representing Brazilian consumers, there is a need for more effective governmental support for consumers' organizations to provide a group of experts with training, so that they can work in Codex and actively participate in meetings, which are held monthly or even more often, due to technical groups. They also understand that there should be equality between consumers and the productive sector (industries, agriculture).

At a national level, in 2004 the National Council of Metrology, Standardization and Industrial Quality (Conmetro) approved the creation of a Permanent Commission of Consumers with the aim of making viable the participation of consumers in standardization and regulation activities, recognizing in its terms of reference—among other aspects—that "... civil consumer defence bodies' work together with standardization and technical regulation cannot be dispensed with, due to their legitimate nature in representing consumers' interests and needs. One of the main reasons for civil bodies' failure to increase their participation in the follow-up of standardization activities is the lack of financial resources".