

## APPENDIX IV

**PROJECT DOCUMENT FOR THE DEVELOPMENT OF CODEX GUIDANCE ON THE PREVENTION AND CONTROL OF FOOD FRAUD****(For approval)****1. Purpose and scope of the proposed guidance**

The purpose of the work is to provide guidance to competent authorities of importing and exporting countries and industry on the prevention and control of food fraud to protect the health of consumers and ensure fair practices in the food trade. The scope of the guidance is to develop definitions for key food fraud terms consistent with the Codex dual mandate, the roles and responsibilities of competent authorities and food businesses, and the cooperation and exchange of information between importing and exporting countries in situations where food fraud has been identified. This includes the identification of key elements of a national food control system related to tools, countermeasures, and controls that contribute to international harmonization and collaboration on the prevention and control of food fraud.

**2. Relevance and timeliness**

The increasing complexity of food systems and increasing global trade in food makes food chains more vulnerable to food fraud. Protecting the global food supply is a common goal for food control authorities to protect public health and to prevent economic loss and trade disruption. Incidents of food fraud can cause disruption in trade, as well as public health risk(s), since the adulterants may be unsafe, unconventional, unexpected and/or uncontrolled when added to food. Government oversight, controls and good manufacturing practices by food business operators (FBOs) are important to avoid an environment of vulnerability for the food system and to maintain consumer confidence in the safety and quality of the foods purchased. Food fraud can be prevented or minimized using the controls and countermeasures available to countries' national food control systems or by adopting new measures, if necessary. The industry is responsible for knowing their supply chains and having control measures in place to tackle food fraud, while the government has a regulatory oversight and a role in increasing awareness of food fraud, building partnerships and collaborating with industry, academia, and other government departments to prevent and manage food fraud.

Codex work to address food fraud is considered a timely endeavor as many global initiatives are underway to help combat food fraud. While several existing Codex texts already address fraudulent activities and provide tools for members wishing to manage potentially fraudulent activity, the development of definitions in relation to food fraud will be beneficial in reducing the variability, inconsistency and confusion that has arisen related to current food fraud initiatives. There is therefore widespread support for developing a Codex guideline specifically on food fraud. Noting the economic drivers of food fraud, it will also address the linkages between food safety and food fraud.

**3. The main aspects to be covered**

The work will include the development of guidance on food fraud, with a view of improving risk management activities and the exchange of information between competent authorities and other relevant government agencies related to the prevention of food fraud that may impact the health and safety of the consumer and/or disruption of trade. The guidance should also include the following elements: (1) Definitions for key food fraud terms for the purpose of this new work; (2) Roles and responsibilities of competent authorities and food businesses when addressing food fraud; (3) Cooperation and exchange of information between importing and exporting countries in situations where food fraud has been identified; and (4) Guidance on how countries can address food fraud within their national food control systems.

The work will include a review of existing CCFICS texts to identify where necessary areas of the National Food Control Systems may need updating or amending.

**4. An assessment against the Criteria for the Establishment of Work Priorities**

The proposal is consistent with the criteria as follows:

**General Criterion:**

The proposed new work will contribute to consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries, thus meeting the general criterion of consumer protection.

The guidance will be developed to provide flexibility in its application by countries with differing levels of development of national food control systems.

**Criteria Applicable to General Subjects:****a) *Diversification of national legislations and apparent resultant or potential impediments to international trade***

Countries are increasingly developing guidance in the area of food fraud. Development of Codex guidance in this area should assist in obtaining international harmonization of nationally developed guidance in this area.

**b) *Scope of work and establishment of priorities between the various sections of work***

Refer to Scope above.

**c) *Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies)***

Work in the area of food fraud is widespread in multinational forums, seeking to address concerns arising from the increasing awareness of deceptive practices. Many organizations and governments are embracing the need for definitions, guidance, development of food fraud prevention programs, tools, and training activities, including but not limited to: Food and Agriculture Organization of the United Nations (FAO); Global Food Safety Initiative (GFSI); Institute of Food Technologists-Global Food Traceability Center (GFTC/IFT); International Association for Food Protection—Food Fraud Professional Development Group (IAFP/PDG); International Life Sciences Institute (ILSI); The International Criminal Police Organization (INTERPOL); and the United Nations Interregional Crime and Justice Research Institute (UNICRI).

**d) *Amenability of the subject of the proposal to standardisation***

The Committee believes that the guidelines can be developed to address the issues identified.

**e) *Consideration of the global magnitude of the problem or issue***

The Committee has assessed that there is currently a burden imposed on importing and exporting countries due to a lack of definitions and practical international guidance in this area.

**5. Relevance to Codex strategic objectives**

The proposed work is directly related to the purpose of the Codex Alimentarius Commission, according to its statutes, to protect the health of the consumers and ensure fair practices in the food trade. Further, the work relates to the first Strategic Goal of the Codex Alimentarius Commission's Strategic Plan 2020-2025 to "address current, emerging and critical issues in a timely manner", and is consistent with Objective 1.2 "identify needs and emerging issues". This guidance is relevant to the needs of the Members and will improve the ability of Codex to develop standards proactively identify emerging issues and member country needs and, where appropriate, develop relevant food standards". It is also consistent with Objective 4.2 "Increase sustainable and active participation of all Codex Members" through participation in the work of CCFICS and the related working groups.

**6. Information on the relation between the proposal and other existing Codex documents**

The Committee's comprehensive review of existing Codex texts illustrates that food fraud is already covered in a variety of Codex documents. The Codex *Code of Ethics for International Trade in Food Including Concessional and Food Aid Transactions* (CXC 20-1979) contains basic principles relating to preventing trade in unsafe, adulterated, out of date, or otherwise unsatisfactory food. Food fraud as it pertains to improper, inaccurate, false or misleading labelling is addressed in relevant Codex standards. For example, the *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985) and the *General Standard for the Labelling of Food Additives when sold as such* (CXS 107-1981) prohibit false, misleading or deceptive labelling for foods and food ingredients. Therefore, labelling that is inaccurate would already be addressed by existing Codex standards. Further, several existing CCFICS texts provide tools for members wishing to manage potentially fraudulent activity. Examples include the key elements of a national food control system found in the *Principles and Guidelines for National Food Control Systems* (CXG 82-2013); the traceability concepts found in the *Principles for Traceability / Product Tracing as a Tool Within a Food Inspection and Certification System* (CXG 60-2006); utilization of *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates* (CXG 38-2001) to prevent fraudulent certificates; and exchange of information between national governments found in *Principles and guidelines for the exchange of information between importing and exporting countries to support the trade in food* (CXG 89-2016), all of which could be relevant in instances of fraud detection. The new guidance to be developed on addressing food fraud should also ensure adherence to those other existing Codex texts, so that food fraud is prevented, or detected and dealt with accordingly.

**7. Identification of any requirement for and availability of expert scientific advice**

Not required.

**8. Identification of any need for technical input to the standard from external bodies so that this can be planned for:**

Not required at this time.

**9. Completion of the new work and other conditions**

Subject to the Codex Alimentarius Commission approval at its 44<sup>th</sup> Session in 2021, it is expected that the new work can be completed within two or three sessions of CCFICS, should it continue to meet as currently scheduled, i.e., approximately every 18 months.