

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of
the United Nations



World Health
Organization

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TO: Codex Contact Points
Interested International Organizations

FROM: Secretariat, Codex Alimentarius Commission
Joint FAO/WHO Food Standards Programme
FAO, 00153 Rome, Italy

SUBJECT: **Request for comments at Step 6: Draft Principles for the Use of Sampling and Testing in International Food Trade (section on Principles)**

DEADLINE: **15 January 2013**

COMMENTS: To: Secretariat
Codex Alimentarius Commission
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BACKGROUND

1. The 33rd Session of the Committee on Methods of Analysis and Sampling advanced to Step 5 the Proposed Draft Principles for the Use of Sampling and Testing in International Food Trade - section on Principles (REP12/MAS, para. 20, Appendix IV). The 35th Session of the Commission adopted the Draft Principles at Step 5 (REP12/CAC, Appendix IV).
2. The Draft Principles will be considered by the 34th Session of the Committee on Methods of Analysis and Sampling (Budapest, Hungary, 4-8 March 2013).

REQUEST FOR COMMENTS

3. Governments and international organizations wishing to provide comments should do so in writing, preferably by email, to the above addresses, **before 15 January 2013.**

DRAFT PRINCIPLES FOR THE APPLICATION OF SAMPLING AND TESTING ACTIVITIES IN INTERNATIONAL FOOD TRADE

(At Step 6)

SECTION 1 - INTRODUCTION

1. Sampling and testing procedures are utilized to determine if foods in trade are compliant with particular specifications. These procedures establish the level of protection afforded to exporters and producers, and importers and consumers. The procedures used should be such as to ensure that Consumers' Risk and Producers' Risk are both considered. The absence of defined, scientifically valid procedures could lead to *ad hoc* practices being used, resulting in inconsistent decisions and an increased occurrence of disputes.
2. To ensure the sampling and testing procedures are valid, they should be based upon scientific, internationally accepted principles, and it is necessary to ensure that they can be applied fairly. In regard to sampling, the *General Guidelines on Sampling* states that "Codex Methods of Sampling are designed to ensure that fair and valid sampling procedures are used when food is being tested for compliance with a particular Codex commodity standard." As for methods of analysis, those endorsed by Codex should be considered first.
3. Sampling and testing procedures in international food trade are often used for the purpose of risk management related to safety. For this purpose, sampling and testing procedures should be established as an integral part of a national food control system to the extent possible.
4. Risk management decisions should be commensurate to the assessed risk, and should take into account the economic consequences and feasibility of risk management options. Risks due to conditions during storage and transport should be considered by all business operators in the food distribution chain. In order to achieve this there should be an understanding of the impacts of sampling and testing options on all affected parties. Risk management itself should be a continuing process that takes into account all new information, including scientific information, in the evaluation and review of risk management decisions based on sampling and testing.
5. It should be recognised that end-product sampling and testing is only one of the methods by which an exporter can validly claim confidence that product meets specifications.
6. This document does not affect existing Codex limits or the current way of setting those limits. These responsibilities are set out in committees' terms of reference.

SECTION 2 - SCOPE

7. These principles are intended to assist governments in the establishment and use of sampling and testing procedures for determining, on a scientific basis, whether foods in international trade are in compliance with particular specifications. Compliance with these principles will also assist in avoiding potential disputes.
8. These principles do not :
 - a) address other uses of sampling and testing;
 - b) address other means of establishing that foods in trade meet specifications;
 - c) give guidance on choosing appropriate levels of Consumers' Risk and Producers' Risk.

SECTION 3 - DEFINITIONS

Testing

Process to examine the specified characteristics of a sample.

Testing procedure

Operational requirements and/or instructions relating to the testing; i.e. preparation of sample and method of analysis to yield knowledge of the characteristic(s) of the sample.

Sampling procedure

Operational requirements and/or instructions relating to the use of a particular sampling plan; i.e. the planned method of selection, withdrawal and transport to the laboratory of sample(s) from a lot or consignment to yield knowledge of its characteristic(s).

Other definitions relevant to these principles include:

Consignment¹

Lot¹

Sample¹

Sampling¹

Sampling plan¹

Result²

Measurement uncertainty³

Consumers' Risk and Producers' Risk¹

Note 1

The definitions of Consumers' Risk and Producers' Risk refer to the probabilities of wrongly accepting or wrongly rejecting a lot or consignment, respectively.

Note 2

The word “probability” should be interpreted as the proportion or percentage of times that lots or consignments identical to the given lot or consignment would be incorrectly decided by the specified sampling and testing procedures.

SECTION 4 - PRINCIPLES

Principle 1: Agreements before initiating trade

Before starting trading activities, the parties concerned should reach agreement related to the sampling and testing procedures that will be applied to determine whether the food in trade meets the specifications of the importing country and also on the sampling and testing procedures to be followed in the case of a dispute.

Principle 2: Transparency

The selection of sampling and testing procedures and the process for comparing test results to specifications should be documented, communicated and agreed upon by all parties. All relevant information should be shared between governments using mutually agreed upon format and language(s).

Principle 3: Components of a product assessment procedure

Sampling and testing of food in trade to determine whether the food meets specifications involves three components, and all three of these should be considered when an assessment procedure is selected:

- Selection of samples from a lot or consignment as per the sampling plan;
- Examination or analysis of these samples to produce test results (sample preparation and test method(s)); and
- Criteria upon which to base a decision using the results.

Principle 4: Consumers' Risk and Producers' Risk

Whenever food is sampled and tested, the probability of wrongly accepting or wrongly rejecting a lot or

¹ *General Guidelines on Sampling (CAC/GL 50)*

² *Guidelines on Analytical Terminology (CAC/GL 72)*

³ *Guidelines on Measurement Uncertainty (CAC/GL 54)*

consignment affects both exporters and importers and can never be entirely eliminated. The Consumers' Risk and Producers' Risk should be evaluated and controlled, preferably using methodology described in internationally recognized standards.

Principle 5: Selecting appropriate sampling and testing procedures

The sampling and testing procedures selected should be scientifically based and appropriate to the commodity and lot or consignment to be sampled and tested, fit for intended purposes and applied consistently.

Principle 6: Practical considerations

The selection of sampling and testing procedures should take into account practical matters such as cost and timeliness of the assessment and access to lots or consignments, provided that Consumers' Risk is not compromised.

Principle 7: Taking account of analytical measurement uncertainty and its implications

The selection of the product assessment procedure should take into account analytical measurement uncertainty.

Principle 8: Product variation

The selection of sampling and testing procedures should take into account the potential variations within a lot or consignment.

Principle 9: Fitness for purpose

A testing procedure is fit for purpose in a given product assessment procedure, if, when used in conjunction with the sampling plan and the decision criteria, it has accepted probabilities of wrongly accepting or wrongly rejecting a lot or consignment.

Principle 10: Review procedures

Sampling and testing procedures should be reviewed periodically to ensure they take into account new science and information.

SECTION 5 - REFERENCES

- *Guidelines for Food Import Control Systems* (CAC/GL 47-2003)
- Publications and resources of the ISO Committee on Conformity Assessment (ISO CASCO) at http://www.iso.org/iso/resources/conformity_assessment.htm.