

# codex alimentarius commission

FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD HEALTH  
ORGANIZATION

JOINT OFFICE: Via delle Terme di Caracalla 00100 ROME Tel.: 52251 Telex: 625852-625853 FAO I Cables: Foodagri Rome Facsimile: (6)522.54593

ALINORM 95/30

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX ALIMENTARIUS COMMISSION

Twenty-first Session  
Rome, 3-12 July 1995

### REPORT OF THE SECOND SESSION OF THE CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS Canberra, Australia; 29 November - 3 December 1993

*Note:* This report incorporates Codex Circular Letter CL 1993/37-FICS.

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CX 4/70.2

CL 1993/37-FICS  
December 1993

**TO:**

- Codex Contact Points
- Interested International Organizations
- Participants at the Second Session of the Codex Committee on Food Import and Export Inspection and Certification Systems

**FROM:** Chief, Joint FAO/WHO Food Standards Programme, FAO,  
Via delle Terme di Caracalla, 00100 Rome, Italy

**SUBJECT: DISTRIBUTION OF THE REPORT OF THE SECOND SESSION OF THE  
CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION  
AND CERTIFICATION SYSTEMS (ALINORM 95/30)**

The report of the Second Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) is attached. It will be considered by the Twenty-first Session of the Codex Alimentarius Commission, to be held in Rome from 3 - 12 July 1995.

## **PART A: MATTERS FOR ADOPTION BY THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION**

The following matters will be brought to the attention of the Forty-first Session of the Executive Committee of the Codex Alimentarius Commission for adoption:

1. Proposed Draft Principles for Food Import and Export Inspection and Certification at Step 5; paras. 15-36 and Appendix 2, ALINORM 95/30;
2. Proposed Draft Guidelines for Information Exchange in Food Control Emergency Situations at Step 5; paras. 71-74 and Appendix 3, ALINORM 95/30.

Governments wishing to submit comments regarding the implications which the above matters or any provisions thereof may have for their economic interests should do so in writing in conformity with the Uniform Procedure for the Elaboration of Codex Standards and Related Texts (at Step 5) (see Codex Alimentarius Commission Procedural Manual, Eighth Edition) to the Chief, Joint FAO/WHO Food Standards Programme, FAO, Via delle Terme di Caracalla, 00100 Rome, Italy not later than 30 April 1994.

## **PART B: REQUEST FOR COMMENTS AND INFORMATION**

**List of Contacts for Food Import Control Agencies, para. 69, ALINORM 95/30**

The Committee agreed to request additional submissions for inclusion into the list of contacts for food import control agencies with a view towards its future development. In making this decision, the Committee also agreed that governments would be requested to

specify which of the contacts for food import control agencies handle information exchange in food control emergency situations.

Governments and international organizations wishing to submit comments and information of the above matter are invited to do so not later than 30 November 1994 as follows: Mr. Digby Gascoine, Director, Food Inspection Division, Australian Quarantine and Inspection Service, G.P.O. Box 858, Canberra ACT 2601, Australia (Telefax No. (06) 272.3103), with a copy to the Chief, Joint FAO/WHO Food Standards Programme, FAO, Via delle Terme di Caracalla, 00100 Rome, Italy.

## SUMMARY AND CONCLUSIONS

The Second Session of the Codex Committee on Food Import and Export Inspection and Certification Systems reached the following conclusions during its deliberations:

### **MATTERS FOR CONSIDERATION BY THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION:**

- Agreed to forward the proposed draft **Principles for Food Import and Export Inspection and Certification** to the 41st Session of the Executive Committee of the Codex Alimentarius Commission for consideration at Step 5 (para. 36), and;
- Agreed to forward the proposed draft **Guidelines for Information Exchange in Food Control Emergency Situations** to the 41st Session of the Executive Committee of the Codex Alimentarius Commission for consideration at Step 5 (para. 74).

### **OTHER MATTERS OF INTEREST TO THE CODEX ALIMENTARIUS COMMISSION**

- Agreed to circulate the proposed draft **Glossary of Terms Based on Internationally Accepted Definitions** for comment and review at its next Session (para. 40);
- Agreed to develop comprehensive and **harmonized guidelines** on the design and operation, application of equivalence principles; criteria on decisions and actions, criteria of competence, accreditation and assessment and verification of **import and export inspection and certification systems** for comment and consideration at its next session (para. 62);
- Agreed that a revised version of proposed draft **Guidelines for the Exchange of Information on Rejections** would be prepared by Sweden for circulation and government comment at step 3 well before its next Session (para. 66);
- Agreed to request additional submissions, including those agencies responsible for handling information exchange in food control emergency situations, for inclusion into the **List of Contacts for Food Import Control Agencies** (para. 69);
- Agreed that the proposed draft **Guidelines on the Principal Elements in an Electronic Documentation System** would be circulated for government comments at step 3, with a view towards its further consideration at the Committee's third Session (para. 79);
- Agreed to discuss the **Review of Existing Codex Standards or Codes with a View Towards the Harmonization of Inspection and Certification Systems** at its next Session, and to forward this discussion to the Executive Committee for information (para. 82);

**SUMMARY AND CONCLUSIONS (Cont.d)**

- Expressed its strong support for the incorporation of **Risk Assessment Principles** in Codex work wherever possible and noted that its programme of work was fully based on these principles (para. 84);
- Accepted the offer of France to prepare a working paper on the **Application of the ISO 9000 Series to Food Inspection and Certification Systems** for consideration at its next Session (para. 87), and;
- Decided to review its **Future Programme of Work** at each Session (para. 89).

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## **INTRODUCTION**

1. The Second Session of the Codex Committee on Food Import and Export Inspection and Certification Systems was held in Canberra from 29 November to 3 December 1993 at the kind invitation of the Government of Australia. The Session was attended by 148 participants representing delegations from 31 Member Governments and 24 observers from two non-Member Governments and 15 international governmental and non-governmental organizations. Mr. Digby Gascoine, Director, Food Inspection Division, Australian Quarantine and Inspection Service, chaired the Session.

### **OPENING OF THE SESSION (Agenda Item 1)**

2. The Session was opened by Mr. Paul Hickey, Executive Director of the Australian Quarantine and Inspection Service, who welcomed delegates on behalf of the Minister of Primary Industries and Energy, the Honourable Simon Crean, M.P., and the Government of Australia. He stressed the economic importance of food trade to most countries and the need for internationally harmonized food standards which facilitate trade and protect trading relationships against the damage done by deceptive or fraudulent practices. The development of scientifically based food practices through the Codex system must be fully adequate to protect human health, and support the needs of trading countries. The work of this Committee was an important facet of the international framework in foods. For Codex to maintain and strengthen its role in the world forum for the establishment of food standards, it must produce relevant international standards in a timely way. The harmonisation of food inspection and certification systems offers the opportunity for achieving greater efficiencies in facilitating trade.

3. Mr. Richard Dawson, Chief, Joint FAO/WHO Food Standards Programme, on behalf of the Directors-General of FAO and WHO, thanked the Government of Australia for hosting the Session and welcomed Delegates to the meeting. Mr. Dawson noted that the Twentieth Session of the Codex Alimentarius Commission had expressed its strong support for the Committee's proposed programme of work and had established the Committee's Terms of Reference. He noted that the work of the Committee would have positive implications for many aspects of Codex, and would assist governments in maximising the benefits of participation in the work of the Codex Alimentarius Commission.

### **ADOPTION OF THE AGENDA (Agenda Item 2)**

4. The Committee adopted the Provisional Agenda (CX/FICS 93/1) as proposed, with the understanding that documents concerning Risk Assessment Procedures Used by the Codex Alimentarius Commission and its Subsidiary and Advisory Bodies (ALINORM 93/37) and Use of the ISO 9000 Series in Food Inspection and Certification in Thailand (Conference Room Document 4) would be discussed under Agenda Item 11 (Other Business).

5. The Committee also noted the availability of an information document concerning the Use of the ISO 9000 Series in Food Inspection and Certification (unnumbered) as prepared by Dr. D.C. Majumdar (India).

**MATTERS OF INTEREST ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES (Agenda Item 3)**

6. The Committee had before it document CX/FICS 93/2 concerning matters arising from the 20th Session of the Codex Alimentarius Commission and other Codex Committees. The Secretariat noted that most of those issues highlighted in the document were scheduled for discussion elsewhere, and the matters were presented for information only.

7. The Committee was informed that the recently adopted CCFICS terms of reference and elaboration procedures for Codex standards and related texts had been included in the revised eighth edition of the Codex Alimentarius Procedural Manual. In regard to the Committee's future programme of work (see paras. 88-89), the Commission had agreed that CCFICS should continue to meet in the future, with the understanding that it should exercise caution in setting such work.

8. The Committee also noted Commission activities related to Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods; Guidelines for the Application of the Hazard Analysis Critical Control Point System (HACCP), and the Code of Practice for the Control and Inspection of Tropical Fresh Fruits and Vegetables.

**MATTERS OF INTEREST ARISING FROM OTHER INTERNATIONAL AND REGIONAL ORGANIZATIONS WORKING IN RELATED FIELDS (Agenda Item 4)**

**Food and Agriculture Organization of the United Nations (FAO)**

9. The representative of FAO highlighted the assistance provided by FAO to developing countries in supporting and strengthening national food control systems and developing satisfactory infrastructures. In addition to protecting the consumer through adequate legislation and standards-setting processes, it would also enable them to institute effective inspection and certification systems for imported and exported foods. The representative noted the imminent publication of a new manual on "Imported Food Inspection" in the FAO Food and Nutrition Papers series.

**General Agreement on Tariffs and Trade (GATT)**

10. The Representative of GATT reported that there had been few developments in regard to the draft Sanitary and Phytosanitary Agreement since the last session of the Committee. However, the draft Agreement had been revised with improved legal drafting and a copy of this improved draft was provided to participants. It was noted that the draft Agreement could be subject to further changes prior to the conclusion of the Uruguay Round.



### **International Consultative Group on Food Irradiation (ICGFI)**

11. The ICGFI is an intergovernmental advisory group comprised of nominated experts from 39 member governments. The group is sponsored by FAO, WHO and IAEA. The representative of the ICGFI reported that attention was being paid to quality assurance procedures to ensure the proper control of the process. In this regard, the ICGFI was working to compile technical data for use when applying for, or evaluating, applications for authorization of the process, developing codes of food irradiation practice and regulatory guidelines and sponsoring training courses and workshops, in particular for officials concerned with food control. The ICGFI had recommended procedures for irradiation as a quarantine treatment for products infested with fruit fly and other insect pests. These recommendations had been endorsed by a number of plant protection organizations. The Representative also drew attention to the ICGFI inventory of authorized food irradiation facilities. This inventory also contained a sample certificate providing minimum information which facilities should make available on shipments leaving the premises.

### **International Union of Food, Agricultural, Hotel, Restaurant, Catering and Tobacco and Allied Workers Associations (IUF)**

12. The Observer from IUF stressed the IUF's views that workers must be involved in delivering quality in food production and processing especially through providing adequate training. He noted that workers must be given recognition as stakeholders in the food industry and as consumers. The Observer, noting that IUF represented 2.3 million workers in some 95 countries, expressed his appreciation for the opportunity to participate in the work of the Committee in developing appropriate systems of food inspection and certification. He noted that the IUF was committed to promoting the world's resources in food for the common good and sought the adequate participation of labour and consumer interests at all stages of policy-making relative to the production, processing and distribution of food. The Observer noted that the IUF rejected the use of food irradiation as a way of delivering food quality.

### **International Federation of Organic Agriculture Movements (IFOAM)**

13. The Representative of IFOAM reported on the organization's activities in the production, certification, research, education and promotion of organic agriculture. Current membership represented organizations and individuals from 70 countries. The representative noted that IFOAM had operated a programme for the evaluation of organic information schemes since 1966 and an accreditation programme had been launched in 1992. The representative called on the Committee to recognize the diversity of accreditation arrangements which may be required to cover specific industries with specific requirements and noted that organic food was one such industry being based on a production system which was not readily verified by product testing.

### **International Dairy Federation (IDF)**

14. The Observer from IDF reported that the model export certificate for milk and milk products together with guidelines for its use had been published as International IDF

Standard 158:1992. The model certificate included a set of seven typical requirements that could be used flexibly and could allow for alternative wording. For example, the certificate allowed the signatory to certify that the product was either manufactured in accordance with the law of the manufacturing country, or in accordance with the Codex Code of Ethics for International Trade in Food, or in accordance with specifications agreed between importer and exporter. The guidelines emphasized the obligation on certifying authorities to be able to substantiate the information therein, and on manufacturers to have the necessary quality management systems in place. The guidelines included a list of certifying authorities in various countries. The representative expressed IDF's support and encouragement for the work of the CCFICS.

#### **PROPOSED DRAFT PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION (Agenda Item 5)**

15. The Committee was informed that the 20th Session of the Codex Alimentarius Commission had agreed to circulate the proposed draft principles for additional government comments at Step 3 for reconsideration by the second CCFICS at Step 4 (paras. 275-277, ALINORM 93/40). In view of the importance of the principles to the Committee's future work, it was noted that the omission of Steps 6 and 7 could be considered by the 21st Session of the Commission when adopting the Principles at Step 5.

16. In discussing this item, the Committee had for its consideration the above Principles (CX/FICS 93/3) and government comments submitted at Step 3 in CX/FICS 93/3-Add.1 (Canada, Chile, New Zealand, USA, EEC), Conference Room Documents 2 (Peoples Republic of China, IFGMA), 5 (Malaysia) and 6 (Thailand).

17. After considerable discussion concerning the placement of definitions relevant to the text, the Committee decided that the Principles for Food Import and Export Inspection and Certification should be divided into three major sections, namely, Introduction, Definitions related to the text, and Principles. It was agreed that definitions of terms not immediately related to the text of the Principles would be included in the Glossary of Terms scheduled for discussion under Item 6 (see paras. 37-40). A small Working Group was formed comprising representatives of Australia, France, New Zealand, Spain, U.K. (Chair) and U.S.A., together with GATT, EEC and ISO, to consider the proposed definitions and provide advice to the Committee.

#### **Introduction**

18. In order to clarify that inspection and certification could be undertaken by both governmental bodies and officially recognized non-governmental (including cooperative and private) organizations, the Committee agreed to modify the opening paragraph to read as:

"Official and officially recognized inspection and certification systems are fundamentally important and very widely used means of food control; the following principles apply to such systems."

The Committee also agreed that the terms "official" and "officially recognized" would need to be defined (see para. 22). It was further agreed that the Principles were not necessarily applicable to commercial or voluntary food inspection and certification systems.

19. The Committee agreed to expand the scope of the second paragraph to make it more generally applicable to several examples of inspection regarding the assurance of food safety, and therefore, replaced the second sentence of this paragraph with the following:

"For some foods, inspection oversight of harvesting, processing, storage, transport, and other handling of product may be the most appropriate means of ensuring food safety."

Furthermore, the Committee agreed to indicate that inspection systems also covered substances and materials which could be incorporated into or contaminate foodstuffs.

20. The Committee agreed to change the phrase "food standards" to "requirements" throughout the text, as the term "standard" was not defined *per se* under Codex and was ambiguous in regard to its application in a voluntary or mandatory context. However, it was noted that Codex standards were intended for mandatory application as encompassed in the Codex Acceptance Procedures, and the Committee agreed that the term "standard" may need to be defined in the Glossary (see paras. 37-40).

21. The Committee also agreed to reword the third paragraph in its entirety with the following text for clarity :

"Inspection should be carried out at the most appropriate stages (e.g., control of refrigeration at every stage of the cold chain). For some requirements, e.g., those pertaining to product quality or description, it may be possible to limit inspection to the distribution process and prior to final sale."

## Definitions

22. The Committee agreed to include definitions for the following terms relevant to the text, with the understanding that other terms would be included in the Glossary (see paras. 37-40):

- Inspection
- Certification
- Audit
- Requirements
- Risk assessment
- Official inspection systems and official certification systems
- Officially recognized inspection systems and officially recognized certification systems

23. In including these definitions in the Draft Principles, the Committee stressed that the definition of *Requirements* covered a number of matters related to consumer protection in general, such as religious and other non-sanitary requirements where these requirements had been established for mandatory application. It also noted that the definition of *Risk Assessment*, which was drawn from the Draft GATT Agreement on Sanitary and Phytosanitary Measures, covered contaminants in the broader sense, including, for example, the presence of foreign bodies in food. Some delegations expressed the opinion that the definition should be made as broad as possible, for example, to cover nutritional aspects in cases where foods might have less than expected nutrient composition.

24. It was considered that the Draft Principles already gave sufficient indication of what was meant by *equivalence* and that there was therefore no need to define the term further. It was further agreed that there was no need to define the term *competent authority* since the term was already in sufficient general usage in connection with food control systems and that its meaning was well understood. The Committee wished to stress that the term referred to all official and officially recognized authorities. The Committee also noted that where reference was made to government authorities, this included national, regional and local government authorities.

25. Since the term *accreditation* did not appear in the principles, there was no need to provide for a definition therein. It was noted that a definition of *quality assurance* was already contained in a footnote in the Committee's Terms of Reference.

#### **Risk Assessment**

26. The Committee agreed to combine the existing first two paragraphs of this section and to remove reference to the periodic review of risk assessment as this statement was felt to be ambiguous and redundant. In view of varied national interpretations of the term "claims", the Committee decided to replace this word with the term "statements".

#### **Efficiency**

27. In order to take account of other elements related to resources used in the application of inspection systems, the Committee agreed to add a new first sentence to this paragraph indicating that "Inspection and certification systems should have adequate means to perform their tasks." It was also agreed to add a statement referring to "consulting with interested bodies as appropriate" to take account of other organizations' input in addition to food industry and government.

#### **Harmonization**

28. The Committee agreed to remove the term "international" from "Codex standards" as it was felt to be redundant. The Committee also agreed to replace the word "agencies" with "bodies" for clarity.

### **Equivalence**

29. The Committee agreed to specify that:

"The obligation to demonstrate equivalence rests with the exporting country."

### **Transparency**

30. In view of the importance of protecting confidential information, both within and between national governments, the Committee redrafted the opening paragraph of this Section to read as follows:

"While respecting legitimate concerns to preserve confidentiality, the principles and operations of food inspection and certification systems should be open to scrutiny by consumers and their representative organizations and other interested parties."

31. In regard to provision of information on existing requirements and proposed changes to requirements and their publication, the Committee agreed to indicate that there should be a provision for an adequate period of comment "except in cases of serious and immediate danger", and amended the text accordingly. The Committee confirmed that the provisions under the section on transparency did not contemplate the introduction of a Codex system of reporting or information exchange duplicating other existing systems.

32. The Committee agreed that provision should be made for information exchange in a general context, and agreed that the Principles, as drafted, took account of both long-term information exchange concerning compliance (i.e., conditions of acceptance) as well as shorter-term information exchange regarding non-compliance (i.e., reasons for rejections). The Committee also agreed that importing countries should make "timely" advice available as to the basis of decisions taken regarding the compliance of foods with their requirements.

### **Special and Differential Treatment**

33. The Committee agreed to revise this paragraph to clarify the needs of developing countries in the design and application of food inspection and certification systems as follows:

"In the design and application of food inspection and certification systems, importing countries should take into account the capabilities of developing countries to provide the necessary safeguards".

### **Control and Inspection Procedures**

34. At the suggestion of written comments submitted by Chile, the Committee agreed to change the term "ensure" to read as "assess", as importing countries are responsible for "assessing" compliance with importing requirements.

## **Certification Validity**

35. The Committee agreed to revise this paragraph in order to address the needs of both importing and exporting countries in the validation of certification and measures used to ensure the authenticity and accuracy of such certification, as follows:

"Countries that certify exports of food and those importing countries which rely on export certificates should take measures to assure the validity of certification. Validation measures by exporting countries may include achieving confidence that official or officially recognized inspection systems have verified that the product or process referred to in the certificate conforms with the requirements. Measures by importing countries may include point of entry inspection, audit of exporting inspection systems and ensuring that certificates themselves are authentic and accurate. "

## **Status of the Proposed Draft Principles for Food Import and Export Inspection and Certification**

36. The Committee agreed to forward the proposed draft Principles to the 41st Session of the Executive Committee of the Codex Alimentarius Commission for consideration at Step 5. The Draft Principles are attached as Appendix 2 to this report.

## **PROPOSED DRAFT GLOSSARY OF TERMS BASED ON INTERNATIONALLY ACCEPTED DEFINITIONS (Agenda Item 6)**

37. For this discussion, the Committee had before it document CX/FICS 93/4 prepared by Australia. The Committee also recalled its prior discussion under Agenda Item 5 (see paras. 17-25) concerning the inclusion of certain definitions in the body of the Draft Principles of Food Import and Export Certification and Inspection.

38. It was agreed that apart from the definitions included in the proposed draft Principles (see para. 22), the Glossary should include additional terms which would assist the Committee in its future work. The Glossary would be an internal reference paper for the Committee and not be developed as a document for adoption by the Commission with subsequent submission to governments.

39. Delegations strongly supported the inclusion of relevant ISO definitions in the Glossary, but noted that some of these might require modification for use within the context of Codex work on Food Import and Export Certification and Inspection or else be accompanied by an annotation to show how the term would be used in the Codex context. In particular, it was noted that the definitions developed for ISO purposes had been established with the understanding that ISO standards were voluntary standards whereas Codex standards were considered to be technical regulations the application of which could become mandatory within the framework of national legislation.

40. The Committee agreed to circulate the proposed draft Glossary of Terms Based on Internationally Accepted Definitions for comment and review at its next session.

## HARMONIZED IMPORT AND EXPORT CERTIFICATION SYSTEMS (Agenda Item 7)

### (a) Proposed Draft Generic Guidelines for the Design and Operation of Food Inspection and Certification Systems

41. For this item, the Committee had before it documents CX/FICS 93/5, prepared by Canada, and Conference Room Document No. 3, prepared by the European Economic Community. The documents were introduced by their respective authors.

42. The Delegation of Canada, in introducing its document, noted that the document's focus was on the lead role which national governments were expected to take in the establishment, design and operation of food inspection and certification systems. The document provided a general overview and generic guidelines which could be used for this purpose.

43. The Representative of the European Economic Community expressed the Community's deep concern at the approach taken in CX/FICS 93/5 and in the other papers prepared for discussion under Agenda Item 7. In particular, the Representative noted that the approach followed in these documents could lead to the imposition of excessive bureaucratic obstacles to trade in food and for this reason an alternative approach had been developed and presented in Conference Room Document No. 3. This document also sought to define the role of the official food control agencies and the requirements which they should meet so as to make the best use of resources available in both the exporting country and the importing country. The document attempted to construct a reciprocal confidence in certification procedures, within the framework of the Codex Code of Ethics for International Trade in Foods, which would be in the interest of freeing international trade. Several delegations supported the approach taken in the EC document, referring especially to its emphasis on defining the role of the public, or official, food control services.

44. The Committee confirmed that the intention of its work was to facilitate trade and that there was no intention to impose new rules or to recommend the use of more inspection or certification than was necessary. It also agreed that the objective of its work would be to prepare guidelines for the use of Member governments in this area and requested the Delegation of Canada to prepare proposed draft guidelines based on the present discussion which would integrate elements contained in the EC paper (see also para. 62).

### (b) Proposed Draft Guidelines on the Application of Equivalence Principles to Food Inspection and Certification Systems

45. Document CX/FICS 93/5-Add.1 was introduced by the Delegation of Canada which noted that the information contained in the document was intended for the guidance of governments and was not prescriptive. The Delegation noted that various elements could be incorporated into governments' consideration of determining equivalence, including the use in the exporting country of recognized quality assurance systems such as the ISO 9000 series or the Hazard Analysis Critical Control Point (HACCP) system.

46. Several delegations stressed that the matter of recognition of equivalence was one which had to be developed on a voluntary basis through mutual recognition and confidence building. It could not be imposed. Delegations also expressed concern at the system of auditing foreseen in the paper which could lead to additional expense. Some delegations were concerned at the duplication of work between the control services of the exporting and importing countries which could occur if the recommendations in the guidelines were carried out to the extreme. Delegations also stressed the right of countries to carry out point of entry inspection of produce which may have deteriorated during transport even though it had previously been certified by the exporting country.

47. The Committee noted that the concept of equivalence existed to a considerable degree on a bilateral basis but that the maintenance of such bilateral agreements was expensive. The recognition of equivalence would avoid the need for repeated checks and inspection procedures.

48. The Committee requested the delegation of Canada to prepare revised guidelines based on the present comments and to condense the document, removing elements of duplication with the other documents under the discussion of Item 7. The revised document would be sent for comments and further consideration by the next session of the Committee (see para. 62).

**(c) Proposed Draft Guidelines on Decision Criteria and Action when Applying Food Inspection and Certification Systems**

49. The Delegation of New Zealand introduced document CX/FICS 93/5 Add.2. The Delegation noted that the document was a starting point for further elaboration of recommendations in this area and at the moment focused on the hazards of chemicals in foods and the application of risk assessment principles as described in ALINORM 93/37.

50. Several delegations, while welcoming the general approach of the document, expressed considerable concern at the application of risk assessment principles to the interpretation of levels of residues in excess of legally established maximum limits. The question was raised, however, as to whether inspection should ensure that imported foods were meeting legal requirements or whether the inspection applied to legitimate food safety requirements. A number of delegations drew attention to the discussion of sampling procedures contained in the document and strongly supported further development of these proposals within the framework of risk analysis.

51. In the matter of inspection at point of entry, some delegations expressed the opinion that such inspections could create problems for international trade and that entry should be based on certification and the recognition of equivalent inspection certification systems. It was noted, however, that inspections at point of entry did have an auditing role.

52. The Committee requested the Delegation of New Zealand to re-draft the document in the light of the present discussion so that it could be circulated to governments for comments (see para. 62). The Committee also suggested that governments should indicate whether or not other types of hazard should be included in the document. The Committee



also noted that major elements of the document may need to be reviewed and/or endorsed by other Codex general subject committees, including the Committee on Methods of Analysis and Sampling.

**(d) Development of Objective Criteria of Competence for Food Inspection and Certification Bodies**

53. Document CX/FICS 93/5 - Add.3 was introduced by the Delegation of Finland which noted that the criteria contained in the document had been drawn from corresponding ISO and CEN Guides and Standards. The Committee expressed its support for the approach taken in the document but considered that the information contained therein was too detailed and over-prescriptive. Some delegations expressed concern that the effect of the document would be to make ISO guidance in this area obligatory on governments.

54. Drawing attention to recently finalized guidelines prepared by the Office International des Epizooties (OIE) in the related area of animal health, the Committee requested the Delegation of Finland to continue work on the development of more generic guidance applicable to food inspection and certification (see para. 62).

55. The Representative of the OIE, stressing the complementary, rather than overlapping, role which OIE undertook in relation to Codex noted that the Office had recently adopted new guidelines for Import Risk Analysis, incorporating procedures for, *inter alia*, risk assessment and the evaluation of national veterinary services. The Representative pointed out that the OIE was seeking more formal links with Codex on veterinary public health and sanitary matters so that a more integrated approach could be developed in these areas.

**(e) Proposed Draft Procedures for the Accreditation of Food Inspection and Certification Bodies**

56. The Delegation of the United Kingdom introduced document CX/FICS 93/5-Add. 4 on the above topic. The Delegation noted that the paper was consistent with relevant ISO Guides on the same topic.

57. The Committee, while appreciating the approach taken in the document and its consistency with relevant ISO texts, expressed concern at the role of Codex in the matter of accreditation of inspection and certification bodies. Delegates noted the need to have direct government accountability in the principal areas covered by Codex, and expressed the opinion that much of this accountability could not be delegated by the use of an accreditation process. Some delegations, however, noted that for areas where accreditation was applicable, sufficient guidance was available from relevant ISO Standards and Guides. Other delegations pointed out that several matters included in the document were essentially of a national, rather than international, character.

58. The Committee agreed to request comments on the paper, and in particular comments on whether the Committee should continue its work in this specific area (see

para. 62). It requested the Delegation of the United Kingdom to continue to act as a focal point for the further development of the paper.

**(f) Proposed Draft Guidelines for the Assessment and Verification of Food Inspection and Certification Systems**

59. In introducing document CX/FICS 93/5-Add.5 on the above subject, the Delegation of Canada noted that the document had been based on the OIE guidelines in the related area of animal health. The document was based on the principles of self-assessment, assessment of proficiency and the assessment of systems operated by trading partners.

60. While welcoming the document, several delegations questioned whether it was sufficiently broad to cover all of the sanitary and quality issues confronted by Codex. Other delegations noted that the document stressed the role of central government authorities, whereas in practice much of the work which would be the subject of the guidelines was carried out in a decentralized manner in many countries. Delegations also noted that some of the provisions (especially paragraph 10 of the draft Guidelines) conferred excessive authority on inspectors, while failing to recognize the statutory obligations of governments.

61. The Committee requested the delegation of Canada to prepare revised guidelines based on the present comments. The revised document would be sent for comments and further consideration by the next session of the Committee (see para. 62).

**Status of the Committee's Work on Harmonized Import and Export Inspection and Certification Systems**

62. Noting its earlier discussion on the relationship between the individual documents on separate issues introduced during discussion on this Item and the more global approach suggested in Conference Room Document No.3, the Committee requested the Delegation of Canada and the Representative of the EEC, working in cooperation with the other author countries and the Secretariat, to prepare a concise, revised document with the maximum amount of integration possible between the various subjects. The document should aim to be the first draft of the Guidelines. The document(s) would be circulated for comments at Step 3 of the Codex Procedure well in advance of the Committee's next session and would then be discussed in the light of these comments. The Committee noted the urgency of the subject in view of the impending conclusion to the Uruguay Round Agreement on Sanitary and Phytosanitary Measures.

**INFORMATION EXCHANGE ON IMPORT/EXPORT PROBLEMS (Agenda Item 8)**

**(a) Proposed Draft Guidelines for the Exchange of Information on Rejections**

63. The Committee had for its consideration the above proposed draft Guidelines (CX/FICS 93/6), which were prepared and presented by Sweden.

64. The Delegation of Sweden informed the Committee that the Guidelines had been developed at the request of CCFICS (para. 70, ALINORM 93/30) and in response to

discussions held at the FAO/WHO Conference on Food Standards, Chemicals in Food and Food Trade in 1991. The Conference noted that failure to comply with food safety or other demands of importing countries led to high levels of detentions and rejections, especially for developing countries. The Delegation of Sweden noted that the principal elements of a format for information exchange on import rejections included the identification of the food concerned; importation details; details on the rejection decision, reason(s) for rejection; and, the action taken.

65. While the Committee agreed on the importance of the exchange of information on rejections, some delegations were of the opinion that the actual application of such a system would be difficult as it had the potential to create burdensome paperwork problems and should be restricted to specific important major cases of rejection or detention. The Guidelines did not contain any proposals to establish a central data base on import rejections, and the difficulties in establishing a central data base was also stressed by several Delegations. Confidentiality of data and the appropriateness of publication were issues of concern to these delegations. The importance of addressing the treatment of rejected shipments and break bulk cargoes was emphasized. It was suggested that information exchange should be restricted to those products covered by standards, codes and guidelines elaborated by the Codex Alimentarius Commission.

#### Status of the Proposed Draft Guidelines for the Exchange of Information on Rejections

66. The Committee stressed the importance of information exchange on rejections for developing countries and agreed that a revised version of the document would be prepared by Sweden for circulation and government comment at Step 3 well before its next session. The revised draft should emphasize the bilateral nature of information exchange, address the question of rejected or re-exported cargoes, and the question of protecting the confidentiality of information.

#### **(b) Government Comments on the List of Contacts for Food Import Control Agencies**

67. The Committee recalled that it had agreed at its first session that government comments would be requested on the above list in view of its importance for information for import control agencies. Government comments submitted in response to CL 1992/26-FICS were summarized in document CX/FICS 93/6-Add.1. The Delegation of Australia presented information contained in the updated list (Attachment II, CX/FICS 93/6-Add.1), which was compiled from recent and previous comments submitted.

68. Several delegations suggested that, in addition to the development of the List of Contacts, it would be useful to collect information on legal instruments related to certification. Other delegations highlighted the difficulties in compiling a summary of national legislation related to certification, in view of the volume of such material, the limited resources available to collate such information and the problem of availability in the Commission's working languages. It was agreed that Codex member countries should be encouraged to make available copies, summaries or abstracts of relevant national legislation, regulations or other legal instruments related to certification to other Codex Contact Points as a matter of information exchange.

Status of the List of Contacts for Food Import Control Agencies

69. The Committee agreed to request additional submissions for inclusion in the above list with a view towards its future development. In making this decision, the Committee also agreed that governments would be requested to specify which of the contacts for food import control agencies handle information exchange in food control emergency situations (see paras. 73-74).

70. In regard to legal instruments related to certification, the Secretariat agreed to report back to the Committee on the work of FAO's Legislation Service in collating information on food and agriculture legislation relevant to the work of the Committee.

**(c) Proposed Draft Guidelines for Information Exchange in Food Control Emergency Situations**

71. The Committee had for its consideration document CX/FICS 93/6-Add.2 when discussing this agenda item, which was prepared and presented by the Delegation of Sweden.

72. The Committee recalled that the document had been prepared at the request of the 39th Session of the Executive Committee (para. 62, ALINORM 93/3), which had requested guidance on actions which should be undertaken in food control emergency situations. The Delegation of Sweden highlighted the contents of the working paper, which included a definition for food control emergency situations as well as the principal elements of such an information exchange system.

73. The Committee gave its strong support to continued elaboration of the proposed Guidelines for Information Exchange in Food Control Emergency Situations. It noted that whereas such guidelines could include the consideration of channels currently used for reporting emergencies such as through government embassies, the World Health Organization, and regional bodies, these channels were often too slow or not appropriate to food control emergency situations. The Committee agreed that it would be desirable that only one contact point for food control emergencies should be identified in each country; this could be indicated in the full list of food control agencies being developed by the Committee (see para. 69). The Committee stressed the importance and obligation of governments in providing timely information exchange while respecting matters of confidentiality in this regard. The importance of establishing a simple and readily available system was also stressed.

Status of the Proposed Draft Guidelines for Information Exchange in Food Control Emergency Situations

74. The Committee agreed to forward the proposed draft Guidelines to the 41st Session of the Executive Committee of the Codex Alimentarius Commission for consideration at Step 5. This decision was taken with the understanding that comments would be solicited on those agencies responsible for emergency food control situations for incorporation into

the List of Food Import Control Agencies (see para. 69). The proposed draft Guidelines are attached to this report as Appendix 3.

## **ELECTRONIC INFORMATION EXCHANGE SYSTEMS (Agenda Item 9)**

75. The Committee was informed that working papers concerning Guidelines on the Convergence Between Paper-Based Formats and the UN/EDIFACT Formats (CX/FICS 93/7; Agenda Item 9 (a) and the Development of Interpretive Documentation for Food Trading Countries (CX/FICS 93/7-Add.1; Agenda Item 9 (b)) were not available and therefore the Committee restricted its discussions to the following issue. A document concerning cooperation between the Codex and UN/EDIFACT Secretariats (Conference Room Document 1) was presented to the Committee for information.

### **(c) Proposed Draft Guidelines on the Principle Elements in an Electronic Documentation System**

76. The Committee had before it document CX/FICS 93/7-Add.2 when discussing this Agenda Item. The Delegation of Australia provided the Committee with an overview of the above working paper, which encompassed principal elements of an electronic documentation system and/or a system for use by importing countries for the receipt of food certification in electronic form. The principal elements of electronic documentation systems, which differed between import and export control, were presented separately in the working paper.

77. The Delegation of Australia also noted that the Australian Quarantine and Inspection Service and the New Zealand Ministry of Agriculture and Fisheries had developed an electronic sanitary certificate (SANCRT) which addresses the certification of plant, animal and fish commodities. Routine use of this certificate is being explored with other trading partners.

78. The Observer from the United Nations Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT) noted that UN/EDIFACT was the only international standard for Electronic Data Interchange (EDI), and that it had been developed by the United Nations Working Party on the Facilitation of International Trade Procedures (UN/ECE/WP.4). The Committee was informed that UN/EDIFACT was represented by local boards in six regions around the world, and that a seventh region encompassing Western Asia was planned. The Observer informed the Committee that additional information concerning EDIFACT, including the UNECE Standard Directory in electronic form (S.93A), was available through its Secretariat in Geneva.

### **Status of the Proposed Draft Guidelines on the Principal Elements in an Electronic Documentation System**

79. The Committee agreed that the above document would be circulated for government comments at Step 3, with a view towards its further consideration at the Committee's third session.

**REPORT ON THE REVIEW OF EXISTING CODEX STANDARDS OR CODES WITH A VIEW TOWARDS THE HARMONIZATION OF INSPECTION AND CERTIFICATION SYSTEMS (Agenda Item 10)**

80. The Delegation of the United States introduced document CX/FICS 93/8 prepared for discussion of this matter. The Committee noted that there had been an agreement at its first session to include a review of existing Codex standards within the Committee's overall programme of work. The Delegation of the United States pointed out that such a review should take into account the proposed texts of the Sanitary and Phytosanitary Agreement and the proposed new agreement on Technical Barriers to Trade developed within the framework of the Uruguay Round negotiations. The Delegation suggested that a review of standards should be consistent with the generic guidelines for the design and operation of Food Inspection Systems discussed under Agenda Item 7 (a) (see paras. 41-44). In particular, the Delegation suggested that the review should consider elements such as fitness for purpose; inspection procedures; validation audit; infrastructure and resource considerations; critical control points; efficiency and effectiveness; and other areas.

81. The Committee noted that ongoing reviews of standards in several Codex committees had been based on the generic guidance given by other Committees such as the Committee on Food Labelling and the Committee on Food Hygiene. Moreover, it was expected that the Committee on Food Additives and Contaminants would soon be in a position to provide similar generic guidance on the provisions contained in Codex standards once the general standards for additives and for contaminants had been finalized. It was suggested that this Committee should follow the same general approach and the possibility of a general text should be explored. It was also suggested that the process of reviewing existing Codes and Guidelines could be assisted by a *pro forma* questionnaire based on the subject areas covered by Agenda Item 7 (a) (see paras. 41-44).

82. The Committee was of the opinion, having regard to the workload and timing of other Codex Committees, that the time frame suggested in the paper (1995) would be difficult if not impossible to meet. It also recognized that some Committees were currently considering the question of inspection in the course of their present review of standards. The Committee agreed that it was not currently in a position to come to a conclusion on the matter and therefore, could not provide substantive advice to other Codex Committees. It would, however, discuss the matter further at its next session. In the meantime, in view of the implications for other Codex committees, it referred the present discussion to the Executive Committee for information.

**OTHER BUSINESS (Agenda Item 11)**

**(a) The use of Risk Assessment Procedures in the Committee's work**

83. The Committee had for its information copies of ALINORM 93/37 a paper on Risk Assessment prepared for discussion at the 20th Session of the Codex Alimentarius Commission, June/July 1993. The Commission had agreed, following an in-depth

discussion, to send the paper to all relevant Codex committees for review and discussion in the context of their work programmes.

84. The Committee expressed its strong support for the incorporation of risk assessment principles in Codex work wherever possible and noted that its programme of work was fully based on these principles. It was the Committee's intention to integrate risk assessment principles in all of its advisory texts and guidelines. The Committee also noted that attention needed to be paid to the distinction between risk analysis, risk assessment, risk management and risk communication. In this latter area it was stressed that information on risk assessment should be shared and promoted wherever possible. It requested the Secretariat to bring the Committee's views to the attention of the Commission and the Executive Committee.

**(b) Use of the ISO 9000 Series in Food Inspection and Certification**

85. The Delegation of Thailand introduced Conference Room Document No. 4 on this subject. The Delegation reported that in Thailand the Thai Industrial Standards Institute (TISI) had launched quality policy and quality management systems based on the ISO 9000 Series aimed at developing international recognition of quality system certification in Thailand. This programme had been based on a strong public relations exercise and education and training undertaken with the assistance of external donors. The application of the ISO 9000 Series to the food industry had proved to be more delicate and complicated than work with other industries. However, TISI had developed programmes based on the General Principles of Food Hygiene and the Hazard Analysis Critical Control Point System and the Codex General Principles of Food Hygiene. As a result it was expected that quality systems certification for the safety of foodstuffs exported from Thailand would be implemented in the near future.

86. The Committee commended Thailand for the paper and the work which had been undertaken on the implementation of the ISO 9000 Series in the Thai food industry. The Representative of the ISO noted that the ISO 9000 Series could also be used as methodology for the management and quality assurance of certification and inspection services. The Representative referred to the paper prepared by Dr. M.C. Majumdar (see para. 5) as a good explanation of what could be achieved in this area.

87. The Committee recalled that at its First Session (para. 66, ALINORM 93/30) it had agreed to develop guidance on the application of the ISO 9000 Series (as well as HACCP and the FAO Manuals on Food Quality Control) to food inspection and certification systems for import and export. It noted the opinions of several delegations that the ISO 9000 Series covered many more aspects than would be needed to be included in the Committee's work and that there were also elements of the Committee's work which were not part of the ISO system. The Committee accepted the offer of the Delegation of France to prepare a working paper on the subject of the application of the ISO 9000 Series to food inspection and certification systems for consideration at its next session. This paper would not address the application of ISO 9000, HACCP or other quality management systems to food production or processing.

## **MEDIUM TERM OBJECTIVES AND FUTURE PROGRAMME OF WORK**

### **(Agenda Item 12)**

88. The Committee was informed that the Commission had adopted a series of Medium Term Objectives, contained in Appendix 3 of ALINORM 93/40, which included the development of harmonization of export and import inspection systems by 1995. The Commission had recommended that Committees should consider the objectives as a standing item for each session. The Commission also decided that a report on each Committee's current status of work should be made to the Executive Committee and the Commission on a regular basis, to be reviewed in the light of the medium term objectives (paras. 75-79, ALINORM 93/40). The Secretariat informed the Committee that the Current Status of Work (annexed to this report) appeared to meet the Commission's Medium Term Objectives in the general Programme Area concerning the Harmonization of Testing Procedures and Inspection and Certification Systems.

89. In view of the Commission's agreement that the Committee should continue to meet in the future while exercising caution in setting its future programme of work (paras. 278-280, ALINORM 93/40), the Committee decided that it would review its work at each Session.

### **DATE AND PLACE OF NEXT SESSION (Agenda Item 13)**

90. The Committee was informed that its Third Session was tentatively scheduled to be held from 27 February - 3 March 1995 in Canberra. However, in view of the Committee's workload, the Chairman would consult with the Codex Secretariat as to the possibility of extending this session.



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

**SUMMARY STATUS OF WORK**

Subject	Step	For Action by:	Document Reference
Proposed Draft Principles for Food Import and Export Inspection and Certification	5	41st CCEXEC Governments 3rd CCFICS	Appendix 2, ALINORM 95/30
Proposed Draft Guidelines for Information Exchange in Food Control Emergency Situations	5	41st CCEXEC Governments 3rd CCFICS	Appendix 3, ALINORM 95/30
Proposed Draft Glossary of Terms and Definitions	3	Australia Governments 3rd CCFICS	paras. 37-40, ALINORM 95/30
Proposed Draft Generic Guidelines for the Design and Operation of Food Inspection and Certification Systems	3	Canada/EEC* Governments 3rd CCFICS	paras. 41-44, ALINORM 95/30
Proposed Draft Guidelines on the Application of Equivalence Principles to Food Inspection and Certification Systems	3	Canada/EEC* Governments 3rd CCFICS	paras. 45-48, ALINORM 95/30
Proposed Draft Guidelines on Decision Criteria and Action when applying Food Inspection and Certification Systems	3	Canada/EEC* New Zealand Governments 3rd CCFICS	paras. 49-52, ALINORM 95/30
Objective Criteria of Competence for Food Inspection and Certification Bodies	3	Canada/EEC* Finland Governments 3rd CCFICS	paras. 53-55, ALINORM 95/30
Proposed Draft Procedures for the Accreditation of Food Inspection and Certification Bodies	3	Canada/EEC* U.K. Governments 3rd CCFICS	paras. 56-58, ALINORM 95/30
Proposed Draft Guidelines for the Assessment and Verification of Food Inspection and Certification Systems	3	Canada/EEC* Governments 3rd CCFICS	paras. 59-61, ALINORM 95/30
Proposed Draft Guidelines for the Exchange of Information on Rejections	3	Sweden Governments 3rd CCFICS	paras. 63-66, ALINORM 95/30

Subject	Step	For Action by:	Document Reference
List of Contacts for Food Import Control Agencies	3	Governments Australia 3rd CCFICS	paras. 67-70 and 73-74 ALINORM 95/30
Proposed Draft Guidelines on the Principle Elements in an Electronic Documentation System	3	Australia Governments 3rd CCFICS	paras. 76-79, ALINORM 95/30
Application of the ISO 9000 Series to Food Inspection and Certification Systems	2	France 3rd CCFICS	para. 87, ALINORM 95/30

The Committee requested the Delegation of Canada and the Representative of the EEC, working in cooperation with the other author countries and the Secretariat, to prepare a concise, revised document with the maximum amount of integration possible between these various subjects (see para. 62).

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**PROPOSED DRAFT PRINCIPLES FOR FOOD IMPORT AND EXPORT  
INSPECTION AND CERTIFICATION  
(at Step 5)**

**SECTION I - Introduction**

1. Official and officially recognized inspection and certification systems are fundamentally important and very widely used means of food control; the following principles apply to such systems. The confidence of consumers in the quality of their food supply depends in part on their perception as to the effectiveness of food control measures. A substantial part of the worldwide trade in food, for example in meat and meat products, depends upon the use of inspection and certification systems. However, inspection and certification requirements may significantly impede international trade in foodstuffs. Consequently it is desirable that the design and application of these systems should reflect appropriate principles.
2. Inspection of food may occur at any stage in the production and distribution process. For some foods, inspection oversight of harvesting, processing, storage, transport, and other handling of product may be the most appropriate means of ensuring food safety. According to the methods of preservation used, it may be necessary to maintain inspection oversight on a continuous basis up to the time of retail sale. Inspection systems may be focused on the foodstuffs themselves, on the procedures and facilities employed in the production and distribution chain, on the substance and materials which can be incorporated into or contaminate foodstuffs.
3. Inspection should be carried out at the most appropriate stages (e.g. control of refrigeration at every stage of the cold chain). For some requirements, eg those pertaining to product quality or description, it may be possible to limit inspection to the distribution process and prior to final sale.
4. In both design and use, food inspection and certification systems should be governed by a number of principles which will ensure an optimal outcome consistent with consumer protection and facilitation of trade.

**SECTION 2 - Definitions**

5. *Audit* is a systematic and functionally independent examination to determine whether activities and related results comply with planned objectives.

*Certification* is the procedure by which competent authorities provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

*Inspection* is the examination of food products or systems for control of food raw materials, processing, and distribution including in-process and finished product testing, in order to verify that they conform to requirements.

*Official inspection systems and official certification systems* are systems administered by an official agency having jurisdiction empowered to perform a regulatory or enforcement function or both.

*Officially recognized inspection systems and officially recognized certification systems* are systems which have been formally approved or recognized by an official agency having jurisdiction.

*Requirements* are the criteria set down by the competent authorities relating to trade in foodstuffs covering the protection of public health, the protection of consumers and conditions of fair trading.

*Risk assessment* is the evaluation of the potential for adverse effects on public health arising from the presence in foodstuffs of additives, contaminants, residues, toxins or disease-causing organisms.

### SECTION 3 - Principles

6. Food inspection and certification systems should be used wherever appropriate to ensure that foods, and their production systems, meet requirements in order to protect consumers against food-borne hazards and deceptive marketing practices and to facilitate trade on the basis of accurate product description.

#### *Fitness for purpose*

7. Inspection and certification systems should be fully effective in achieving their designated objectives having regard to the determination of the acceptable level of protection which is required.

#### *Risk assessment*

8. Inspection systems to ensure food safety should be designed and operated on the basis of objective risk assessment appropriate to the circumstances. Preferably the risk assessment methodology employed should be consistent with internationally accepted approaches. Risk assessment should be based on current available scientific evidence.

9. Inspection systems should be applied to particular commodities and processing methods in proportion to the assessed risks. In undertaking a risk assessment or in applying the principles of equivalence, importing countries should give due consideration to statements by exporting countries on a national or area basis of freedom from food-borne disease.

### *Non-discrimination*

10. Countries should ensure that they avoid arbitrary or unjustifiable distinctions in the level of risk deemed to be appropriate in different circumstances so as to avoid discrimination or a disguised restriction on trade.

### *Efficiency*

11. Inspection and certification systems should have adequate means to perform their task. In the choice of inspection and certification systems, there should be regard to costs to consumers and to the costs in money and time to the affected food industry and government consulting with interested bodies as appropriate. Such systems should be no more restrictive of trade than is necessary in order to achieve the required level of protection.

### *Harmonization*

12. Member countries should use Codex standards, recommendations and guidelines (or those of other international organizations whose membership is open to all countries) whenever appropriate as elements of their inspection and certification systems. Countries should participate actively in the work of the Codex Alimentarius Commission and other relevant international bodies to promote and facilitate the development, adoption and review of Codex norms.

### *Equivalence*

13. Countries should recognise that different inspection/certification systems may be capable of meeting the same objective, and are therefore equivalent. The obligation to demonstrate equivalence rests with the exporting country.

### *Transparency*

14. While respecting legitimate concerns to preserve confidentiality, the principles and operations of food inspection and certification systems should be open to scrutiny by consumers and their representative organizations, and other interested parties.

15. Importing countries should provide information on existing requirements and proposed changes to requirements should be published and, except in the case of serious and immediate danger, an adequate time period permitted for comment. The views of exporting countries, and particularly those received from developing countries, should be taken into account in taking a final decision. A reasonable period should be allowed before a new requirement takes effect in order to permit exporting countries, and in particular developing countries, to make necessary changes to methods of production and control measures.

16. Importing countries should make available to the exporting countries, upon request, timely advice as to the basis of the decision they have taken regarding the compliance of foods with their relevant requirements.

17. Upon request by the competent authorities of the importing countries, the exporting countries should provide access to view and assess the actual working of their relevant inspection and certification systems.

*Special and differential treatment*

18. In the design and application of food inspection and certification systems, importing countries should take into account of the capabilities of developing countries to provide the necessary safeguards.

*Control and inspection procedures*

19. Importing countries should complete without undue delay any procedures necessary to assess compliance with requirements. Information requirements and any fees imposed by importing countries should be limited to what is reasonable and necessary.

*Certification validity*

20. Countries that certify exports of food and those importing countries which rely on export certificates should take measures to assure the validity of certification. Validation measures by exporting countries may include achieving confidence that official or officially recognised inspection systems have verified that the product or process referred to in the certificate conforms with requirements. Measures by importing countries may include point of entry inspection systems, audit of exporting inspection systems, and ensuring that certificates themselves are authentic and accurate.

**PROPOSED DRAFT GUIDELINES FOR THE EXCHANGE OF INFORMATION  
IN FOOD CONTROL EMERGENCY SITUATIONS  
(At Step 5)**

**Preamble**

1. For the purposes of these guidelines the term "food control emergency situations" is taken to mean situations where there is a clearly identified risk of serious untoward health effects associated with the consumption of certain foods. In most cases the nature of the agent causing such health effects will be known (e.g. an identified microbiological or chemical agent). However, emergency situations may arise where consumption of a certain foodstuff is associated with serious health effects but the agent causing these effects has not been identified. Such situations are also covered by these guidelines.

2. The food control authorities in exporting countries should promptly notify countries which import foods from them as soon as an emergency situation arises. The initial information may often be incomplete and should therefore be supplemented by further notification(s) as and when the situation develops and more detailed information becomes available.

3. The food control authorities in importing countries which detect problems during import control of foodstuffs which they consider to be so serious as to indicate a food control emergency situation should inform the exporting country immediately.

4. It is in the interests of both importing and exporting countries that information exchange in food control emergency situations is rapid. In this way risks to human health can be minimized and the foodstuffs concerned can be rapidly identified and removed from the market. This helps to prevent unwarranted action against other foods from the same country which are not involved in the emergency situation.

5. Each country should identify a Contact Point for food control emergency situations which can act as the national focal point for information exchange in such situations.

**Standard format for information exchange in food control emergency situations**

6. The most important information elements to be considered are discussed below and a [draft] standard format for information exchange in food control emergency situations is attached as an Annex.

7. Although these guidelines are primarily intended for information exchange between importing and exporting countries, copies or summaries of selected information can be provided to FAO, WHO or other international organizations on request.

*Nature of the health hazard*

8. The nature of the health hazard should be described clearly and briefly. If possible, the agent (microorganism, chemical, etc.) causing the health hazard should be identified. However, if there is a clear association between consumption of a food and the appearance of serious untoward health effects this should be reported even though the agent causing the effects has not been unequivocally identified.

*Foods concerned*

9. In cases where the health hazard is associated with a specific food or foods these should be identified in detail (manufacturer/producer, lot numbers, stamps, etc.). In other cases, where contamination is spread over a wide area and affects many different categories of foodstuff the most important foods should be identified.

*Action taken*

10. The action taken to reduce and eliminate the hazard should be reported briefly. This may consist of identifying and preventing the sale of a food and/or measures of prevent further contamination of foods.

11. In cases where foods have been recalled from market and/or destroyed the bodies responsible for this action and for supervising it should be started. In most cases the costs of such actions are borne by the food exporter.

*Contact point for further information*

12. Each country should provide the name, address and telefax number of a Contact Point which can provide further details about the hazard, the foods concerned, action taken and other relevant information.

**PROPOSED DRAFT STANDARD FORMAT FOR INFORMATION EXCHANGE IN  
FOOD CONTROL EMERGENCY SITUATIONS**

**Nature of the health hazard**

- Biological/microbiological contamination (specify organism of concern)
- Chemical contamination, e.g. toxic levels of pesticides, industrial chemicals (specify substance(s) of concern)
- Radionuclide contamination (specify radionuclide(s) of concern)
- Unknown agent - specify serious adverse health effects of associated with consumption of specified foods

**Identification of foods concerned**

Description of product(s)

Identification marks/stamps

Name and address of producer/manufacturer

Information on trade in food (if information concerns food exported from country supplying information)

**Action taken**

Information on action taken (e.g. recall and/or destruction of food concern, prohibition on sale of food from certain area or establishment)

**Contact Point for further information**

Name, address and telefax no. of agency (and, preferably, person(s) there) who can supply further information.