



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Twenty-fifth Session

Hobart, Australia, 27 April – 1 May 2020

INFORMATION ON ACTIVITIES OF FAO AND WHO AND OTHER INTERNATIONAL ORGANISATIONS RELEVANT TO THE WORK OF CCFICS

(Information from WCO, WTO and STDF)

A. ACTIVITIES OF THE WORLD CUSTOMS ORGANIZATION (WCO)

World Customs Organization (WCO) initiatives on paperless processes, interoperability and facilitation of safe and legitimate trade

1. Taking into account ever-growing developments in the area of information and communication technology (ICT), the Customs community believes that the utilization of ICT could provide an unprecedented opportunity to increase the efficiency of Customs' work. Paperless processing, dematerialization of documents and risk-based non-intrusive inspection are examples of WCO initiatives in the context of digitalization. The use of advanced electronic data, in a harmonized manner, could support Customs in providing greater facilitation for safe and legitimate trade by, inter alia, enabling the implementation of modern data-driven risk management and less intrusive clearance control.

2. The Customs community considers cross-border movements as complex procedures involving many stakeholders, including government agencies. The approach followed by the WCO is that of cross-sectorial coordination and collaboration, addressing all stakeholders at the border, given that silo and uncoordinated approaches would not lead to significant progress in the facilitation of cross-border procedures.

3. The WCO applies a Digital Customs concept that serves as a conceptual framework to support Members in understanding and implementing the ICT-related tools, instruments and guidelines already developed by the WCO. The WCO Digital Customs concept supports trade facilitation and security, fair and efficient revenue collection, protection of society and institutional and human resource development. Drawing on its expertise, the WCO is carrying out further work from three perspectives in particular:

- Standards development/enhancement;
- Cooperation/coordination between and among Customs and its strategic partners;
- Development of capacity and core competence within Customs.

4. To this end, the WCO has developed a range of guidance, instruments and tools to support Members in implementing digitalization and paperless processing, digital collaboration, interconnectivity and seamless data exchange. Examples of the instruments and tools include the WCO Data Model and Single Window Compendium, explained in greater detail below.

WCO Annual Theme

5. This year, the WCO and Customs community dedicated themselves to taking forward a particular theme under the slogan: "Customs fostering Sustainability for People, Prosperity and the Planet". Under this theme, the Customs community will be focusing on the contribution of Customs towards a sustainable future where social, economic, health and environmental needs are at the heart of its actions. As a government agency that has a unique and strategic function at the border, Customs has a prominent role across the international supply chain to ensure a sustainable, secure, and inclusive future for all. One of the concrete actions developed by the WCO is the enlargement of the "Digital Customs" agenda with greater emphasis on the use of modern technologies, including a high-performance, paperless Single Window environment and a solid IT infrastructure. The use of ICT will make the supply chain more efficient, and therefore contribute to reducing the environmental footprint from supply chain activities. In addition, the WCO is exploring potential cooperation with relevant international organizations to develop a paperless process for transboundary movement of waste, in particular plastic and e-waste, and to encourage closer engagement between Customs and competent

authorities at a National and International level to move forward with the proposal to develop a collaborative paperless processes in this area.

WCO Data Model

6. Being an international standard, the WCO Data Model (DM) is a compilation of clearly structured, harmonized, standardized and reusable sets of data definitions and electronic messages designed to meet the operational and legal requirements of cross-border regulatory agencies (CBRAs), including Customs, which are responsible for border management. The content of the electronic data messages includes goods declarations, cargo declarations, cargo movements and goods inspections and permits, as well as licensing requirements.

7. The WCO DM promotes collaboration between Customs administrations, government regulators and the business community to manage reporting and compliance with government border requirements. Version 3.0.0 of the WCO DM onwards has been developed to support the implementation of a Single Window. In this context, the WCO DM includes the “Derived Information Package (DIP)¹ on the Codex – General Model Official Certificate”. Bearing in mind national requirements on the clearance of consignments, and as authorities in the importing country may require importers to present certification issued by, or with the authority of, authorities in the exporting country, the DIP describes the subset of the WCO DM structure of certificates containing essential information relating to food safety.

8. In January 2020, the Chair of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) Electronic Working Group updated the WCO Data Model Projects Team (DMPT), the WCO Working Body responsible for the maintaining the WCO Data Model, on the ongoing project to develop paperless solution for food related electronic certification. DMPT members were of the view that the use of WCO DM DIP for supporting such an initiative could enhance cooperation between Customs and the competent authority digitally in electronic and automated environment, such as a Single Window environment with a view to augment efficient trade facilitation and effective control in the area of biosecurity.

WCO Single Window Guidelines²

9. The WCO has developed a Compendium on “Building a Single Window Environment”, providing comprehensive guidance in this respect. Account was taken of UN/CEFACT Recommendation 33 on Single Window when developing the Compendium. The latter contains, inter alia, “Guidelines on Data Harmonization,” which suggest using the WCO DM as the foundation for undertaking data harmonization work as one of the basic building blocks for the development of a Single Window environment.

10. Considering that CODEX is an important strategic partner of the WCO, the WCO is interested in aligning its initiatives on paperless processes with CODEX’s initiatives, with the objective of harmonizing approaches to facilitate collaboration, coordination and seamless interoperability between the WCO and CODEX Members and to achieve more efficient cross-border management.

11. The WCO welcomes and supports the initiative by CODEX to move towards paperless processing for its certification processes. The draft Guidance on Paperless use of Electronic Certificates will certainly play a key role in supporting the implementation of the initiative by CODEX Member States. The WCO is pleased to provide suggestions and comments on the draft under Agenda item 5 for this session.

¹ DIP is a subset of the WCO Data Model for a specific purpose.

² <http://www.wcoomd.org/en/topics/facilitation/instrument-and-tools/tools/single-window-guidelines.aspx>

B. ACTIVITIES OF THE WORLD TRADE ORGANISATION (WTO) AND THE STANDARDS AND TRADE DEVELOPMENT FACILITY

Report by the WTO AND STDF secretariats³

This report to the 25th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) provides a summary of the activities of the WTO Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") since November 2018. It highlights the work of most relevance to CCFICS and complements the WTO Secretariat's yearly activity report submitted to the Codex Alimentarius Commission that discusses SPS Committee meetings⁴ and cross-cutting issues of relevance to Codex more broadly. In addition, section 4 of this report includes information about relevant activities by the Standards and Trade Development Facility.

Since the last 24th Session of the CCFICS in October 2018, the SPS Committee held one regular meeting in November 2018⁵ and three regular meetings in 2019.⁶ The first meeting in 2020 is scheduled for 19-20 March. Mr Daniel Arboleda, from Colombia, was appointed Chairperson for the 2019-2020 period in July 2019, taking over from Ms Noncedo Vutula of South Africa.

1 Fifth review of the operation and implementation of the SPS Agreement

1.1. The SPS Committee is mandated to review the operation and implementation of the SPS Agreement every four years. It is currently working on the Fifth Review of the agreement, launched in March 2018 and set to conclude in March 2020. Several proposals and activities within the Review relate to CCFICS' work, as detailed below.⁷

1.2. In October 2018 and March 2019, the SPS Committee held a two-part thematic session on equivalence, building on proposals by Canada,⁸ Australia⁹ and Brazil.¹⁰ The first part allowed the Committee to discuss the concept of equivalence, the relevant provisions of the SPS Agreement and guidance by the SPS Committee and by Codex, IPPC and OIE in the implementation of equivalence arrangements.¹¹ The second part was dedicated to WTO Members' approaches to the recognition and implementation of equivalence, as well as regional experiences in APEC, COMESA and CPTPP.¹²

1.3. In November 2019, the SPS Committee held a thematic session on approval procedures, based on a proposal by Canada.¹³ The thematic session built on an SPS Committee workshop on control, inspection and approval procedures held in July 2018,¹⁴ and it explored concepts within Article 8 and Annex C of the SPS Agreement, as they relate to approval procedures, including undue delays, transparency and information requirements. The session focused on a broad array of themes, including pre-market approvals, approval of biotech products, domestic regulations and international guidance. Various perspectives from WTO members, international standard-setting bodies and private sector representatives (International Grain Trade Coalition and the International Maize Alliance) were presented and possible opportunities for cooperation amongst these players were explored.¹⁵

³ This report has been prepared under the WTO Secretariat's own responsibility and is without prejudice to the positions of WTO Members or to their rights or obligations under the WTO. The same applies for the section on STDF.

⁴ These more comprehensive reports to the CAC generally follow the structure of SPS Committee meetings. They include detailed information of relevance to Codex on specific trade concerns, the operation and implementation of the SPS Agreement (equivalence, transparency, special and differential treatment, monitoring the use of international standards, and periodic reviews of the SPS Agreement), cross-cutting issues, and technical assistance and cooperation.

⁵ The report of the November 2018 meeting is contained in document G/SPS/R/93.

⁶ The report of the March 2019 meeting is contained in document G/SPS/R/94 plus corrigendum G/SPS/R/94/Corr.1, that of the July meeting in G/SPS/R/95 plus corrigendum G/SPS/R/95/Corr.1, and that of the October meeting in G/SPS/R/97 plus corrigendum G/SPS/R/97/Corr.1 and revision G/SPS/R/97/Rev.1.

⁷ All the documents cited in this report can be searched by their symbols in the [WTO Documents Online](http://docsonline.wto.org) system (<http://docsonline.wto.org>). The SPS-focused [SPS Information Management System \(SPS-IMS\)](http://spsims.wto.org) (spsims.wto.org) allows easy access to specific trade concerns, notifications and other SPS documents.

⁸ G/SPS/W/302/Rev.1

⁹ G/SPS/W/299

¹⁰ G/SPS/W/301

¹¹ The presentations of part 1 of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/workshop301018_e.htm.

¹² Acronyms: APEC – Asia-Pacific Economic Cooperation; COMESA – Common Market for Eastern and Southern Africa; CPTPP – Comprehensive and Progressive Agreement for Trans-Pacific Partnership. The presentations of part 2 of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/workshop18032019_e.htm

¹³ G/SPS/W/310

¹⁴ The presentations of the workshop are available at https://www.wto.org/english/tratop_e/sps_e/workshop910718_e.htm

¹⁵ The presentations of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/workshop05112019_e.htm

1.4. Following the thematic session, Canada proposed in December 2019 that the Committee establish an electronic working group to continue to examine the topic of approval procedures, including pre-market product approvals, and further consider the Committee's role in this respect. The working group, envisaged to commence work during the first half of 2020, would be open to all members and observers, if agreed by the Committee.¹⁶

1.5. In July 2019, the SPS Committee agreed to organize a thematic session on voluntary third-party assurance schemes in March 2020. Based on a proposal by Belize,¹⁷ the thematic session will cover voluntary third-party assurance as part of national SPS control systems, with the main objectives to: receive updates from the international standard-setting bodies on their work in the area, facilitate an exchange of information among Members on their use of voluntary third party assurance as part of national SPS control systems, obtain the perspectives and experiences of the private sector, and learn about capacity-building initiatives in this area.¹⁸

1.6. Besides the subjects above, the Fifth Review has also touched upon other areas of relevance to CCFICS' work. These include, among others, the trade effects of pesticide MRLs and the role of Codex, IPPC and OIE in the SPS Committee's discussions on specific trade concerns.¹⁹ Members have begun working on concrete recommendations for the Report of the review, to be issued in 2020.²⁰

2 Specific trade concerns

2.1. The SPS Committee devotes a large portion of each regular meeting to the consideration of specific trade concerns (STCs). Any WTO Member can raise specific concerns about the food safety, plant or animal health requirements imposed by another WTO Member. Issues raised in this context are usually related to the notification of a new or changed measure or based on the experience of exporters. Often other countries will share the same concerns. At SPS Committee meetings, Members usually commit themselves to exchange information and hold bilateral consultations to resolve the identified concern.

2.2. A summary of the STCs raised in meetings of the SPS Committee is compiled on an annual basis by the WTO Secretariat.²¹ Altogether, Members have raised 469 STCs since the establishment of the WTO in 1995. Thirty-three per cent of these – 155 in total – were primarily related to food safety, and 42 of these 155 concerns dealt with certification or control, inspection and approval procedures.²²

2.3. During the November 2018 meeting and the three meetings held in 2019, nine new STCs of relevance to Codex were raised in the SPS Committee.²³ These mostly concerned MRLs for pesticides, and one was explicitly related to approval procedures (STC # 455 – Brazil's concerns regarding Indonesia's undue delay in authorization procedures for beef).

2.4. Twelve issues relating to food safety that had been previously raised were discussed again between October 2018 and the end of 2019.²⁴ Again, many of these concerned MRLs for pesticides and contaminants, and five were explicitly related to certification or control, inspection and approval procedures:

- The European Union's concerns regarding the Russian Federation's import restrictions on processed fishery products from Estonia and Latvia (STC # 390);
- Paraguay and the United States' concerns regarding China's proposed amendments to the implementation regulations on safety assessment of agricultural GMOs (STC # 395);
- The European Union's concerns regarding the Russian Federation's import restrictions on certain animal products from Germany (STC # 411) (reported as resolved in July 2019);
- Brazil's concerns regarding EU restrictions on poultry meat due to Salmonella detection (STC # 432); and
- China's concerns regarding the new EU definition of the fungicide folpet (STC # 447).

¹⁶ G/SPS/W/321

¹⁷ G/SPS/W/316

¹⁸ The draft programme is available in document G/SPS/GEN/1754/Rev.1. The final programme will be issued in document G/SPS/GEN/1754/Rev.2.

¹⁹ All proposals submitted within the fifth review are available in document G/SPS/GEN/1625/Rev.5. Please consult the [WTO Documents Online](http://docsonline.wto.org) (<http://docsonline.wto.org>) for further revisions.

²⁰ The draft report is available in document G/SPS/W/313/Rev.1. Please consult the WTO Documents Online for further revisions.

²¹ The latest version of this summary can be found in document G/SPS/GEN/204/Rev.20.

²² The WTO's publicly available database [SPS Information Management System \(SPS-IMS\)](http://spsims.wto.org/) (spsims.wto.org/) allows easy access to specific trade concerns, notifications and other SPS documents.

²³ STCs 448, 450, 453, 454, 455, 457, 458, 459 and 468.

²⁴ STCs 382, 390, 395, 411, 413, 414, 422, 430, 432, 442, 446 and 447.

3 Transparency

3.1. The legal obligation of WTO Members is to notify new or modified SPS measures when these deviate from the relevant international standards. The Committee's recommended procedures for transparency,²⁵ however, encourage the notification of all new or modified measures even when these conform to international standards. Although this recommendation does not change the legal obligations of WTO Members, it enhances transparency regarding the application of standards, guidelines and recommendations adopted by Codex.

3.2. Please see table 1 for more information about notifications submitted to the WTO in November/December 2018 and during 2019.

	All notifications Regular & emergency	Notifications Objective food safety	Indication of relevant Codex standard	Indication of conformity with relevant Codex standard
Nov – Dec 2018	261	184 <i>* None of these were assigned the keyword "certification, control and inspection" by the WTO's Central Registry of Notifications.</i>	57	26
Jan – Dec 2019	1,757	1,197 <i>* Five of these were assigned keyword "certification, control and inspection" by the WTO's Central Registry of Notifications.</i>	337	177

4 Standards and Trade Development Facility

4.1 Voluntary third-party assurance programmes

4.1. The STDF Secretariat issued a survey in mid-February 2020, in cooperation with IICA and UNIDO, on existing and/or planned regulatory frameworks and practices related to the use of voluntary third-party assurance (vTPA) programmes in food and feed safety, based on Codex principles and guidelines. Responses to the survey will be analysed and shared through the STDF partnership, including on the STDF website.

4.2. A link to the survey (available in English, French and Spanish on SurveyMonkey) was distributed through the SPS and Codex Secretariat mailing lists:

- ✓ English: <https://www.surveymonkey.com/r/QSPGRV8>
- ✓ French: <https://www.surveymonkey.com/r/2ZK7GC8>
- ✓ Spanish: <https://www.surveymonkey.com/r/BP7MCTF>

4.2 Public Private partnerships

4.3. Building on previous STDF work on PPPs, and also learning from OIE's more recent work in this area, the Secretariat has started to collect and compile new examples of PPPs in the area of SPS capacity and trade, more broadly (i.e. beyond collaboration or data sharing linked to vTPA programmes in the food safety area).

4.4. To help collect additional PPP examples, the STDF Secretariat is launching another targeted survey (also on SurveyMonkey), which will be accessible via the PPP page on the STDF website in English, French and Spanish. We encourage delegates to share PPP examples and further distribute this survey with their respective networks.

²⁵ G/SPS/7/Rev.4