

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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**ALINORM 04/27/30**

## **JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX ALIMENTARIUS COMMISSION**

**Twenty-seventh Session**

**Geneva, Switzerland, 28 June – 2 July 2004**

### **REPORT OF THE TWELTH SESSION OF THE CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS**

*Brisbane, Australia, 1 – 5 December 2003*

**Note:** This report includes Codex Circular Letter CL 2003/44-FICS



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**CL 2003/44-FICS**  
**December 2003**

**To:** Codex Contact Points  
Interested International Organizations

**From:** Secretary,  
Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme  
Viale delle Terme di Caracalla  
00100 Rome, Italy

**Subject:** **Distribution of the Report of the Twelfth Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (ALINORM 04/27/30)**

The report of the Twelfth Session of the Codex Committee on Food Import and Export Inspection and Certification Systems will be considered by the 27<sup>th</sup> Session of the Codex Alimentarius Commission (Geneva, Switzerland, 28 June – 2 July 2004).

## **MATTERS FOR ADOPTION BY THE 27<sup>TH</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

**Proposed Draft Revised Principles and Guidelines for the Exchange of Information in Food Control Emergency Situations, advanced to Steps 5/8 of the Codex Procedure, with the omission of Step 6 and 7 (ALINORM 04/27/30, Appendix II). See also para. 61 and Appendix II of this report**

Governments and interested international organizations are invited to comment on the above document and should do so in conformity with the Uniform Procedure for the Elaboration of Codex Standards and Related Texts and the Guide to the Consideration of Standards at Step 8 of the Procedure for the Elaboration of Codex Standards including Consideration of any Statements relating to Economic Impact (see *Codex Alimentarius Procedural Manual*). Comments should be forwarded to the Secretary, Codex Alimentarius Commission, Viale delle Terme di Caracalla, 00100 Rome, Italy (fax +39 06 57054593; e-mail codex@fao.org), **not later than 30 April 2004.**

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## SUMMARY AND CONCLUSIONS

The Twelfth Session of the Codex Committee on Food Import and Export Inspection and Certification Systems reached the following conclusions:

**Matters for Adoption of the 27<sup>th</sup> Session of the Commission**

The Committee:

- agreed to advance the proposed draft revised Principles and Guidelines for the Exchange of Information in Food Safety Control Emergency Situations to Steps 5/8 (with the omission of Steps 6 and 7) for final adoption by the 27<sup>th</sup> Session of the Codex Alimentarius Commission (para. 61, Appendix II);
- decided not to pursue work on the judgement of equivalence of technical regulations associated with food inspections and certification systems and to inform the Codex Alimentarius Commission accordingly (para. 80);
- agreed to request the Commission to initiate work on: Proposed draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems; Proposed draft Principles for Electronic Certification; and, Proposed draft Guidelines for Risk-based Inspection of Imported Foods (para. 88).

**Matters of Interest to the 27<sup>th</sup> Session of the Commission**

The Committee:

- noted the requests arising from the 26<sup>th</sup> Session of the Codex Alimentarius Commission that “*relevant Codex committees develop or complete specific guidelines on risk analysis in their respective areas*” (ALINORM 03/41, para. 147) and decided that it did not need to prepare specific guidelines for risk analysis to carry out its work (para. 7);
- agreed to continue its discussion on traceability/product tracing in the context of food inspection and certification systems at its next meeting (paras. 72-74);
- recommended to leave the reference to the “*development of guidelines on the judgement of equivalence for specific purposes such as equivalence of measures to ensure food hygiene or measures to ensure conformity with essential quality requirements*” in the draft Medium-Term Plan 2003-2007 (para. 88);
- agreed to prepare discussion papers for its 13<sup>th</sup> Session of the Committee on: Revision of the Guidelines for the Exchange of Information Between Countries on Rejections of Imported Foods; Revision of the Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates ; Clarification of the Reference “a reasonable interval” in the Guidelines for Food Import Control Systems (para. 88);
- noted the requests arising from the 26<sup>th</sup> Session of the Codex Alimentarius Commission (ALINORM 03/41, paras. 61 and 65) and agreed that at its next meeting will consider a Discussion Paper on Clarification of the Reference “a reasonable interval” in the *Guidelines for Food Import Control System*; and that the proposed draft Appendices to the *Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection* would also address the further elaboration of guidelines to facilitate their implementation to the control of food trade (paras. 90 and 92).

**Matters of Interest to Other Committees**Codex Committee on Methods of Analysis and Sampling

- Following the request of the CCMAS, the Committee encouraged the CCMAS to continue to work on the use of analytical results in a more general way with a view to advising Codex commodity committees and governments about matters related to methods of analysis and sampling and the development and enforcement of Codex commodity standards (para. 12).

Codex Committees on Milk and Milk Products and on Fresh Fruits and Vegetables

- The Committee noted the ongoing work on model export certificate in other Codex Committees and encouraged delegates attending the meeting to liaise with their colleagues working in these Committees in order to ensure consistency with the general texts elaborated by CCFICS (para. 13).

Codex Committees on General Principles

- The Committee agreed to continue its discussion on traceability/product tracing in the context of food inspection and certification systems at its next meeting. It was agreed that the Australian Secretariat would prepare a document containing a preliminary set of “principles on traceability/product tracing”, based on the discussion that has occurred over the past two years in the Regional Coordinating Committees, and this document will be circulated for comment through a Circular Letter to all Member countries and international organizations with observer status in Codex. Furthermore, the Committee agreed that the Australian Secretariat would prepare a discussion paper, based on the above document, together with the comments received, the outputs and recommendations from seminars and workshops (as appropriate), discussions in the Codex Committee on General Principles and other relevant Codex Committees and Regional Coordinating Committees, and other relevant documents, for circulation and discussion at its next meeting (paras. 72-74).

**LIST OF ABBREVIATIONS USED IN THIS REPORT**

CAC/GL	Codex Alimentarius Commission / Guidelines
CCFICS	Codex Committee on Food Import and Export Inspection and Certification Systems
CCFFP	Codex Committee on Fish and Fishery Products
CCFFV	Codex Committee on Fresh Fruits and Vegetables
CCMAS	Codex Committee on Methods of Analysis and Sampling
CCMMP	Codex Committee on Milk and Milk Products
CL	Circular Letter
CRD	Conference Room Document
EC	European Community
FAO	Food and Agriculture Organization of the United Nations
HACCP	Hazard Analysis and Critical Control Point
ISO	International Organization for Standardization
OECD	Organization for Economic Cooperation and Development
SPS	Sanitary and Phytosanitary Measures (WTO Committee)
TBT	Technical Barrier to Trade (WTO Committee)
WHO	World Health Organization
WTO	World Trade Organization

## REPORT OF THE 12<sup>th</sup> SESSION OF THE CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

### OPENING OF THE SESSION

1. The Twelfth Session of the Codex Committee on Food Import and Export Inspection and Certification Systems was held in Brisbane, Australia from 1-5 December 2003 at the kind invitation of the Government of Australia. The Session was chaired by Mr. Gregory Read, Executive Manager, Australian Quarantine and Inspection Service, Australian Government, Department of Agriculture, Fisheries and Forestry. The Session was attended by 149 participants from 38 Member countries, 1 regional economic integration organization<sup>1</sup> and 12 international organizations. A complete List of Participants is attached as Appendix I.

### ADOPTION OF THE AGENDA (Agenda Item 1)<sup>2</sup>

2. The Committee noted that no written proposals had been received for amendments or revision to the Provisional Agenda and therefore, it adopted the Provisional Agenda as its Agenda for the Session.

3. However, the Committee agreed to discuss proposals for new work submitted by Members and Observers as well as those arising from the 26<sup>th</sup> Session of the Codex Alimentarius Commission under Agenda Item 6 "Other Business and Future Work".

4. The Committee also agreed that an information paper prepared by the Organization for Economic Cooperation and Development on Agricultural Codes and Schemes for International Trade would be presented under Agenda Item 6.

### MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES (Agenda Item 2)<sup>3</sup>

5. The Committee noted matters arising from the 26<sup>th</sup> Session of the Codex Alimentarius Commission (Rome, 30 June – 7 July 2003) regarding the Amendments to the Procedural Manual, the Joint FAO/WHO Evaluation of the Codex Alimentarius and Other FAO and WHO Work on Food Standards, the FAO/WHO Trust Fund for Participation of Developing Countries in Codex Standards Setting Procedure and the work on traceability/product tracing in other Codex committees.

6. In particular, the Committee commented and/or made decisions on the following matters:

#### *Risk Analysis*

7. The Committee took note of the request of the Codex Alimentarius Commission that "*relevant Codex committees develop or complete specific guidelines on risk analysis in their respective areas, for inclusion in the Procedural Manual, as recommended in the Action Plan adopted by the 22<sup>nd</sup> Session of the Commission (Geneva, June 1997)*"<sup>4</sup>. In this regard, the Committee noted that the work of CCFICS did not relate to the development of specific measures within food control system but to the elaboration of general texts about food inspection and certification systems which might incorporate the notion of risk analysis therefore it did not need to prepare specific guidelines for risk analysis to carry out its work. It was also noted that matters related to risk analysis were adequately covered by other Codex fora.

#### *Decisions of the Codex Alimentarius Commission concerning the work of the Committee*

8. The Committee was informed that the 26<sup>th</sup> Session of the Codex Alimentarius Commission adopted the *draft Guidelines for Food Import Control System* and the *draft Guidelines for the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems* at Step 8. The Commission also approved the recommendation of the Committee to discontinue work on the elaboration of *Guidelines for the Utilization and Promotion of Quality Assurance Systems to meet Requirements in relation to Food*.

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<sup>1</sup> CRD 6 (EC Annotated Agenda for the 12<sup>th</sup> Session of the Codex Committee on Food Import and Export Inspection and Certification Systems).

<sup>2</sup> CX/FICS 03/1.

<sup>3</sup> CX/FICS 03/2; CX/FICS 03/2-Add.1; and, CRD 3 (updating on ISO activities).

<sup>4</sup> ALINORM 03/41, para. 147.



9. The Committee agreed that the request of the Commission to consider the development of an interpretation of the meaning of “a reasonable interval” in the *Guidelines for Food Import Control System*, and the further elaboration of the *Guidelines for the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems* to facilitate their implementation to the control of food trade would be considered under Agenda Item 6 “Other Business and Future Work” (see also para.88).

#### ***Use of Analytical Results***

10. The Committee acknowledged the request of the 24<sup>th</sup> Session of the Codex Committee on Methods of Analysis and Sampling (Budapest, November 2002) to provide advice insofar as inspection issues were involved in the use of analytical results. The Committee noted that the paper recommended that when a Codex commodity committee agreed to a commodity specification, it should state information on sampling, measurement of uncertainty and recovery factors.

11. A number of delegations were of the view that these recommendations should be clearly expressed to be of use to commodity committees and should be clearly related to conformity assessment of product (e.g. sampling plans used for the determination of lot acceptance). In addition, measurement of uncertainty should be allowed in sampling under certain circumstances. Many delegations, however, questioned the practicability of developing such advice on a commodity by commodity basis and noted that it might be useful for CCMAS to provide clear guidance to Codex committees and governments in a more general way. These delegations felt that it would be useful for CCMAS to develop an overarching document to clearly explain the relationship between measurement of uncertainty and other issues that affected the use of analytical results, such as bias, in conformity assessment. Other delegations highlighted the importance of the relationship between sampling methods, analytical results, measurement of uncertainty and recovery factors in accepting/rejecting lots of foods with the subsequent problems in the food trade.

12. The Committee agreed on the importance of the document in the development of Codex specifications and its relationship with the sampling procedures, interpretation of analytical results, and compliance/rejection of lots of products. It encouraged the CCMAS to continue to work on this issue in a more general way with a view to advising Codex commodity committees and governments about matters related to methods of analysis and sampling and the development and enforcement of Codex commodity standards.

#### ***Elaboration of Model Export Certificates by Commodity Committees***

13. The Committee noted the ongoing work in this regard in the Codex Committees on Milk and Milk Products, on Fresh Fruits and Vegetables, and on Fish and Fishery Products. The Committee encouraged delegates attending the meeting to liaise with their colleagues working in these Committees in order to ensure consistency with the general texts elaborated by CCFICS.

#### ***ISO Standard 22000 – Food Safety Management System – Requirements***

14. The Committee noted that this matter was presented for information only and therefore, it did not need to take any action in this regard.

15. Some delegations questioned the inclusion of this document on the Agenda as they were of the view that it might create confusion between the ISO and Codex activities in the field of quality assurance/conformity assessment procedures and food inspection and certification systems. These delegations indicated that ISO standards were more oriented to the private sector (e.g. industry and other commercial entities) while Codex texts were directed to government agencies (e.g. national food control authorities). It was noted that the Committee had discontinued work on specific Guidelines relating to the assessment and recognition of quality assurance systems as the food hygiene texts, including HACCP, available in Codex, provided adequate guidance to ensure the safety of food products while relevant Codex texts developed by CCFICS provided adequate guidance on quality assurance and thus, there was not such a gap in international trade to deliver a food safety management system standard as indicated in the document. It was also noted that the Codex Alimentarius Commission was the food safety international setting standard organization referenced in the WTO/SPS Agreement.

16. Other delegations favoured the presentation of this document as it aligned with the objectives of the Codex Alimentarius Commission to promote coordination of all food standards work undertaken by other international governmental and non-governmental organizations.<sup>5</sup> These delegations noted that this would avoid duplication of work between Codex and other international standardization organizations such as ISO. In this regard, it was also noted that the ISO food safety management system standard would incorporate the Codex HACCP system and therefore there was a need to ensure consistency between Codex and the ISO approach in this respect. It was further noted that the development of such a standard was to provide a certifiable food safety standard that incorporated the implementation of HACCP for commercial purposes in international trade.

### **PROPOSED DRAFT REVISION TO THE CODEX GUIDELINES FOR THE EXCHANGE OF INFORMATION IN FOOD CONTROL EMERGENCY SITUATIONS (Agenda Item 3)<sup>6</sup>**

17. The 11<sup>th</sup> Session of the Codex Committee on Food Import and Export Inspection and Certification Systems agreed to return the proposed draft revision of the *Guidelines for the Exchange of Information in Food Control Emergency Situations* to Step 2 for revision by a drafting group led by Australia. The Committee agreed that the text would be revised on the basis of its discussion, definition and principles; the initial mandate given at the 9<sup>th</sup> CCFICS; the current Guidelines (CAC/GL 19-1995) and other Codex guidelines and texts as appropriate. It was agreed that the revised document would be circulated for comment at Step 3 and further consideration at its next meeting.

#### **GENERAL COMMENTS**

18. The Committee thanked the drafting group for its valuable work, which provided a good basis for discussion and generally agreed to consider its advancement in the Codex Step Procedure. It was suggested, however, that the document as currently drafted still needed some improvements such as: to make the text clearer and more concise in order to facilitate its use and understanding and to assist countries with controversial issues in food safety emergency situations; to better clarify the identity of a food emergency situation in the Preamble and Scope; to differentiate food emergency situations from routine food rejection due to compliance failure; to clarify the responsibility and distinctive role of importing and exporting countries in informing the affected partners and dealing with available information; to improve the clarity of the principles by adding examples; to highlight that decisions in food emergencies should be based on scientific justification; and, to make the text more consistent with Codex wording.

19. The Committee was informed of the WHO Food Safety Emergency Contacts project, which had established and was maintaining a list of Food Safety Emergency Contacts, identified through the WHO Regional Offices and country representations. In its next phase, the WHO project would develop procedures for the management of the information shared in the network and evaluate the system.

#### **SPECIFIC COMMENTS**

20. The Committee discussed the document section by section and agreed to the following changes:

##### **Preamble**

###### Paragraph 1

21. The Committee agreed that the first objective for the exchange of information in food safety emergency situations was to minimize potential adverse public health effects. In noting that the proposal to revise the Guidelines arose from the disastrous economic repercussions of the dioxin crisis in European countries, the Committee agreed to add a second sentence to reflect that the secondary objectives of the Guidelines was to avoid unwarranted action against other food from the same or other countries, which were not involved in the food safety emergency situation.

22. The second sentence was amended to clarify that communication should be at the appropriate government level.

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<sup>5</sup> Article 1(b) of the Statutes of the Codex Alimentarius Commission, Procedural Manual, 13<sup>th</sup> Edition.

<sup>6</sup> CX/FICS 03/3 and comments submitted by Argentina, Canada, Iran, Mexico, New Zealand, United States, European Community (CX/FICS 03/3-Add. 1), Indonesia (CRD 2), and the Philippines (CRD9).

23. The Committee agreed that specific aspects of communication exchange, such as the nature and the extent of the hazard detected and the causal effect between the consumption of a food and the appearance of the serious effects, should be addressed in other sections of the document.

#### Paragraph 2

24. In recognition of the decision of the 26<sup>th</sup> Session of the Codex Alimentarius Commission concerning the membership of Regional Economic Integration Organizations, the Committee removed the square brackets, while retaining the text, from the first sentence. It deleted the second sentence as inappropriate.

### **Scope**

#### Paragraph 3

25. The Committee amended the beginning of the paragraph to read “Principles and Guidelines” for consistency with the name and the content of the document and agreed to amend the remaining text accordingly. It added “in either the importing and/or exporting countries” to better reflect their role in food safety emergency situations.

#### Paragraph 4

26. The Committee added “radiological” to the examples of food safety hazards listed in parentheses to promote consistency with the examples in the Annex. It replaced “association has been established” with “relevant scientific information suggests a link” to clarify the text. The Committee agreed that the amended sentence allowed enough scope for taking adequate action in situations where the food safety hazards had not yet been identified.

#### Paragraph 5

27. The Committee added a footnote at the end of the paragraph to refer to Section 4.3.1 “Special conditions applicable to emergency situations” of the draft Codex Code on Good Animal Feeding.

### **Definitions**

#### Paragraph 7

28. In recognizing that the Codex definition of risk<sup>7</sup> already included the concept of threat, the Committee deleted the term throughout the text.

29. The Committee agreed that the three main elements of a food safety emergency were: the seriousness of the risk; the possibility that the situation could deteriorate; and, the need to take urgent action. It therefore concurred to capture these concepts in one single sentence.

### **Principles**

#### Paragraph 8

30. The Committee noted that the purpose of the principles was to give a clear and concise message and that narrative for each principle was included in the subsequent sections of the document.

31. The Committee amended:

- principle (a), to acknowledge that some countries had more than one competent authority dealing with different aspects of a food safety emergency;
- principle (b), to clarify that the exchange of information should be between official contact points, which should be designated by the competent authorities;
- principle (c), to reflect that there should be a simultaneous set of actions taken in both importing and exporting countries to inform “all known affected and potentially affected countries”. The term “trading partners” was deleted as it could also include commercial entities.
- principle (d), to include a reference to risk communication at the end of the principle as it is a process that follows a risk management decision. It further specified that competent authorities detecting a food safety emergency should share relevant information.

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<sup>7</sup> A function of the probability that an adverse health effect and the severity of that effect, consequential to a hazard(s) in food - Codex Procedural Manual, 13<sup>th</sup> Edition.

- principle (e), to allow for more flexibility as developing countries might face difficulties in providing information to other countries (e.g. mounting a media campaign). Therefore, the Committee agreed that information should be communicated to relevant stakeholders to the extent possible.
- principle (f), to make it more concise, as the objective of enabling countries to reassess their risk was already included in the corresponding section (paragraph 20 of the document).

### **Nature of the Food Safety Emergency**

#### Paragraph 9

32. The Committee clarified the paragraph to better reflect that the exchange of information between countries be ensured from the early stages of a food safety emergency, and that in circumstances where the specific food hazard has not been precisely identified, information be provided on causative links between the consumption of a food and the appearance of serious adverse public health effects.

33. The second sentence was deleted on the understanding that the concept of “source of contamination causing the food safety hazards” was retained in the first sentence by the terms “including its scientific basis” and as examples of food safety hazards were already included in the “Scope”.

### **Official Contact Points for Information Exchange**

34. The Committee amended the heading of the section to include “designated” in accordance with principle (b). It improved the logical flow of the section by changing the order of the two paragraphs.

#### Paragraph 11

35. The Committee made several editorial changes to improve the readability of the paragraph.

#### Paragraph 12

36. The Committee recognised that although it would be ideal to have a single contact point per country, this requirement was too restrictive and unrealistic. In the interest of ensuring quick and effective information flow, the Committee agreed that a country should identify a Primary Official Contact Point, which could act as a national focal point for information exchange with other countries, without precluding countries to designate other official contact points according to their need to exchange information within the country. To reflect the above, the Committee inserted paragraph 5 of the “*Guidelines for the Exchange of Information in Food Emergency Situations*” at the beginning of this paragraph.

37. The Committee accepted the offer of the World Health Organization (WHO) to keep an up-to-date list of primary official contact points and inserted its name, while deleting the text in square brackets, the square brackets and the footnote. The Committee noted that the revision of the International Health Regulations (IHR) was not yet concluded and that some aspects of food safety emergency might be included in the IHR notification system.

### **Informing Potentially Affected Trading Partners**

38. The Committee amended the heading of the section to align it with principle (c).

#### Paragraph 13

39. The Committee modified the paragraph to highlight the need for the country, where the food safety emergency occurred, to cooperate with other competent authorities to inform all potentially affected countries.

40. The delegation of the European Community suggested that the paragraph should contain a reference to a system of identification of the origin and destination of foods. Such a traceability/product tracing system would enable countries in which an emergency situation arose to provide all the information necessary to allow countries of origin and destination to be informed as rapidly and precisely as possible. The delegation of the European Community proposed to insert the following sentence in square brackets: “A traceability/product tracing system should help the competent authority to trace back the origin and trace forward the destination of the contaminated food or ingredients” pending the agreement on the concept of traceability/product tracing.

41. While some delegations supported this proposal, others were of the opinion that the reference to such a system would not contribute to the clarity of the paragraph that covered the elements of information to be exchanged, and that the reference to a traceability/product tracing system could change the objectives of the text.

42. To allow the final adoption of the text and in a spirit of consensus, the delegation of the European Community agreed to withdraw the text in brackets. (see para. 61)

#### Paragraph 14

43. The Committee amended the paragraph to reflect that regular mail should only be used if necessary in a food safety emergency; however, it recognized that in certain countries regular mail was the only official way of communication.

#### Paragraph 15bis

44. The Committee added a paragraph to acknowledge the legal constraints that might apply to competent authorities with regard to the confidentiality of information.

### **Information to be Exchanged**

#### Paragraph 16

45. The Committee amended the first sentence for consistency with its previous decision. It added point (f) relating to the contact details of the designated official contact point and relevant competent authority (see para. 36), as pertinent information to be exchanged. It was noted that the Annex contained more specific details of the information to be exchanged.

### **Role of Competent Authority**

#### Paragraph 19

46. The Committee clarified the paragraph to highlight that risk assessment, risk management and risk communication decisions should be based on precise and verified information. It recognized that paragraph 21 related to this section and therefore agreed to insert this paragraph following paragraph 19.

### **Communication with Others**

47. The Committee agreed to delete this Section, as it did not correspond to any principle.

### **Other Considerations for Information Exchange**

#### Level of Food Distribution (paragraph 21)

48. A reference to transshipping was added in the third sentence to encompass this situation.

#### Re-Export of Food Subject to an Emergency Situation (paragraph 22)

49. The paragraph was amended to add the complete reference of the *Code of Ethics for International Trade in Foods* and to indicate in a footnote that a revision of the Code was under development in the Codex Committee on General Principles.

#### Rapid Alert System (paragraph 24)

50. The entire section was deleted, as the concept of a rapid alert system was not well understood by all countries.

#### Food Safety Emergency Action Plan (paragraph 25)

51. The heading of the section and the corresponding text were amended to “Food Safety Emergency Plan”. The Committee agreed to indicate in a footnote examples of texts that might assist countries to develop a food safety emergency plan.

#### Role of FAO and WHO (paragraph 26)

52. The Committee amended the paragraph to indicate that competent authorities should provide copies or a summary of relevant information, on request from the FAO, WHO and other international organizations.

**ANNEX - STANDARD FORMAT FOR INFORMATION EXCHANGE IN FOOD SAFETY EMERGENCY SITUATIONS**

53. The Committee amended the first sentence and substituted the second sentence with the definition of “Food Safety Emergency” to align the Annex with the Principles and Guidelines. The footnote was replaced with the same footnote as that contained in the Scope.

**1. Nature of the Food Safety Emergency**

54. The Committee considered that it was useful to maintain the list of examples in this section as it could assist countries in providing information on the nature of the food safety hazards. The Committee amended the first sentence to improve its clarity. It agreed to the following changes in the list of food safety hazards:

- to delete “toxic level of residues of” in the bullet point on chemical contamination for clarity.
- to add a new bullet point on physical contamination; accordingly, the example “foreign bodies” (under “other identified hazards”) was moved to the new bullet point.

55. The observer from Greenpeace asked that the list included examples of risks, which in his view could arise from genetically modified foods or ingredients, however, no amendment was made to the paragraph to this effect.

**2. Identification of Food Concerned**

56. The Committee amended the sentence to indicate that the food should be completely described. The Committee added “shelf life” in the first bullet point as it recognized that it could be useful information to describe certain types of food (e.g. donated food); it clarified that “chilled and frozen” were examples of conservation methods; and, it added “official name and mark” in the last bullet point due to the growing concern for false export certificates.

**3. Affected Population Group(s)**

57. The Committee recognised the importance of providing some information on adverse health effects and added a new paragraph to the section: The nature and extent of any adverse health affects associated with a food safety emergency should be described, e.g. incubation period, severity, other epidemiological data.

**4. Shipping and Related Information**

58. Port of origin and destination was added as useful information.

**5. Action Taken by Exporting or Importing Country**

59. The Committee added two other examples under this section: measures to reduce the risk by appropriate physical treatment; and methods of diagnosis and treatment of affected persons.

**6. Competent Authority Contact Point(s) for Further Information**

60. The Committee modified the paragraph to strengthen the concept of two-way information and to encourage the use of electronic communication where available.

**Status of the proposed draft revision to the Codex Guidelines for the Exchange of Information in Food Control Emergency Situation**

61. The Committee noted that significant progress had been made in the consideration of the issues contained in the text. It therefore agreed to advance the proposed draft revised *Guidelines and Principles for the Exchange of Information in Food Safety Emergency Situations* to Step 5 of the Codex Procedure and recommended that the 27<sup>th</sup> Session of the Codex Alimentarius Commission omit Steps 6 and 7 and proceed to the final adoption of the Guidelines and Principles at Step 8 (see Appendix II).

**DISCUSSION PAPER ON TRACEABILITY/PRODUCT TRACING IN THE CONTEXT OF FOOD INSPECTION AND CERTIFICATION SYSTEMS (Agenda Item 4)<sup>8</sup>**

62. The 11<sup>th</sup> Session of the Codex Committee on Food Import and Export Inspection and Certification Systems decided to reconvene the Working Group on Traceability/Product tracing, under the chairmanship of Switzerland, in order to examine the adequacy and applicability of CCFICS texts with regard to traceability/product tracing and the need for further work in this area, to complete the mandate assigned by the 10<sup>th</sup> CCFICS.

63. The Committee requested the Working Group to prepare a discussion paper with a complete analysis of the issues involved for circulation, additional comments and further consideration at its next Session. It was reiterated that this review should analyze the appropriateness and need for CCFICS to develop specific guidance on the practical implementation of traceability/product tracing and on how the issue was to be progressed. It was also agreed that the Committee's discussions on this issue would be forwarded to the Executive Committee and other Codex Committees for information and potential action.<sup>9</sup>

64. In introducing the discussion paper, the delegation of Switzerland informed the Committee that the discussion paper had been prepared at the 2<sup>nd</sup> meeting of the Working Group (Fribourg, Switzerland, 3-5 September 2003). At its meeting the Working Group took note of the discussion held within other Codex Committees and in particular Regional Coordinating Committees. It also noted that the 18<sup>th</sup> Session of the Codex Committee on General Principles (CCGP) had decided to develop a definition for traceability/product tracing to be considered at its next meeting in May 2004.

65. The Working Group:

- recognized that traceability/product tracing was not an objective in itself but rather a tool, which may assist countries to demonstrate that imported and/or exported foods meet safety and/or quality requirements and that CCFICS could consider how to use the traceability/product tracing tool within food import and export inspection and certification systems;
- undertook a thorough analysis of 8 CCFICS texts based on the framework and on the elements of traceability/product tracing that had been approved by CCFICS at its 11<sup>th</sup> session;
- reached the conclusion that CCFICS texts do not provide a consistent set of principles on traceability/product tracing, although they sometimes reference individual elements of traceability/product tracing. It was concluded that the objectives of most of the examined texts would not be met more adequately if traceability/product tracing elements were included or strengthened;
- recognised that it would be helpful that workshops or seminars be organized to address the application, scope and coverage of traceability/product tracing among member countries;
- examined the appropriateness and needs for CCFICS to develop specific guidance on traceability/product tracing and decided to develop a broad set of options, which could be considered by the CCFICS as a possible way forward in the examination of traceability/product tracing within CCFICS.

66. The Committee expressed its appreciation to the Working Group for the comprehensive work, which provided a good basis for the discussion on this important subject. It recognized that CCFICS was an appropriate forum to continue discussion and develop guidance on traceability/product tracing within its mandate and that there was a clear need to exchange views as to the meaning of traceability/product tracing systems and their practical application.

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<sup>8</sup> CX/FICS 03/4 and comments submitted by Argentina, Canada, Mexico, United States, Consumers International, EuropaBio, ILSI (CX/FICS 03/4-Add. 1), Indonesia (CRD 2), CropLife International (CRD5); Uruguay (CRD 7), Paraguay (CRD 8), the Philippines and India (CRD 10).

<sup>9</sup> ALINORM 03/30A, para. 53.

67. The Committee emphasised the need to organise seminars and workshops to provide the opportunity for those countries with practical experience to exchange information with other countries on the types of systems in place, on their scope, application and coverage, to promote a better understanding of this subject. It considered that it was important that these meetings be organised on a regional and global basis with expertise from different regions, before the next CCFICS. The Committee agreed that these seminars were to be conducted in a cost effective manner and facilitate the participation of all Members. In this regard, it was noted that they could be organised in conjunction with the Second Global Forum of Food Safety Regulators (Bangkok, Thailand 10-12 November 2004) and/or with the next meetings of the Codex Regional Coordinating Committees, thus allowing wider participation, especially from developing countries.

68. The Committee noted that, subject to availability of funds, FAO and WHO would be ready to assist with these seminars, but indicated that assistance from Members would be required in terms of financial resources and expertise. In this regard, it was noted that countries expertise would be particularly important in the conduct of these seminars. It also observed that the Joint FAO/WHO Secretariat of the Second Global Forum of Food Safety Regulators was seeking papers to be submitted on the following themes: “Strengthening Official Food Control Services”, and “Epidemiological Surveillance of Foodborne Diseases and Food Safety Rapid Alert Systems” and both could be related to traceability/product tracing systems.

69. The Committee acknowledged that, although there was a broad understanding of the concept of traceability/product tracing, it was still confronted by the lack of a definition and clarity with regard to the scope and coverage of traceability/product tracing within the context of Codex. Some delegations expressed concerns as to the cost of implementing such systems especially for developing countries, while others emphasized the cost that might arise from not having a traceability/product tracing system in place.

70. The Committee agreed that existing CCFICS texts did not need to be re-opened with regard to traceability/product tracing.

71. Different opinions were expressed on the development of principles and/or guidelines and whether the principles should be a stand-alone document or serve for the further development of guidelines. Most delegations were in favour of CCFICS moving towards the development of principles for the application of traceability/product tracing systems, however they recognized the need for a clear understanding of the implications including costs. Other delegations were of the opinion that further work should be deferred pending the conclusion of the work on the definition in the Codex Committee on General Principles. It was noted that an initial discussion on principles had already taken place in the Regional Coordinating Committees that could be used as a starting point to progress work on this matter.

72. Therefore, the Committee agreed to continue its discussion on traceability/product tracing in the context of food inspection and certification systems at its next meeting. It was agreed that the Australian Secretariat would prepare a document containing a preliminary set of “principles on traceability/product tracing”, based on the discussion that has occurred over the past two years in the Regional Coordinating Committees, and this document would be circulated for comment through a Circular Letter to all Member countries and international organizations with observer status in Codex.

73. It was proposed that the above document could be used as a tool for information exchange and discussion at the proposed seminars as appropriate.

74. Furthermore, the Committee agreed that the Australian Secretariat would prepare a discussion paper, based on the above document, together with the comments received, the outputs and recommendations from seminars and workshops (as appropriate), discussions in the Codex Committee on General Principles and other relevant Codex Committees and Regional Coordinating Committees, and other relevant documents, for circulation and discussion at its next meeting.



**DISCUSSION PAPER ON THE JUDGEMENT OF EQUIVALENCE OF TECHNICAL REGULATIONS ASSOCIATED WITH FOOD INSPECTION AND CERTIFICATION SYSTEMS (Agenda Item 5)<sup>10</sup>**

75. The 10<sup>th</sup> Session of the Codex Committee on Food Import and Export Inspection and Certification Systems decided to defer the consideration of the *proposed draft Guidelines on the Judgement of Equivalence of Technical Regulations Associated with Food Inspection and Certification Systems* and to prepare a discussion paper to assist the Committee in assessing the need to continue to develop guidance in this area. The Committee decided that a drafting group led by Australia would prepare a discussion paper on the basis of the current text, the written comments submitted, and potential examples of problems in trade that were or could be solved through the application of equivalence and mutual recognition agreements. The Committee also decided to seek clarification from the WTO/TBT Committee, through the Codex Secretariat, on the operation of the TBT Agreement in relation to equivalence and mutual recognition agreements.<sup>11</sup>

76. The Delegation of Australia introduced the discussion paper highlighting that the document dealt separately with technical regulations, conformity assessment procedures and mutual recognition. It was noted that trade problems due to the application of technical regulations had been identified in Annexes 3 and 4 of the discussion paper. The Committee noted that the discussion paper might not attempt to analyse whether equivalence was or could have been applied as a mechanism to solve the trade problems identified. The paper also contained a summary of issues for discussion by the Committee in order to determine how to proceed further with this matter.

77. The Observer from the WTO/TBT Committee informed the Committee on the latest developments in relation to equivalence and mutual recognition agreements for the acceptance of conformity assessment results that had taken place at regular meetings of the WTO/TBT Committee and at the 2<sup>nd</sup> and 3<sup>rd</sup> Triennial Review on the Operation and Implementation of the TBT Agreement. The Observer noted that WTO Members hold different views on these issues, which led to the conclusion that further discussion was needed with regard to the implementation of Articles 2.7, 6.1 and 6.3 of the TBT Agreement. To this aim, the WTO/TBT Committee agreed to initiate a process of exchanging information and experiences on matters surrounding equivalence, conformity assessment procedures and mutual recognition agreements, with particular regard to the practical aspects of their implementation. The Observer also noted that the full text of the discussion on these matters was contained in the report of the 3<sup>rd</sup> Triennial Review on the Operation and Implementation of the TBT Agreement<sup>12</sup>.

78. The Committee had an exchange of views on the need to develop guidance in this area. The Delegation of Norway stressed the need for further clarification of the links between technical regulations and conformity assessment procedures associated with food import and export certification systems. The Delegation also stressed the need for CCFICS to develop guidance on equivalence of conformity assessment procedures relevant to technical regulations, taking into account the work of other international standardization organizations like ISO. It proposed that the Committee could continue to investigate this issue in parallel with the ongoing discussion in the WTO/TBT Committee.

79. Other delegations felt that the mandate of CCFICS dealt with the inspection and certification systems including the equivalence aspects of these systems, but not with the equivalence of technical regulations. Moreover, the need for CCFICS to engage in work on judgement of equivalence of technical regulations and conformity assessment systems was questioned as problems related to the implementation of equivalence in this area had not yet been identified. In addition, trade disputes or concerns invoking or relating to the TBT Agreement suggested that challenges resided more with the legitimacy of a TBT measure rather than with the determination of its equivalence with another country's measure, therefore further guidance by CCFICS on judgement of equivalence of technical regulations would not seem to alleviate such disputes or concerns.

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<sup>10</sup> CX/FICS 03/5 and comments submitted by Canada, Mexico, New Zealand, United States and European Community (CX/FICS 03/5-Add.1); Indonesia (CRD 2) and the Philippines (CRD 11).

<sup>11</sup> ALINORM 03/30A, paras. 40-45.

<sup>12</sup> G/TBT/13 paras. 12-14 and 38-40 (11 November 2003).

80. The Committee decided not to pursue work on the judgement of equivalence of technical regulations associated with food inspections and certification systems at the current time with the understanding that the Codex Alimentarius Commission or its Executive Committee would be informed accordingly. It also decided that it might come back on this issue at a future meeting in view of further developments on these matters. As a result of this decision, the Committee recommended to leave the reference to the “*development of guidelines on the judgement of equivalence for specific purposes such as equivalence of measures to ensure food hygiene or measures to ensure conformity with essential quality requirements*” in the draft Medium-Term Plan 2003-2007<sup>13</sup>.

## **OTHER BUSINESS AND FUTURE WORK (Agenda Item 6)<sup>14</sup>**

### **OTHER BUSINESS**

81. The Observer of the OECD informed the Committee of the activities on inspection and certification within the Organization for Economic Cooperation and Development.

### **FUTURE WORK**

82. The 11<sup>th</sup> Session of the Codex Committee on Food Import and Export Inspection and Certification Systems agreed that comments on suggested subjects for future work and the prioritization of such work would be requested by means of Circular Letter<sup>15</sup>.

83. The Committee agreed to reformat the proposals submitted along with the requests arising from the 26<sup>th</sup> Session of the Codex Alimentarius Commission (see para. 3 and 9) in a template that took account of the *Criteria for the Establishment of Work Priorities*<sup>16</sup> and the relevant discussion at the 19<sup>th</sup> Extraordinary Session of the Codex Committee on General Principles (Paris, November 2003). The Committee agreed that these proposals, as contained in CRD 13, would serve as a basis for the discussion under this Agenda Item.

84. The Committee noted a proposal to elaborate a prioritization framework, which would include the development of specific criteria for the assessment of proposals for new work by CCFICS. The prioritization framework would therefore take account of the anticipated work on the revision of the Criteria for the Establishment of Work Priorities in the Codex Committee on General Principles.

85. The Codex Secretariat noted that prioritization of work in Codex Committees should be made in accordance with the Criteria for the Establishment of Work Priorities as laid down in the Procedural Manual which were currently under revision in the Codex Committee on General Principles. In this regard, the Codex Secretariat drew the attention of the Committee to the decision of the 26<sup>th</sup> Session of the Codex Alimentarius Commission regarding “Improved Process for Standards Management” and “Review of the Rules and Procedures and Other Procedural Matters” by which the Commission decided to request the Codex Committee on General Principles to redraft the Criteria for the Establishment of Work Priorities to reflect the current priorities of the Commission in a manner that would provide explicit judgement tools for assessing work proposals against priorities<sup>17</sup>.

86. The Committee decided that, in view of the ongoing work on the revision of the Criteria for the Establishment of Work Priorities in the Codex Committee on General Principles, it would not be advisable at this time to develop work planning criteria specific to the activities of the Codex Committee on Food Import and Export Inspection and Certification Systems.

87. In response to a proposal by Thailand to carry out a survey on the implementation of CCFICS texts to ensure that the texts were implemented in accordance with CCFICS purposes, the Committee noted the voluntary nature of Codex standards and related texts, and that it was not within its mandate nor that of the Codex Alimentarius Commission to monitor their implementation by Member countries. The Committee also noted the concern of Thailand in the increased need of CCFICS guidelines to protect consumers’ health and ensure fair international trade practice.

<sup>13</sup> Activity 27, Objective 1 “Promoting Sound Regulatory Framework”.

<sup>14</sup> CL 2002/54-FICS, Part B.2 and CL 2003/17-FICS and comments submitted by Australia and the International Association of Consumer Food Organization (CX/FICS 03/6); the United States (CRD 1); OECD (CRD 4); the Philippines (CRD 12); and CRD 13 (Project Documents on Proposals for New Work).

<sup>15</sup> ALINORM 03/30A, para. 55.

<sup>16</sup> Codex Alimentarius Commission Procedural Manual, 13<sup>th</sup> Edition.

<sup>17</sup> ALINORM 03/41, paras. 163 and 182.

88. Following a general discussion on the opportunity to initiate work on the remaining proposals included in CRD 13<sup>18</sup>, the Committee agreed:

- a) To forward to the Codex Alimentarius Commission three new work items for approval as new work:
  - Proposed draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification (Drafting group led by United States with the assistance of Australia, Canada, China, France, India, Japan, New Zealand, Republic of Korea, Romania and South Africa);
  - Proposed draft Principles for Electronic Certification (Drafting group led by Australia with the assistance of Canada, France, Republic of Korea, India, Iran, Japan, Malaysia, New Zealand, Norway, South Africa, Sweden, Thailand and United States);
  - Proposed draft Guidelines for Risk-based Inspection of Imported Foods (Drafting group led by United States with the assistance of Australia, Austria, Canada, China, France, Indonesia, Iran, Ireland, Italy, Japan, New Zealand, Norway, Republic of Korea, South Africa and Switzerland).
- b) To prepare three discussion papers for the 13<sup>th</sup> Session of the Committee, as follows:
  - Discussion Paper on the Revision of the Guidelines for the Exchange of Information Between Countries on Rejections of Imported Foods (Drafting group led by India with the assistance of Australia, Indonesia, Malaysia, Thailand, the European Community and the Philippines);
  - Discussion Paper on the Revision of the Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates (Drafting group led by United States with the assistance of India, Iran, the European Community and the Philippines);
  - Discussion Paper on Clarification of the Reference “a reasonable interval” in the Guidelines for Food Import Control Systems (Drafting group led by Australia in consultation with Paraguay - subject to confirmation by Paraguay to the Australian Secretariat).
- c) To place the agenda item for the next CCFICS on the following order of priority:
  - i. Proposed draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification;
  - ii. Proposed draft Principles for Electronic Certification;
  - iii. Proposed draft Guidelines for Risk-based Inspection of Imported Foods.
  - iv. Discussion paper on Traceability/product tracing in the Context of Food Inspection and Certification Systems (see para 74);
  - v. Discussion Paper on the Revision of the Guidelines for the Exchange of Information Between Countries on Rejections of Imported Foods;
  - vi. Discussion Paper on the Revision of the Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates;
  - vii. Discussion Paper on Clarification of the Reference “a reasonable interval” in the Guidelines for Food Import Control Systems.

89. The Committee noted that work on electronic certification, risk-based inspection of imported foods and appendices to the *Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification* would be subject to approval as new work by the Codex Alimentarius Commission or its Executive Committee.

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<sup>18</sup> Available upon request at the Australian and Codex Secretariats (e-mail: [codex.contact@affa.gov.au](mailto:codex.contact@affa.gov.au) and [codex.@fao.org](mailto:codex.@fao.org) respectively).

90. The Committee also noted that the appendices would take account of the request of the 26<sup>th</sup> Session of the Codex Alimentarius Commission in relation to the need for more information to enable the implementation of the Guidelines (see paras. 3 and 9).

91. It further noted that the Discussion Paper on the revision of the *Guidelines for Generic Official Certificate Formats* would specifically involve revision of Section 5, para. 6 regarding the appropriate use of export certificate and would also envisage the preparation of a standard format for the presentation of the import requirements.

92. With regard to the Discussion Paper on Clarification of the Reference “a reasonable interval” in the *Guidelines for Food Import Control Systems*, the Observer of the WTO/SPS Committee indicated the relevant decision of the Doha WTO Ministerial 2001 “Implementation-Related Issues and Concerns”<sup>19</sup> as regards the reference in the SPS Agreement to “a reasonable interval”<sup>20</sup> which could assist the drafting group in its work.

93. The Committee agreed that all the documents for the Committee’s next session should be finalized by the end of July 2004 in order to allow for their translation and timely distribution for consideration at its 13<sup>th</sup> Session.

#### **DATE AND PLACE OF NEXT SESSION (Agenda Item 7)**

94. The Committee noted that its 13<sup>th</sup> Session was tentatively scheduled to be held from 6 – 10 December 2004 in Australia, subject to further discussions between the Codex and Australian Secretariats.

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<sup>19</sup> WT/MIN (01)17 (20 November 2001).

<sup>20</sup> Agreement on Sanitary and Phytosanitary Measures, Annex B, para. 2.

## SUMMARY STATUS OF WORK

<b>Subject Matter</b>	<b>Step</b>	<b>Action by:</b>	<b>Document Reference (ALINORM 03/16)</b>
Proposed Draft Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations	5/8	Governments 27 <sup>th</sup> CAC	para. 61 Appendix II
Proposed draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification	1/2/3	27 <sup>th</sup> CAC Drafting Group led by United States Comments 13 <sup>th</sup> CCFICS	paras. 88-90
Proposed draft Principles for Electronic Certification	1/2/3	27 <sup>th</sup> CAC Drafting Group led by Australia Comments 13 <sup>th</sup> CCFICS	paras. 88-89
Proposed draft Guidelines for Risk-based Inspection of Imported Foods	1/2/3	27 <sup>th</sup> CAC Drafting Group led by United States Comments 13 <sup>th</sup> CCFICS	paras. 88-89
Discussion paper on Traceability/Product Tracing in the Context of Food Inspection and Certification Systems	-	Australian Secretariat Comments 13 <sup>th</sup> CCFICS	paras. 72-74
Discussion Paper on the Revision of the Guidelines for the Exchange of Information Between Countries on Rejections of Imported Foods	-	Drafting Group led by India Comments 13 <sup>th</sup> CCFICS	para. 88
Discussion Paper on the Revision of the Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates	-	Drafting Group led by United States Comments 13 <sup>th</sup> CCFICS	paras. 88 and 91
Discussion Paper on Clarification of the Reference “a reasonable interval” in the Guidelines for Food Import Control Systems	-	Drafting Group led by Australia Comments 13 <sup>th</sup> CCFICS	paras. 88 and 92
Proposed draft Guidelines on the Judgement of Equivalence of Technical Regulations Associated with Food Inspection and Certification Systems	discontinued	27 <sup>th</sup> CAC	para. 80

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## PRINCIPLES AND GUIDELINES FOR THE EXCHANGE OF INFORMATION IN FOOD SAFETY EMERGENCY SITUATIONS

(Proposed draft revision of the Codex Guidelines for the Exchange of Information in Food Control Emergency Situations - CAC/GL 19-1995)

(advanced to Step 5/8)

### PREAMBLE

1. When a food safety emergency arises, in order to minimize potential adverse public health effects, it is essential to communicate the nature and extent of the food safety problem to all relevant parties as expeditiously as possible. This must be done in a manner that avoids unwarranted action against other foods from the same or other countries, which are not involved in the emergency situation. The global nature of food trade requires that this communication occur between nations at the appropriate government level.
2. This document provides guidance for use by national governments and regional economic integration organisations for the exchange of information in food safety emergency situations.

### SCOPE

3. These Principles and Guidelines apply to situations where the competent authorities in either the importing and/or exporting countries become aware of a food safety emergency situation, and communication of the information and risks surrounding the emergency situation must be undertaken.
4. The Principles and Guidelines apply to situations where the food safety hazard (e.g., a microbiological, chemical, radiological or physical agent) has been specifically identified. It may also apply to situations where the food safety hazard has not been identified, but relevant scientific information suggests a link between consumption of a food and the appearance of serious health effects.
5. The Principles and Guidelines apply to food safety emergencies associated with imported or exported food or food that may potentially be imported or exported. The Principles and Guidelines may also apply to such emergencies where feeding stuffs for food producing animals are implicated.<sup>1</sup>
6. The Principles and Guidelines do not apply to routine food rejections where importing country standards have not been met. These situations are covered in the *Guidelines for the Exchange of Information between Countries on Rejections of Imported Food* (CAC/GL 25-1997).

### DEFINITION

7. Food Safety Emergency: A situation whether accidental or intentional, that is identified, by a competent authority as constituting a serious and as yet uncontrolled foodborne risk to public health that requires urgent action.

### PRINCIPLES

8. In the event that a food safety emergency is identified, the following principles apply to the exchange of information:
  - a) Its nature and extent should, where possible, be clearly and completely described by the relevant competent authorities.
  - b) The exchange of information on food safety emergencies should be between official contact points designated by the competent authorities.
  - c) A country detecting a food safety emergency situation, whether it is an importing or an exporting country, should inform all known affected and potentially affected countries without delay.

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<sup>1</sup> Provisions for emergency situations affecting animal feed are included in the Draft Code of Practice for Good Animal Feeding: Section 4.3.1 “Special conditions applicable to emergency situations”



- d) All relevant information should be shared by competent authorities detecting a food safety emergency to enable all affected and potentially affected countries to make informed risk management and/or risk communication decisions.
- e) Competent authorities should also provide clear, relevant, factual and timely information to relevant stakeholders to the extent possible.
- f) Information flow should be transparent and continue during all phases of the food emergency situation to enable continuous evaluation and development of the emergency response.

#### **NATURE OF THE FOOD SAFETY EMERGENCY**

- 9. The nature of the food safety emergency including its scientific basis as it becomes available should be described in a clear, concise and accurate manner. Even in circumstances where the specific food safety hazard has not been precisely identified any clear and substantial association between the consumption of a food and the appearance of serious adverse public health effects should be provided by the competent authority in accordance with the principles outlined in paragraph 8.
- 10. In cases where the food safety hazard is associated with a specific food or foods, these foods should be identified in as much detail as is available to facilitate the identification and location of the affected foods. In other cases, where a food safety hazard affects many different categories of foods and potentially involves a large geographical area, all affected foods should be identified.

#### **DESIGNATED OFFICIAL CONTACT POINTS FOR INFORMATION EXCHANGE**

- 11. Each country should designate a primary official contact point for food safety emergency situations, which can act as the national focal point for information exchange in such situations. A list of the primary official contact points for the exchange of information in food safety emergency situations as mentioned in point 8.b is available and an update is distributed to governments on a periodic basis. It is the responsibility of all countries to ensure that they regularly provide updated information on their country primary official contact points to the World Health Organization (WHO) so that the list of contacts can be kept up-to-date. Although the primary official contact point is the first contact, it is understood that in a given food safety emergency national governments may wish to designate a specific contact point for that emergency.
- 12. The designated contact points for the competent authorities responsible for coordinating the response to the food safety emergency should be clearly identified. Necessary information includes the name of the competent authority and the contact details including name, address, phone numbers, facsimile numbers, and email addresses of the persons or offices that are responsible for managing the emergency situation and who can provide further details about the hazard, the foods concerned, actions taken and other relevant information. A website address should also be provided if this is used to provide up-to-date information.

#### **INFORMING ALL KNOWN AFFECTED AND POTENTIALLY AFFECTED COUNTRIES**

- 13. Given the global nature of food trade, the impact of a food safety emergency may be widespread. The competent authority of the country where the food safety emergency is identified should, to the best of its ability and in cooperation with other competent authorities, determine all potential recipient countries of the implicated food(s) and all countries from which the potentially contaminated food or its ingredients was imported. All relevant information in relation to the food safety emergency should be provided to the competent authorities of the countries thus identified.
- 14. Communication should be made by the most expedient means, as early as possible, and with verification of receipt by key parties. Communications by telephone, email, facsimile and if necessary regular mail should all be considered to achieve early communication and to ensure that the message is received by the competent authorities as quickly as possible.
- 15. It is recognised that the initial information provided may often be incomplete and it is therefore the responsibility of the country identifying the food emergency to ensure that the initial communication is supplemented by further notification(s), as and when more detailed information becomes available.

16. It is recognized that the nature and the extent of the information disclosure to each competent authority will be as determined to be permissible by the disclosing competent authority according to its national law.

### **INFORMATION TO BE EXCHANGED**

17. Competent authorities should exchange with all known affected and potentially affected countries the following information, as relevant upon identification of a food safety emergency.
  - a. The nature of the food safety emergency including the hazards and risks identified, the methodology used and assumptions made;
  - b. Detailed identification of the food or foods concerned including product markings, certificate information;
  - c. Affected and potentially affected populations group(s);
  - d. Shipping and related information, e.g. the name and contact information for the exporter, importer, consignee and shippers;
  - e. Action taken to reduce or eliminate the hazard;
  - f. Full details of the designated official contact point and the relevant competent authority.
18. The communication regarding the nature and extent of a food safety emergency should include relevant scientific substantiation and assessment of risk as they become available, including how international standards have been taken into account.
19. A standard format for the relevant information to be exchanged is recommended for use by both the importing and exporting countries. A model standard format for information exchange in food safety emergency situations is provided in the Annex. Where alternative formats are used, care should be taken to ensure that all the relevant information is included and is clearly presented.

### **ROLE OF COMPETENT AUTHORITY**

20. Upon identification of a food safety emergency, the competent authority identifying the emergency should promptly communicate with and consult the appropriate competent authority/ies of other affected or potentially affected country/ies. The competent authorities responsible for coordinating the response should update countries receiving the affected food of action taken, as appropriate. The accuracy and veracity of the scientific and other information regarding a food safety emergency should be verified to assist in taking risk assessment, risk management and risk communication decisions. Any misinformation should be promptly corrected by competent authorities.
21. It is also essential that all other relevant parties be kept informed, as appropriate, of the nature and status of the food safety emergency. Competent authorities should therefore provide clear, relevant, factual and timely information to their industry, consumers, other stakeholders and the media on the status of the food safety emergency.

### **INFORMATION FLOW**

22. Communications between exporting and importing countries should be transparent and continue through all phases of the emergency situation, from initial notification of the food safety problem including details of any relevant risk assessments that have been used through to notification of the resolution of the problem. This will enable countries to re-assess their risk assessment, risk management and risk communication strategies as the situation changes.

**OTHER CONSIDERATIONS FOR INFORMATION EXCHANGE****Level of food distribution**

23. In deciding on the appropriate communication measures to apply, the competent authorities should consider the quantity of food that is involved, the extent of its distribution and the level (e.g. wholesale, retail) at which it has been distributed. In some cases, the affected food may not yet have entered the importing country and communication will focus on the importers. However, in other cases the food will have entered and been distributed within the country or transhipped to other countries. The competent authority should take account of whether the food has been, or is likely to have been, distributed at the wholesale, retail or consumer level, and implement risk management and communication measures accordingly, including a notice of recall at one or more of these levels of food distribution.

**Re-export of food subject to an emergency situation.**

24. Food that is refused entry into a country, or in some cases food that is recalled after entry, should be dealt with in accordance with *Guidelines for the Exchange of Information between Countries on Rejection of Imported Food* (CAC/GL 25-1997) and taking into account the *Code of Ethics for International Trade in Foods* (CAC/RCP 20-1979, Rev. 1-1985)<sup>2</sup>.

**Food Safety Emergency Plan**

25. Importing and exporting countries should develop a food safety emergency plan that would indicate the procedures to be followed in the case of a food safety emergency<sup>3</sup>. The plan should contain specific provision relating to the exchange of information including keeping their public informed, as appropriate, of food safety emergency.

**Role of FAO and WHO**

26. Although the information exchange components of these guidelines are primarily intended for use between the competent authorities of the importing and exporting countries, copies or summaries of relevant information regarding the emergency should be provided to FAO, WHO or other international organizations on request. In these situations, the FAO and WHO may be able to offer technical advice and assistance to one or more of the affected countries or countries yet to be affected.

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<sup>2</sup> A revision of the Code was under development in the Codex Committee on General Principles at the time this text was developed.

<sup>3</sup> e.g. Guidelines for Strengthening National Food Control Systems (FAO/WHO); “Terrorist Threat to Food” (WHO).

## STANDARD FORMAT FOR INFORMATION EXCHANGE IN FOOD SAFETY EMERGENCY SITUATIONS

The following constitutes the information that should be exchanged between competent authorities of both exporting and importing countries involved in a food safety emergency. A food safety emergency is a situation whether accidental or intentional, that is identified by a competent authority, as constituting a serious and as yet uncontrolled foodborne risk to public health that requires urgent action.

### 1. Nature of the food safety emergency

The nature of the food safety hazard causing the food safety emergency should be described, and may include the following:

- biological/microbiological contamination (specify organism or toxin of concern);
- chemical contamination (e.g. pesticides, drugs, industrial chemicals, environmental contaminants);
- physical contamination (e.g. foreign bodies);
- radionuclide contamination (specify radionuclide(s) of concern);
- undeclared allergen (the allergen should be explicitly named);
- other identified hazards (e.g. inherent chemicals in foods or produced through processing, processing/packaging faults);
- unknown agent (specify serious adverse health effects associated with consumption of specified foods).

In each of the above cases the specific food safety hazard and its level or prevalence based on available information and, as appropriate, the sampling and methods of analysis used, and any assumptions made should be notified.

### 2. Identification of foods concerned

The foods concerned should be described completely. The following information should be provided if available, as appropriate to the product:

- description and quantity of product(s) including brand, the name(s) of the product listed on the label, grade, preservation method (e.g. chilled or frozen) and shelf life;
- type and size of package(s);
- lot identification, including lot code, dates of production and processing, and identification of premises where last packed or processed;
- other identification marks/stamps (e.g. bar codes, UPC codes);
- name and address of producer, manufacturer, packer, seller, exporter or importer as appropriate;
- pictorial image;
- export certificate(s) reference number(s), official name and mark.

An indication of the countries to which the product has been exported should also be provided, as soon as it is known, to enable countries to quickly identify whether they are likely to be affected, and to help locate the affected foods.

### 3. Affected or potentially affected population group(s)

Food safety emergency situations may predominantly affect certain segments of a population, e.g. children, pregnant women, immune compromised persons or the elderly. In such instances, this information should be communicated.

The nature and extent of any adverse health effects associated with a food safety emergency should be described, e.g. incubation period, severity, other epidemiological data.

#### **4. Shipping and Related Information**

Information on the following should be provided:

- Exporter name and contact information;
- Importer name and contact information;
- Container and shipping details, including port of origin and destination;
- Consignee(s) and shipper(s) and contact information.

#### **5. Action taken by exporting or importing country**

Information on action taken, such as:

- measures taken to identify and prevent the sale and export of the food;
- measures taken to recall food from markets including whether these recalls are voluntary or mandatory;
- measures taken to prevent further problems;
- measures taken to reduce the risk by appropriate physical treatment;
- methods of diagnosis and treatment of affected persons;
- measures taken regarding final disposition (e.g. destruction of the food).

#### **6. Details of the designated official contact point and of the relevant competent authority**

Full contact details including: the name of the competent authority, address, telephone, email address and facsimile numbers of persons or offices that can supply further information that may be sought by affected or potentially affected countries to assist in the management of the food safety emergency. A website address should be used where available to provide up-to-date information.