

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda item 4

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ORIGINAL LANGUAGE ONLY

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION
AND CERTIFICATION SYSTEMS**

Twenty-second Session

Melbourne, Australia 6-12 February 2016

**DRAFT PRINCIPLES AND GUIDELINES FOR THE EXCHANGE OF INFORMATION (INCLUDING
QUESTIONNAIRES) BETWEEN COUNTRIES TO SUPPORT FOOD IMPORT AND EXPORT**

(Comments at Step 3 Philippines, United States and Uruguay)

PHILIPPINES

General Comment:

We would like to commend the Working Group and Costa Rica for the progress made on the document that would further facilitate trade between countries.

Specific Comments:

We would like to submit our specific comments on the document:

Section 3 – Scope

In the Scope, it was mentioned that assessment will cover relevant component(s) of an exporting country's NFCS. We would like to request that this be consistently reflected in the document. In particular, limitation in scope should be included in Section 5 -Principles and in Section 6 - Process. This is to ensure that only the relevant and required information will be exchanged during the whole exercise. Such that other component(s) or element(s) of the NFCS will not become a ground for trade not to commence.

Section 5 - Principles

The principles and process should be able to answer four (4) questions that include: what, when, who and where to ensure consistency on the required information during exchange.

Section 6 – Process

Paragraph 12 and Para 13 provides for the responsibilities of the importing and exporting countries during the information exchange, we would like to recommend that the requirements be compared side by side in order to ensure consistency. In Paragraph 12(f), it was recommended that the exporting country should 'provide appropriate resources' in order to ensure the conclusion of the assessment process in a timely manner. This parameter is seen in the same element in Paragraph.13. We believe that both importing and exporting countries should allocate adequate resources during the information exchange exercise to guarantee timely conclusion.

Paragraph 13(b) "As far as practical, describe the relevant component(s) of the NFCS consistently with Codex guidance".

We would like to suggest that this idea be included also in the Section on Principles or in relevant paragraphs under the Section on Process. Furthermore, this requirement is only reflected in the requirement for exporting country and is not considered under the provisions of the importing country. Would showing that relevant component of the exporting country's NFCS consistent with Codex guidance

mean that the evaluation or assessment will be fast-tracked? Would this mean that there will be lesser request for submission of documents? If so, then a similar provision should be included on Paragraph. 12.

Section 7 – Information exchange content

Paragraph 14(d). We would like to suggest that the word ‘accreditation’ be included since government can officially accredit inspection and accreditation bodies to provide services on behalf of the official agencies (Paragraph 49, Section 8 of CAC/GL 26-1997: Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems). The revised text would read as:

“Maintenance of the independence and credibility of the competent authority responsible for certification **and/or accreditation.**”

UNITED STATES

The following are comments from the United States of America on the *Draft Principles and Guidelines for the Exchange of Information (including Questionnaires) Between Countries to Support Food Import and Export* (CX/FICS 16/22/3).

GENERAL COMMENTS

The United States appreciates the efforts of the electronic Working Group, led by New Zealand, Brazil, and Mexico, to develop the *Draft Principles and Guidelines for the Exchange of Information (including Questionnaires) Between Countries to Support Food Import and Export*. We believe the document is well developed, though there are a few remaining issues, highlighted by the questions raised in the discussion section. We are providing specific comments on the revised guidelines.

Specific Comments

Section 4 – Exchange of information and assessment

Paragraph 9 – Re-draft the paragraph to read: Information exchange **can be useful to manage** ~~is justified when~~ the risks posed **to food safety or fair practices in the food trade** by the specific food products or group of products ~~to food safety or fair practices in the food trade are such that~~. **The information should inform** an assessment of whether the relevant component(s) of the NFCS of the exporting country is appropriately managing the risks, **especially when such is required and the assurances are** ~~is~~ not able to be attained by other means.

Rationale: Editorial changes.

Paragraph 10 – last bullet, delete “Only” and start the bullet with **Involve**. The bullet would read:

- Involve the level of detailed information that is essential to gain the necessary assurances with regard to food safety and fair practices in food trade as opposed to routinely requiring detailed information on specific FBOs

Rationale: Editorial.

Section 5 – Principles

Paragraph 11 – 5th bullet-replace “extrapolated” with “**inferred**”. The bullet would read:

- Recognize existing experience, knowledge and confidence already gained or able to be inferred from assessments by other countries or international organizations.

Rationale: Editorial changes.

Paragraph 13 – Re-draft or delete the bullets in the paragraph to read:

The importing country should:

a) **Identify** ~~Clearly outline~~ the information required **to assess the programs and processes of the exporting country and its ability to manage the risks associated with the food products or group of products** ~~why it is required, and the process and methodology to be followed, including anticipated timelines.~~

- b) ~~On request make itself available to discuss what~~ **Take into account** information ~~may already be available from~~ previous exchanges, publications or existing knowledge, confidence or experience and what further information may be necessary from the exporting country to fill information gaps.
- c) ~~Provide in writing a clear description, with appropriate references,~~ the objectives, core elements and key operational performance characteristics of the relevant component(s) of its own NFCS ~~which that~~ will form the basis for any assessment.
- d) ~~As far as practical, and especially where consistent with the relevant Codex guidance, allow exporting countries to describe the relevant component(s) of the NFCS that is in place in their country and how it meets the objectives and outcomes required by the importing country.~~
- e) Focus ~~its~~ information exchange requests and assessments on whether the relevant component(s) of the exporting country's NFCS achieve(s) the objectives and outcomes as required and achieved by the importing country's system, ~~avoiding the application of standards in excess of that within the importing country.~~
- f) Provide appropriate resources ~~to and interactively engage in a timely manner~~ with the exporting country where additional information or clarity is needed ~~so as to ensure any assessment process can be concluded in a timely manner.~~
- g) Establish a deadline for review of responses and for feedback to the exporting country.
- h) Focus ~~any~~ requests for **updated** information ~~for the purpose of updating assessments relating to existing trade on only those~~ to importing country requirements or the relevant component(s) of the exporting country's NFCS which have changed.

Rationale: Editorial to consolidate and remove duplication.

URUGUAY

(i) OBSERVACIONES GENERALES

Uruguay agradece al grupo de trabajo electrónico, presidido por Nueva Zelandia, Brasil y México, la confección de este documento preliminar. El mismo brinda una guía útil para el intercambio de información entre países con el fin de respaldar la importación y exportación de alimentos. Uruguay apoya el avance de este documento en los siguientes pasos del Codex y agradece la oportunidad de poder presentar las siguientes observaciones.

(ii) OBSERVACIONES ESPECÍFICAS

Sección 5 - Principios

Párrafo 11.

- c) Agregar a la oración la palabra “e” y suprimir “, en”. Entonces la oración propuesta diría: “deberían estar en el idioma del país importador, ~~en e~~ inglés, o en un tercer idioma, establecido de común acuerdo;”

Fundamento: Consideramos que esta aclaración es necesaria ya que se debería incluir el idioma inglés además de la lengua oficial del país importador para un mejor entendimiento de las partes involucradas.

Sección 6 - Procedimientos

Párrafo 13

- c) Comentarios específicos: Este punto hace referencia a la información que surge de la aplicación de un documento que está actualmente en trámite 3 en el Doc CX/FICS 16/22/4 “Anteproyecto de orientaciones para la verificación del rendimiento de los Sistemas Nacionales de Control de los Alimentos”, el cual aún no está definido. A su vez, el uso de la información que emana de la aplicación del documento no se alinea a lo expresado en el Doc CX/FICS 16/22/4, Apéndice 1, SECCIÓN 1, Párrafo 4. En dicho párrafo se expresa “la orientación tiene como objetivo respaldar la autoevaluación del SNCA de un país y no el objetivo de utilizarse como base para comparar sistemas o imponer obstáculos al comercio”.