

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda Items 4

CRD23

Original language only

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

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

#### Twenty-Sixth Session

#### Comments of India

#### **Proposed draft guidelines on recognition and maintenance of equivalence of National Food Control Systems (NFCS)**

**General Comments:** India appreciate the work done by the eWG chaired by New Zealand and Co-chaired by USA and Kenya. The Phrase "NFCS in whole or the relevant part" should be uniformly used throughout the document rather than using different phrases like "importing country's NFCS", "exporting country's NFCS", "NFCS or the relevant part", "the whole or the relevant part of the NFCS".

#### 5.1 STEP 1: INITIAL DISCUSSIONS, SCOPE AND DECISION TO COMMENCE (Para 9 sixth bullet point)

**Comment:** - Para 9 and Paragraph 17 has a reference to "other recognized relevant international standard setting bodies" which is very general term and does not specify from whom such ISSBs need to be recognized. It is not clear whether we are talking about three sisters in SPS Agreement or all other ISSBs.

#### 5.6 STEP 6: DECISION PROCESS (Para 33 third bullet point)

**Comment:** - It provides for introduction of measures by importing country in excess of what is being applied within importing country if there is a justification.

Guidance should be included on possible situations when such additional measures are justified. E.g. If there is an endemic/epidemic in exporting country; food safety issue/scandal in exporting country at the time of export etc. If possible situations for additional measures are not included in the guidelines, this provision can be a route to creation of non-tariff barriers.

#### 5.7. STEP 7: FORMALIZATION AND MAINTENANCE OF THE RECOGNITION (Para 36-39)

**Comment:** - FORMALIZATION AND MAINTENANCE OF THE RECOGNITION are silent about the positive changes in the conditions of the trade and efficient & effective use of resources which would be resulted through this recognition process and how these benefits would be realized. The intent of second half of paragraph 1 of Preamble needs to be captured and adequately reflected in Step 7, i.e:

**"The recognition of equivalence, where it occurs, should result in positive changes to the conditions of trade, and facilitate the more efficient and effective use of resources in the importing and exporting countries (for example: recognition of lists of eligible export establishments; alternative processing and inspection procedures; or a reduced intensity and frequency of routine port of entry inspection".**