

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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ORGANIZATION



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Agenda Item 8

CX/FICS 07/16/8

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

Sixteenth Session

Surfer's Paradise, Queensland, Australia, 26-30 November, 2007

Discussion paper on the Consistency of the draft

Model Export Certificate for Milk and Milk Products with CAC/GL 38-2001

(Prepared by the Australian Secretariat)

BACKGROUND

1. At its 15th Session CCFICS¹, in response to a request from the 7th Session of the Codex Committee on Milk and Milk Products (CCMMP) to comment on the consistency of the *Proposed Draft Model Export Certificate for Milk and Milk Products with the Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates (CAC/GL 38-2001)*, the Committee agreed that, since it was currently considering a revision to the CAC/GL 38-2001, the Australian Secretariat to the CCFICS should prepare a working document for its next session, taking into account the comments contained in CRD 9 and CRD 10 and the results of the revision to CAC/GL 38-2001.
2. CRD 9 contained comments from the European Community and its Member States (ECMS). The ECMS recommended a number of amendments to the *Proposed Draft Model Export Certificate for Milk and Milk Products* that ranged from aligning the definitions with those in the *Codex Guidelines for Generic Official Certificate Formats*, aligning the language with that used in the Codex Guidelines (CAC/GL 38-2001), to changes that provided information additional to that in the Codex Guidelines.
3. CRD10 included OIE comments on the *Proposed Draft Model Export Certificate for Milk and Milk Products*. The OIE supported this document which referred to the Terrestrial Animal Health Code for certification on animal health issues and recommended that this reference be retained.
4. The Proposed Draft Revision to the *Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates (CAC/GL 38-2001)* was adopted at Step 5/8 by the Codex Alimentarius Commission², renamed *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates*, amended to avoid translation issues with the term "trade sample" in paragraph 18 and for clarification in paragraph 34.

¹ ALINORM 04/27/30, para 7.

² Alinorm 07/30/REP

RECOMMENDATION

5. The *Proposed Draft Model Export Certificate for Milk and Milk Products* is generally well aligned with the *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates*. However, the Committee is invited to consider recommending to the eighth session of the Codex Committee on Milk and Milk Products (CCMMP) that it considers several amendments to improve the alignment of the *Proposed Draft Model Export Certificate for Milk and Milk Products* with the *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates*. Further the Committee should consider referring the remaining changes proposed by the European Community contained in CRD 9 to the eighth session of the Codex Committee on Milk and Milk Products for its consideration as in the Australian Secretariat's view they represent changes that may have the potential to impact on trade.

Proposed Amendments to *Proposed Draft Model Export Certificate for Milk and Milk Products*

Section GENERAL REMARKS CONCERNING THE PRODUCTION AND ISSUANCE OF CERTIFICATES

6. To better align paragraph 12 with paragraph 22 of the *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates* either replace the existing text with or add the following at the end of the existing paragraph 12:

Certificates should be in a language or languages fully understood by the certifying officer in the exporting country, in transit countries where appropriate, by the receiving authority in the importing country or those countries in which the inspection of food takes place. Where required the certificate can be accompanied by official translations.

References to *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates*

7. Amend all references to the title of the Guidelines (*Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38-2001)) to reflect the new title of the Guidelines (*Guidelines for Design, Production, Issuance and Use of Generic Official Certificates*).

Section DEFINITION

8. For consistency between the two texts the definitions section should be aligned with Section 3 – Definitions of the *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates*, in particular the definitions of Certifying bodies, Certifying officers and Official certificates, and inclusion of a definition for Consignment, .

Section USE OF MODEL EXPORT CERTIFICATES FOR MILK AND MILK PRODUCTS

9. In paragraph 14, modify the current text as follows:

Page numbering should be used where the certificate occupies more than one sheet of paper. Add a new sentence which reads “For multiple page certificates the certifying officer should ensure that it is clear that the pages constitute a single certificate including official translation(s) when appropriate (e.g., each page is numbered with the same unique certificate number certificate number so as to indicate it is a particular page in a finite sequence).”

10. Add wording (underlined) to the paragraph which aims to minimise the use of fraudulent certificates

Security seal number(s), official stamp (official identifier of the competent authority) and signature should be applied in a manner that minimises the risk of fraud.

Section I. DETAILS IDENTIFYING MILK AND MILK PRODUCTS

11. Replace “Number of units ...” with “**Quantity, in the appropriate units**”:

Quantity, in the appropriate units, refers to the number of packages such as cartons, boxes, bags, barrels, pallets etc.

12. Replace the paragraph **Lot identification/Date code** with the following paragraph

Identification A description of the commodity and consignment to which the certificate uniquely relates, e.g., lot identifier or date coding, facilitating the traceability/product tracing of the product in the event of public health investigations and/or recalls.

13. Include references to storage establishments as well as manufacturing establishments.

Manufacturing (or factory) and/or storage establishment approval/identity No Number assigned by the competent authority to the manufacturing (or factory) and/or storage establishment where the milk was produced and/or stored. In case the consignment encompasses products from several manufacturing establishments or factories the approval number of each manufacturing establishment (or factory) should be mentioned.

Section II. PROVENANCE OF MILK AND MILK PRODUCTS

14. Modify as follows:

Country of Dispatch For the purposes of the Model Export Certificate for Milk and Milk Products, the country of dispatch designates the name of the country of the competent authority which has the competence to verify and certify the conformity to the attestations. A part of the country may be mentioned where this relates to specific attestations.

MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS

15. For consistency with the main document the following amendments should be made to the model certificate

- Replace “Lot(s)” with “Identification”
- Replace “Manufacturing Establishment ...” with “Manufacturing (or factory) and/or storage establishment approval/identity No.”
- Replace “Name and Address of Manufacturer” with “name and address of Manufacturing (or factory) and/or storage establishment”.