JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

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USE OF ICT TOOLS IN REGULATORY FRAMEWORKS

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Introduction

1.   At its 20th Session in 2013, the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS20) recognised that emerging global challenges were impacting approaches and technologies relating to food safety controls and these trends were likely to continue.

2.   The COVID-19 pandemic has accelerated the development and utilisation of alternative verification measures (for example, remote inspection, audit and assurance) in the food supply chain. Information and communication technologies (ICT) are essential tools for both the current implementation and future evolution of these alternative verification measures.

3.   There has been discussions about the use of ICT amongst various stakeholders as both competent authorities and food business operators have adjusted to maintaining operations during the pandemic.

4.   While the use of alternative verification measures has been crucial in supporting the continuity of the food supply chain during the pandemic, these measures are likely to continue to be relevant to regulators and food businesses in the post-pandemic world.

5.   It is well accepted that countries should take a risk and performance-based approach in determining how they regulate their domestic food businesses. Resources are targeted to those higher risk operations and parts of operations so as to ensure the most effective and efficient allocation of resources, whilst also minimising impacts to trade.

6.   Globally, food regulators have also needed to utilise the same principles and processes for application to their export verification procedures. There are also examples of importing countries utilising alternative verification as part of their border inspection procedures. For example, getting port workers to live-stream videos so that that the relevant government officials can remotely conduct remote visual identity, label compliance or virtual inspections.

7.   Some countries have also started looking at the use of alternative verification measures so as to be able to continue to verify, where justified, aspects of the National Food Control Systems of their trading partners (exports and imports).

8.   Examples include the following:

- Domestic application has seen some government authorities incorporating the use of remote verification in their audits of food processing facilities within their jurisdictions. Similar approaches have also been used for some growers and packhouses where travel restrictions may prevent a physical onsite audit. Use of remote audit and inspection has also been adopted by industry during the pandemic where movement restrictions were in force.

- Internationally, some governments are commencing use of technology for virtual audit or inspection activities of exporting countries. Live streaming inspections were facilitated in numerous countries to facilitate foreign government audits.

- A blended approach has been used for some food facilities where a desk audit has been supported by remote interviews of facility staff and then further supported by provision of photographs or recorded footage of relevant areas/processes.

- At country borders, there is also consideration of greater use of technology to facilitate allocation of official resources in clearance of consignments.

9. While there are some commonalities there are also some important considerations with the use of alternative verification procedures (such as use for domestic versus international contexts).

10. We are aware of the increased use of a variety of alternative verification activities including remote audit and inspection and/or desk top assessment of documents pending onsite audit.

11. Some of the considerations associated with the use of alternative verification procedures include:

- The ICT technical learnings were that facilities would in general need to improve their wifi connectivity across their food facilities to enable live streaming.

- Intellectual Property (IP) and staff privacy concerns. These could result in limited exchange of data between two countries during internal food control system audits, thereby limiting the overall scope.

- Communication issues, especially where different languages are used.

- Ensuring all auditors sufficiently understand the broader National Food Control System (NFCS) context in the exporting country.

- Need for an agreed scope or interpretation of standards, especially with respect to how a required outcome may be achieved.

- Getting the balance right between the exporting country providing an appropriate overview of its NFCS controls, followed by the importing country reviewing a selection of national and establishment records, coupled with a selection of video enabled visual reality checks where needed.

- Resources available to food facilities and competent authorities will be impacted as technology evolves over time. While improvements to technology will help resolve issues with ICT and connectivity, both parties will need to assess impact on other resources (e.g. human resources) needed to support the use of alternative verification activities.

- Potential need of agreement on principles for use of alternative verification measures to facilitate international trade in food.

12. Some of these considerations are not unique to alternative verification and Codex already has some guidance and principles that partially cover some of these aspects.

13. While there are some challenges, the increased use of alternative verification by industry and government offers some real advantages. This is not just restricted to the safety of individuals during the current pandemic, but also extends to potential efficiencies associated with officials/individuals not needing to travel internationally and the chance for CCFICS to redirect the focus of in-country audits back onto the credibility and performance of national assurance systems.

14. Accordingly, members would benefit from reviewing some of the existing guidance to ensure it appropriately incorporates the potential use of alternative verification, as well as looking at the development of some additional guidance to specifically address some of the associated unique considerations. In the current environment there is some urgency for some improved international guidance in this area so as to best ensure a more uniform and coherent uptake, consistent with emerging best international practice.

Would international guidance be timely?

15. Given experiences to date, there are both opportunities and challenges with the use of ICT enabled alternative verification measures. It would be of interest to Australia if other countries share these same interests and would support further discussion to consider and identify best practice approaches for how alternative verification may be adopted and where it could be used to facilitate international trade.

16. There is a range of guidance material developed by CCFICS that could arguably be adapted to the greater use of alternative verification as part of a modern regulatory framework within the NFCS, such as use of remote verification processes. There are also potential gaps within the existing Codex guidance that may benefit from the development of more specific guidance on the application of remote verification processes.

Recommendation

The Committee agree to the establishment of an electronic working group (eWG) to develop a discussion paper on the use of ICT tools for alternative verification as part of modern regulatory frameworks with the possibility of also developing a new project proposal for presentation at CCFICS 26.