



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

Twenty-Fifth Session

DRAFT PRINCIPLES AND GUIDELINES FOR THE ASSESSMENT AND USE OF VOLUNTARY THIRD-PARTY ASSURANCE (vTPA) PROGRAMMES (UPDATED TEXT)

(Comments in reply to CL 2020/26/OCS-FICS)

Comments of Australia, Brazil, Canada, Colombia, Denmark, European Union, Japan, Mexico, Nicaragua, New Zealand, Norway, Thailand, United States of America, FAO, and Consumer Goods Forum

Background

1. This document compiles comments received through the Codex Online Commenting System (OCS) in response to CL 2020/26/OCS-FICS issued in February 2020 with a deadline for submission of comments of 1 May 2020.

Explanatory notes

2. The comments submitted through the OCS are hereby attached as **Annex I** and are presented in table format.

3. As a result of the rescheduling of the CCFICS25 session from 27 April-1 May 2020 to 22-26 March 2021, the timelines for the EWG on vTPA were adjusted. The EWG is continuing its work including addressing the attached comments.

ANNEX I

DRAFT PRINCIPLES AND GUIDELINES FOR THE ASSESSMENT AND USE OF VTPA PROGRAMMES
(Updated Text)
(Reply to CL 2020/26/OCS-FICS)

TEXT AND PROPOSED CHANGE	NAME OF MEMBER/OBSERVER AND COMMENT
Denmark would like to thank the United Kingdom, Canada and Mexico for the leading of this EWG. Denmark has reviewed the document and have no comments to the Draft Principles and guidelines for the Assessment and Use of Voluntary Third-Party Assurance (vTPA) Programmes (CX/FICS 20/25/4).	Denmark
We would like to thank the UK with their co chairs Canada and Mexico for the draft version at step 7. We have gone through the amendments and can support the draft text as it currently stands. We have no further specific comments.	Norway
Canada supports the Draft Principles and Guidelines for the Assessment and Use of Voluntary Third Party Assurance Programmes. Canada is pleased to provide a few additional comments on the output of the electronic working group, in addition to the comments that we submitted in response to CL 2019/93/OCS-FICS (Request for Comments at Step 6 on the Draft Principles and Guidelines for the assessment and use of voluntary Third-Party Assurance (vTPA) programmes).	Canada
<p>The Global Food Safety Initiative (GFSI) is pleased to submit these comments in response to CX/FICS 20/25/4 concerning the Draft Principles and Guidelines for the Assessment and Use of Voluntary Third- Party Assurance Programmes (for adoption at step 8) which was agenda item 4 at the April 2020 CCFICS meeting.</p> <p>GFSI an international nongovernmental organization established in 2000, hosted by the CGF a consumer goods CEO led organization for better life through better businesses, with a mission of “Safe Food for Consumers Everywhere” which is achieved through our strategic objectives including benchmarking & harmonization, capability building and public private partnerships. GFSI is a global benchmarking organization that sets, through a collaborative approach between the world’s largest food and beverage manufacturers, retailers and food services, primary producers, e-commerce online retailers, criteria for food safety management systems that food business operators must demonstrate to achieve a third-party audit against one of the 11 certification programmes owners recognized by GFSI.</p> <p>GFSI wishes to comment the Codex Committee On Food Import And Export Inspection And Certification Systems (CCFICS) for this initiative in the consideration of voluntary third-party assurance (vTPA) as an input to resource planning by the competent authorities. GFSI welcomes the opportunity to comment this new version of the document. As the plan was to discuss the current version of the document during physical working group meeting prior to the plenary meeting of CCFICS in April 2020, GFSI will be happy to work further with the electronic working group and will wait for further</p>	Consumer Goods Forum

information from CODEX on the modalities and way forward for this work. Indeed, GFSI has read carefully the proposed draft and would like to highlight that this new version triggers the need of a significant amount of further alignment and improvement. As the opportunity to discuss the comments and revise the document further in person in Australia is unfortunately not feasible, eWG may explore the possibility of discussion in physical working group to bring in the alignment and to move work forward. It is our aim to collaborate and work with the competent authorities to facilitate this process. It is with this view, that we hope you will consider our recommendations outlined in the below annex and look forward to opening dialogue on this and other equally important future topics.

We would like to thank the members and the chairs for their collaboration and efforts into preparing a guideline which benefits the competent authorities and the food industry. We have been diligent supporters of this initiative from the beginning and have worked to inform and advocate on the principles contained in the document. As such, we would like to reiterate our core principles on the document:

1. The primary role of food business operators

As an official observer, GFSI has been working through CCFICS with the vTPA working group for the past 3 years, attending each in-person meeting and commenting each versions of the document. GFSI has had opportunities to present its organization and its work at various stage of the work. At each step of the work, GFSI has emphasized the role of Food business operators (FBOs) who are the key stakeholder of this work and of food safety because they are the operator in the supply chain to be responsible and accountable to competent authorities to produce safe food. GFSI thinks the document does not reflect appropriately the key role of FBOs in the vTPA process and note with great disappointment a lack of overall recognition of their role at the heart of the vTPA ecosystem throughout the document.

2. Ownership and responsibilities

FBOs own any and all data resulting from the voluntary certification process and must explicitly agree that their data, under the control of a certification programme owner, can be shared. Certification bodies are not a party to this agreement.

3. Data

a. Confidentiality of data: Data shared shall always comply with freedom of information, contractual information, confidentiality agreement and national regulation on privacy of data.

b. GFSI thinks that the level of information of an audit report is not the appropriate level of data to be shared in the context of this work and that aggregated data for a sector, not individual FBO data, is the most relevant level of information. The level of information in an audit report would be a massive pool of information to analyze that would make the competent authority liable in case of non conformities if those were not recognized by the competent authorities in case of a

<p>food safety incident. The aggregated data may be provided, where available, only under agreement between the competent authority and the food business operator. Aggregated data will not identify individual food business operators but is expected to provide sector-specific insight that may be useful to the competent authorities.</p> <p>The level of information that should be the information included in a accredited third party certification programme certificate:</p> <ul style="list-style-type: none"> - whether a site is GFSI certified or not, including the scope of certification, the certification programme, the grade if applicable, the date of audit, the dates of issue and expiration of the certification, the Certification Body, the Accreditation Body. - context of the status of the certification (suspensions, withdrawn or change of CPO or any other kind of information related to the status of a certificate from a GFSI recognized CPOs). <p>4. Fairness of and freedom of use and lack of transparency</p>	
<p>General Comment: New Zealand continues to support the progress of the Draft Principles and Guidelines for the Assessment and use of Voluntary Third-party Assurance (vTPA) programmes. The paper has been reviewed and revised through several rounds by electronic and physical working groups and previous meetings of CCFICS. It is our view that the paper has a high degree of consensus support from across the CCFICS membership and we acknowledge the work of the United Kingdom as chair of the EWG supported by Canada and Mexico to achieve this and that are presented in CX/FICS 20/25/4. Given the cancellation of CCFICS 25 and the intended physical working group that was to consider comments received at step 6, New Zealand offers a small number of suggestions below.</p> <p>Following consideration of these and other step 6 comments, and on the understanding that the Scope of the guidance remains the same, that is the guidelines apply only within national boundaries and do not obligate competent authorities to use such programmes as a requirement for imports, New Zealand can support the recommendation that these draft guidelines are adopted at step 8 by the next meeting of the Codex Commission.</p>	<p>New Zealand</p>
<p>FAO would like to thank the Chair and co chairs for the very clear compilation and analysis of comments and suggestions from member countries regarding square bracketed text. FAO supports the co-chairs conclusions and proposals for amending square bracketed text.</p>	<p>FAO-AGFF</p>
<p>The European Union and its Member States (EUMS) would like to thank the United Kingdom, Canada and Mexico for leading the electronic working group on voluntary third-party assurance (vTPA) programmes. The EUMS appreciate the comprehensive and transparent manner in which the comments of the EWG members were considered.</p> <p>The EUMS support the draft principles and guidelines as presented in Appendix 1 of CX/FICS 20/25/4 without further comments. They will provide useful guidance for</p>	<p>European Union Mixed Competence European Union Vote</p>

<p>competent authorities for the assessment of vTPA programmes when competent authorities choose to establish an arrangement with a vTPA programme owner to use the data generated by the vTPA programme to support official controls</p>	
<p>Australia is supportive of this work and is considering the use of third party assurance schemes to better inform Australia's National Food Control System.</p> <p>While Australia considers it very important to have up-to-date and easy access to the FBOs that are certified to a vTPA standard and to be informed of any critical food safety concerns that arise with these FBOs, there are also concerns from industry that there is agreement between FBOs and the vTPA owner on what information will be shared and under what circumstances.</p> <p>Specific comments have been provided in the document</p>	<p>Australia</p>
<p>DRAFT PRINCIPLES AND GUIDELINES FOR THE ASSESSMENT AND USE OF VOLUNTARY THIRD-PARTY ASSURANCE (Updated text)</p>	
<p>A: PREAMBLE</p>	
<p>1. Food business operators (FBOs) have the primary role and responsibility for managing the foodsafety of their products<u>food</u> and for complying with regulatory requirements relating to their <u>those</u> foods under their control. Competent Authorities require FBOs to demonstrate that they have effective controls and procedures in place to protect the health of consumers and ensure fair practices in the food trade. Many FBOs use quality assurance systems, including voluntary third-party assurance (vTPA) programmes to reduce the supply chain risks <u>to the health of consumers</u> and confirm food safety outcomes.</p>	<p>Nicaragua</p>
<p>2. The Codex Principles and Guidelines for National Food Control Systems (NFCS) (CAC/GL 82-2013)¹ foresee competent authorities taking into account quality assurance systems in their national food control system. Competent authorities may choose to do this by establishing an arrangement with a vTPA programme owner to use the information/data generated by vTPA programme to support their regulatory controls. In any case, they should satisfy themselves that any information/data they intend to use is both reliable and fit for purpose.</p>	<p>Japan to be consist with the definition "vTPA owner".</p>
<p>3. These guidelines are intended to assist competent authorities in their consideration of vTPA programmes. They provide a framework and criteria for assessing the integrity and credibility of the governance structures and the reliability of information/data generated by such programmes to support NFCS objectives. When carrying out such an assessment, competent authorities should be guided by their intended use of the vTPA programme information and should only apply assessment criteria that are relevant to that purpose.</p>	<p>Australia Comment: Suggest these guidelines acknowledge that competent authorities may wish to recognise vTPAs that have been recognised by an international organisation that benchmarks food safety standards, for example, the Global Food Safety Initiative. Rationale: While we support competent authorities having the option to assess vTPAs independently, it should also be acknowledged that this is another option.</p>
<p>4. Reliable vTPA information/data may be used in general to better risk-profile sectors, and in some circumstances individual FBOs. This may lead to smarter data-driven prioritisation of official resources, while FBOs participating in robust vTPA</p>	<p>Australia Comment: In the first sentence, 'circumstances' should be more specifically defined.</p>

<p>programmes may benefit through an appropriate risk-based reduction in the frequency/intensity of regulatory controls e.g. inspection, sampling. Conversely, poorly performing FBOs, or sectors, may be subject to increased official regulatory controls based on trends identified through the information/data shared by the vTPA owner.</p>	<p>Rationale: Unclear what circumstances are intended for individual FBOs.</p>
<p>4. Reliable vTPA information/data may be used in general to better risk-profile sectors, and in some circumstances individual FBOs. This may lead to smarter data-driven prioritisation of official resources, while FBOs participating in robust vTPA programmes may benefit through an appropriate risk-based reduction in the frequency/intensity of regulatory controls e.g. inspection, sampling. Conversely, poorly performing FBOs, or sectors, may be subject to increased official regulatory controls based on trends identified through the information/data shared by the vTPA owner.</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comment: Circumstances should be more specifically defined.</p>
<p>4. Reliable vTPA data/information may be used to draw <u>create</u> a better risk profile of sectors and, in some circumstances individual FBOs. This may lead to smarter <u>more appropriate</u> data-driven prioritisation of official resources, while FBOs participating in robust vTPA programmes may benefit through an appropriate risk-based reduction in the frequency/intensity of regulatory controls e.g. inspection, sampling. Conversely, poorly performing FBOs, or sectors, may be subject to increased official regulatory controls based on trends identified through the information/data shared by the vTPA owner.</p>	<p>Nicaragua</p>
<p>B: SCOPE</p>	
<p>5. These guidelines are intended to assist <u>guide</u> competent authorities within their national boundaries in an effective assessment <u>process</u> and transparent use of reliable vTPA information/data in support of their NFCS objectives.</p>	<p>Nicaragua</p>
<p>7. These guidelines do not oblige competent authorities to use vTPA programme outcomes nor do they mandate that FBOs use the information/data from these programmes, i.e. emphasising that the decision to use vTPA information/data by the competent authority is voluntary.</p>	<p>Nicaragua The main purpose of the wording is to state that the guidelines do not oblige FBOs to use vTPA programmes and it is therefore proposed that they be deleted so that the wording is more general</p>
<p>7. These guidelines do not oblige competent authorities to use vTPA <u>vTPA</u> programme outcomes, nor <u>do they mandate</u> FBOs to use the use of vTPA programme information/data from these programmes <u>from FBOs</u>, i.e. emphasising that the decision to use vTPA information/data by the competent authority is voluntary.</p>	<p>Mexico Translator's Note: This comment only applies to the Spanish version.</p>
<p>C: DEFINITIONS³</p>	
<p>C: DEFINITIONS³ Include a definition of '<u>information/data</u>'.</p>	<p>Australia Rationale: The lack of a definition leads to ambiguity in the document. A definition would improve understanding of the roles and responsibilities of FBOs using vTPA, vTPA owners, Certifications Bodies and Accreditation Bodies, etc.</p>

<p>C: DEFINITIONS³</p>	<p>Canada Canada has made comments previously (at Step 6) on the value of minimizing the number of definitions to the essential ones, for simplicity and brevity of the text, as well as consistency with existing definitions. Specific suggestions are provided below.</p>
<p>C: DEFINITIONS^[3] GFSI Position is to add a definition of <u>“information/data”</u>.</p>	<p>Consumer Goods Forum The lack of definition of the terms information and data provides a sense of overall ambiguity to the document which will not allow a specific understanding of the roles and responsibilities among the various stakeholders of the vTPA ecosystem (FBOs using vTPA, vTPA owners - called Certification Programme Owners by GFSI, Certifications Bodies and Accreditation Bodies, among others...). The fact that both terms information and data appears as “information/data” throughout the document reinforces the lack of clarity and understanding of both terms in the overall document. This lack of definition leads to several ambiguities in the document such as a possibility of individual identification of “poorly performing FBOs” (Preamble, Paragraph 4) but the previous versions of the document have referred to aggregated data. Modalities to share the data are therefore not defined and ambiguous (all chapter E dedicated to vTPA owners, all paragraph dedicated to process considerations on chapter G,</p>
<p>Accreditation body: Authoritative body that performs accreditation. (Source: <i>ISO 17000:2004</i>)<u>2004</u>) <i>NOTE The authority of an accreditation body is generally derived from the government.</i></p>	<p>Colombia In the definition of an accreditation body, the inclusion of a note is requested for clarity and must be in line with ISO 17000.</p>
<p>Attestation: issue of a statement, based on a decision following review that fulfilment of specified requirements has been demonstrated. (Source: ISO/IEC 17000:2004)</p>	<p>Canada Canada would suggest deletion of the definition of “Attestation” from the list of definitions. The term does not appear anywhere in the document, except in the definition of “Accreditation” and hence, we suggest that the definition is not needed. Further, the term “Attestation” is already defined in the Annex to the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates(CAC/GL 38-2001). It would not be desirable to introduce an alternate definition.</p>
<p>Audit: A systematic and functionally independent examination to determine whether activities and related results comply with planned objectives. (Source: CAC/GL 20-1995)Systematic, independent and documented process for obtaining records, statements of fact or other relevant information and assessing them objectively to determine the extent to which the specified criteria are fulfilled.</p>	<p>Colombia Please change the auditing definition to the ISO 17000 standard. It is more recent and is therefore up-to-date. NOTE While “audit” applies to management systems, “assessment” applies both to conformity assessment bodies and as a more general term. (Source: ISO 17000:2004)</p>
<p>Certification body: A provider of certification services, accredited by a nationally recognised accreditation body. (Source: ISO 17000:2004)Conformity Assessment Body; body that performs conformity assessment services.</p>	<p>Colombia NOTE An accreditation body is not a conformity assessment body. Please change the definition of “certification body” to the one for “conformity assessment</p>

	body” in the ISO 17000 standard as it is the correct one and the other one does not exist.
Conformity assessment: Demonstration that specified requirements relating to a product, process, system, person or body are fulfilled. (Source: ISO/IEC 17000:2004)	<p>Colombia We believe that a definition of a “conformity assessment” should include the notes in ISO 17000 for the document to be clearer and in line with the international standard.</p> <p>NOTE 1 The field of conformity assessment includes activities defined in this document as a trial/test, inspection, certification, accreditation of conformity assessment bodies.</p> <p>NOTE 2 The expression “conformity assessment object” or “object” is used in this document to cover the material, product, service, facility, process, person or particular body to which the accreditation conformity assessment applies.</p>
Procedure: specified way to carry out an activity or a process. (Source: ISO/IEC 17000:2004)	<p>Canada Canada suggests deleting the definition of “procedure”. The term “procedure” occurs numerous times in existing CCFICS texts and a definition was not deemed necessary since it is a well understood term.</p>
Review: Verification of the suitability, adequacy and effectiveness of selection and determination activities, and the results of these activities, with regard to fulfilment of specified <u>specified</u> requirements <u>by an object of conformity assessment.</u> (Source: ISO/IEC 17000:2004)	<p>Colombia We believe that the definition of a review should include the last sentence of ISO 17000 for the document to be clearer and aligned with the international standard.</p>
Specified requirement: need or expectation that is stated. (Source: ISO/IEC 17000:2004)	<p>Canada We would suggest that the definition of “specified requirement” may not be needed. The term occurs only once in the whole text, apart from the definitions section.</p>
Specified requirement: need or expectation that is stated. (Source: ISO/IEC 17000:2004)	<p>Colombia We believe that the definition “specified requirement” should include the ISO 17000 note for the document to be clearer and aligned with the international standard.</p> <p>NOTE Specified requirements may be stated in “normative documents”, such as regulations, standards and technical specifications. (Source: ISO 17000:2004)</p>
Voluntary Third-Party Assurance Programme: An autonomous scheme comprising of the ownership of a standard that utilises national/international requirements; a governance structure <u>for certification and conformity assessment</u> that provides for periodic onsite audits for FBO operations for conformance with the standard; and in which FBO participation is voluntary. (Source: New definition)	<p>Nicaragua Certification is part of the conformity assessment, see note 1 of definition 2.1 of the ISO 17000 standard.</p>
Voluntary Third-Party Assurance Programme: A <u>voluntary</u> autonomous scheme comprising of the ownership of a <u>national/international standard that utilises national/international requirements</u> ; a governance structure for certification and conformity assessment that provides for periodic onsite audits for FBO operations for conformance with the standard, and	<p>Nicaragua The nature of a standard is to set requirements and therefore amendments are proposed, given the overlap, see for example:</p> <ul style="list-style-type: none"> - Section I, paragraph 4 of the “Nature of Codex Standards” - Number 3 of ISO/IEC Guide 2

<p>in which FBO participation is voluntary. (Source: New definition)</p>	
<p>vTPA owner: Person or organisation responsible for developing the development and maintaining maintenance of a specific vTPA programme. (Source: Adapted from ISO IEC 17065)</p>	<p>Nicaragua Nicaragua suggests maintaining the terms used in the Spanish version of ISO 17065:2012</p>
<p>When considering the potential role of vTPA programmes and the potential contribution they <u>their</u> information/data may make to FBO compliance with regulatory requirements and broader NFCS objectives, competent authorities should be guided by the following principles:</p>	<p>USA Rationale: Aligns with wording that precedes this section in the document and makes it clear that the contribution being looked at in this paper is the information/data generated by the TPA program.</p>
<p>D: PRINCIPLES</p>	
<p>Principle 1 Planning and decision making</p>	
<p>Principle 1 Planning and decision making</p>	<p>Australia Comment: There should be some transparency around competent authorities using information/data from vTPA programmes. Rationale: The vTPA stakeholders (FBOs using vTPA, vTPA owners, etc) should be, at least, informed if their competent authorities are considering to use information/data from vTPA programmes as a minimum knowledge of the regulatory landscape in which they are operating and to be coherent with Paragraph 4 of the Preamble “Reliable vTPA information/ data may be used in general to better risk-profile sectors, and in some cases individual FBOs. This may lead to smarter data-driven prioritisation of official resources, while FBOs, or sectors, may benefit through an appropriate risk-based reduction in the frequency /intensity of regulatory controls...” and with Principles 3 on Transparency of policies and processes.</p>
<p>Principle 1 Planning and decision making Competent authorities retain discretion whether and how to consider information/data from vTPA programmes in their regulatory oversight, inspection and control framework, planning and decision-making process.</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comments: GFSI thinks further work on strengthening some transparency aspects of the document should be made. The vTPA stakeholders (FBOs using vTPA, vTPA owners - called Certification Programme Owners by GFSI, Certifications Bodies and Accreditation Bodies, among others....) should be, at least be informed, if their competent authorities are considering to use information/ data from vTPA programmes as a minimum knowledge of the regulatory landscape in which they are operating and to be coherent with Paragraph 4 of the Preamble “Reliable vTPA information/ data may be used in general to better risk-profile sectors, and in some cases individual FBOs. This may lead to smarter data-driven prioritisation of official resources, while FBOs, or sectors, may benefit through an appropriate risk-based reduction in the frequency /intensity of regulatory controls...” and with Principles 3 on Transparency of policies and processes.</p>
<p>Principle 1 Planning and decision making Competent authorities retain discretion whether and how to consider information/data from vTPA</p>	<p>Consumer Goods Forum GFSI Position is to modify: Comments: The FBOs</p>

programmes in their regulatory oversight, inspection and control framework, planning and decision-making process.	should be informed how the data is used if vTPA programme is considered.
Principle 8 Rights and obligations	
Principle 8 Rights and obligations	Canada Canada would recommend deleting Principle 8. We do not believe it is necessary to include principles in Codex text to remind countries of their rights and obligations. This is not the role of Codex texts.
In developing an appropriate approach to leverage the vTPA compliance information/data, competent authorities should ensure that their approach is consistent with international rights and obligations.	New Zealand PRINCIPLE 8: New Zealand suggests that the word 'leverage' is replaced with 'make use of' - the amended text to read: In developing an appropriate approach to make use of the vTPA compliance information/data, competent authorities should ensure that their approach is consistent with international rights and obligations. RATIONALE: the word 'leverage' is colloquial and may not translate well, to avoid any potential for misinterpretation or confusion the words 'make use of' which are used in Principle 7 are also used for Principle 8, thus also providing consistency of language.
In developing an appropriate approach to leverage the vTPA compliance information/data, competent authorities should ensure that their approach is consistent with international rights and obligations.	FAO-AGFF aligning with terminology used throughout the document, FAO would like to suggest t use "conformity" instead of "compliance", in relation to the type of assurance provided by VTPA.
In developing an appropriate approach to leverage the vTPA compliance information/data, competent authorities should ensure that their approach is consistent with the international applicable rights and obligations.	Nicaragua Nicaragua suggests adjustments, as indicated in paragraph 5, to the provisions regarding the use of information/data from a vTPA programme to be limited to "the borders of their respective countries"
E: ROLES, RESPONSIBILITIES AND RELEVANT ACTIVITIES	
E: ROLES, RESPONSIBILITIES AND RELEVANT ACTIVITIES	Brazil
12. The roles and responsibilities of all participants along the food chain should not change as a result of any decision by a competent authority to take account of vTPA information/data in their NFGS <u>NFCS</u> , bearing in mind the reliability of such information/data relating to protecting the health of consumers and ensuring fair trade practices in the food trade.	Mexico Improve the perception of the use of data, provided that it is considered reliable.
COMPETENT AUTHORITIES	
b) May consider using information/data generated by vTPA programmes to support the objectives of their NFCS.	Australia Comment: Replace with 'vTPA owners shall ensure that they have agreements with FBO's regarding the data that can be shared with the competent authorities'. Rationale: To ensure that FBOs are aware of what data and under what circumstances, data will be shared with competent authorities.
c) Have responsibility for the delivery and frequency/intensity of regulatory controls and	Australia Comment: Amend to: 'Sharing information/data generated by the vTPA programme owners for use by the competent authority, according to the

enforcement action for all FBOs regardless of whether a FBO participates in a vTPA programme.	<p>process duly established with vTPA owners, FBOs and competent authorities’.</p> <p>Rationale: To clarify that it is the process that has been duly established.</p> <p>Comment: Suggest mention of ‘protections for proprietary information’ is deleted.</p> <p>Rationale: Query if proprietary information is within scope.</p>
d) Need to clearly describe the use of a vTPA programme information / data within their NFCS and restrict its use when information provided is false or otherwise lacks credibility.	<p>Australia</p> <p>Comment: Define ‘significant public health risk’ and ‘non-conformities’.</p> <p>Rationale: There are already other regulatory processes in place for a FBOs to share information concerning an imminent food safety risk with a competent authority.</p>
d) Need to clearly describe the use of a vTPA programme information/data within their NFCS and restrict its use <u>not use it</u> when information provided is false or otherwise lacks credibility.	<p>Nicaragua</p> <p>As part of their remit, an Authority cannot use false or dubious information in decision-making, see CAC/GL 82-2013.</p>
d) Need to clearly describe the use of vTPA programme information/data within their NFCS and restrict its use when information provided is false or otherwise lacks credibility.	<p>Mexico</p> <p>Rule out, rather than restrict, the use of false or unreliable information/data. The idea of the use of reliable data would be in the proposed paragraph b.</p> <p>o Delete text considering that false or unreliable data will not be used.</p>
f) Should <u>Have to</u> protect against potential conflicts of interest.	<p>Japan</p> <p>Codex guidelines use "should", instead of "have to".</p>
f) <u>Have to evaluate potential conflicts of interest and make decisions regarding the impact of such conflicts on the reliability of the vTPA programme information/data</u> Have to protect against potential conflicts of interest.	<p>Nicaragua</p> <p>Nicaragua suggests changes to the wording, considering that the responsibility to prevent conflicts of interest in a voluntary programme, such as vTPAs, lies with the FBOs and the programme itself.</p> <p>The competent authority, in accordance with its legal mandate, must be able to assess that risk and take the decisions it deems appropriate, in order to determine whether it considers the information generated by a vTPA programme to be relevant, after evaluating potential conflicts of interest.</p>
f) Have to protect against potential conflicts of interest. <u>interest and maintain impartiality.</u>	<p>Mexico</p> <p>Reinforce the idea of a process free from influence by the competent authority.</p>
g) Should <u>Have to</u> ensure and maintain the confidentiality of data shared by the vTPA owner.	<p>Japan</p> <p>same as above</p>
g) Have to ensure and maintain the confidentiality of data shared by the vTPA owner.	<p>Canada</p> <p>Editorial : Canada recommends deleting the verb ensure. It is not clear what competent authorities have to “ensure” in addition to “maintaining confidentiality of data”.</p>
g) Have to ensure and maintain the confidentiality of data shared by the vTPA owner.	<p>New Zealand</p> <p>Point g) New Zealand suggests that the word ‘appropriate’ is re-inserted before ‘confidential’</p> <p>RATIONALE: this statement should not be definitive – there may well be appropriate reasons for flexibility on this point and these will</p>

	be defined in national legislation. This Codex text should not imply an override provision particularly when it is providing guidance on a voluntary agreement between competent authorities and scheme owners. We also note that the comments set out in Appendix II of CX/FICS 20/25/4 are slightly in favour of retaining 'appropriate' – with 8 of the 14 specifically asking for retention and the response from the co-chairs to the suggestion that 'ensure confidentiality' be used states that 'appropriate' was intended to imply that legal requirements may differ from one country to another.
g) Have to ensure and maintain the confidentiality of data shared by the vTPA owner, in accordance with the country's corresponding legislative framework .	Nicaragua The classified data/information is determined according to each country's legal framework.
FOOD BUSINESS OPERATORS (FBOs)	
c) May elect to participate in vTPA programmes to meet business needs, demonstrate conformance with relevant food safety standards, and provide independent assurance of the integrity of their products or production systems to buyers relevant stakeholders .	Japan "buyer" is too limited, the information could be relevant more broader stakeholders, e.g. retailers, consumers.
c) May elect to participate in vTPA programmes to meet fulfil business needs, demonstrate conformance with relevant food safety standards, and provide independent assurance of the integrity of their products or production systems to buyers.	Mexico
VOLUNTARY THIRD-PARTY ASSURANCE OWNERS	
a) Are responsible for implementing the governance arrangements of a vTPA programme, which may include utilising national/international standards and independent accredited accredited, internationally recognized audit and certification processes.	Nicaragua
b) Are accountable to participating FBOs to disclose the potential sharing of information/data generated by the vTPA programme with competent authorities.	Consumer Goods Forum GFSI Position is to delete and replace. Comments: vTPA owners shall ensure that they have agreements with FBO's regarding the data that can be shared with the competent authorities.
c) Sharing information/data generated by the vTPA programme owners for use by the competent authority, according to the process established by the vTPA programme owners and the competent authority.	Japan same as above
c) Have established mechanisms to s Sharing haring information/data generated by the vTPA programme owners for use by the competent authority, according to the process established by the vTPA programme owners and the competent authority.	Canada Editorial revision for consistency in the manner in which responsibilities of vTPA owners are described in all other bullets in this section.
c) Sharing information/data generated by the vTPA programme owners for use by the competent authority, according to the process established by the vTPA programme owners and the competent authority.	Consumer Goods Forum GFSI Position is to modify. Comments: Sharing information/data generated by the vTPA programme owners for use by the competent authority, according to the process duly established with vTPA owners, FBOs and competent authorities.

<p>c) <u>May opt to share information/data generated by the vTPA programme owner with the competent authority, according to the process established between the parties, with prior knowledge of the by the vTPA programme owners and the competent authority participating FBO.</u></p>	<p>Nicaragua Considering that vTPAs are voluntary programmes, the confidentiality of the information is a principle of its management. We therefore suggest including a notice to the FBO on sharing information with the Authority, as the information/data belong to the FBO. The above is consistent with subparagraph d in the previous section.</p>
<p>d) Have policies and processes when sharing vTPA information such as notification to the FBO and protections for proprietary information.</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comments: Proprietary information is beyond the scope of this document as it is not information which is part of a vTPA process.</p>
<p>d) They must have policies and processes when sharing <u>documented procedures, to share vTPA information, such as for example and not limited to</u> notifications to the FBO and protection for proprietary information.</p>	<p>Nicaragua It is the responsibility of the vTPA programme to be accountable to the FBO on the sharing of information with third parties, including the Authority, given the voluntary nature of the programme</p>
<p>e) Have policies to ensure a vTPA owner alerts the competent authority of any significant public health risks or consumer deception associated with non-conformities by the FBO(s).</p>	<p>Brazil Brazil understands that the word “significant” should be deleted, as it is something subjective. We believe that the owner of the vTPA should report risk situations that have not been mitigated. If it reaches the level of significant, we interpret it as a loss of control in production, and with that, lives may have already been affected.</p>
<p>e) Have policies <u>and processes to ensure a vTPA owner</u> alerts the competent authority of any significant public health risks or consumer deception associated with non-conformities by the FBO(s).</p>	<p>Canada Revision to clarification the sentence, and enhance consistency with how other points in this section are formulated.</p>
<p>e) Have policies to ensure a vTPA owner alerts the competent authority of any significant public health risks or consumer deception associated with non-conformities by the FBO(s).</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comments: GFSI considers that further work can not be done without a definition that quantifies a significant public health risk. There are already others regulatory processes in place for a FBOs to share information concerning an imminent food safety risk with a competent authorities. Non-conformities should be defined.</p>
<p>e) They must have policies <u>procedures</u> to ensure the vTPA owner alerts the competent authority is <u>notified in a timely manner</u> of any significant public health risk or consumer deception associated with non-conformities by the FBOs.</p>	<p>Nicaragua Nicaragua suggests an editorial change as this point is one of the vTPA programme owner’s responsibilities</p>
<p>f) Have appropriate systems in place to protect against potential conflicts of interest between TPA <u>vTPA</u> owners, auditors and FBOs, and be able to demonstrate adherence to data protection obligations.</p>	<p>Brazil</p>
<p>F: CRITERIA TO ASSESS THE CREDIBILITY AND INTEGRITY OF vTPA ROGRAMMES</p>	
<p>F: CRITERIA TO ASSESS THE CREDIBILITY AND INTEGRITY OF vTPA ROGRAMMESPROGRAMMES</p>	<p>Japan typo</p>
<p>13. Competent authorities that choose to use <u>information/data from vTPA programmes in to help inform</u> their NFCS should satisfy themselves that the vTPA information/data can be trusted and is fit for</p>	<p>USA Rationale: Language modification aligns this text with the text in the rest of the document, highlighting the connection between the NFCS</p>

<p>purpose. In order to do this, they may carry out a full or partial assessment of the credibility and integrity of the vTPA programme, commensurate with their intended use of the vTPA information/data. When carrying out such an assessment, competent authorities should select the criteria below that are appropriate to the extent of their intended use of the vTPA programme as a start point for this assessment <u>assessment and ensure that the vTPA programme has implemented them in a comprehensive way to assure successful outcomes.</u></p>	<p>and the information/data generated by a vTPA. Additionally, current wording addresses concerns raised in previous sessions regarding the use of data to help inform NFCS and not supplement an NFCS. Clarifying language is need to inform the competent authority that the criteria listed are not meant to limit the inquiry to the suggested set of yes/no questions.</p>
<p>13. Competent authorities that choose to use vTPA programmes in their NFCS should satisfy themselves that the vTPA information/data can be trusted and is fit for purpose. In order to do this, they may carry out a full or partial assessment of the credibility and integrity of the vTPA programme, commensurate with their intended use of the vTPA information/data. When carrying out such an assessment, competent authorities should select the criteria below that are appropriate to the extent of their intended use of the vTPA programme as a start point for this assessment. <u>A vTPA programme that is based on relevant international standards and is accredited by an internationally recognised Accreditation Body can be considered reliable in light of the requirements for impartiality and technical competence. However, each National Competent Authority should conduct an assessment to determine the relevance of the vTPA programme to the goals of its NFCS.</u></p>	<p>Nicaragua Developing accreditation based on international standards, under internationally recognized schemes, has facilitated the recognition of private bodies and/or schemes by the competent authority. This document should mention the contribution that Accreditation and international standards can make to the vTPA programme in the evaluation process conducted by a competent authority. Furthermore, this is consistent with point 4 on “governance arrangements”</p>
<p><u>Governance Arrangements</u></p>	
<p>4) Does the vTPA programme have an accreditation arrangement with an accreditation body with international standing⁵, recognition and credibility? If not, how does the vTPA programme owner ensure that accreditation bodies have the capacity and competency to perform effectively?”</p>	<p>Australia Comment: In paragraph 4) suggest text be amended to: Does the vTPA programme owner have an arrangement with, and is subject to oversight by, an authoritative body with international standing? Rationale: The second sentence is confusing. How can a vTPA programme owner ensure that accreditation bodies have the capacity and competency to perform effectively? Is this meant to say ‘certification bodies’? It is not the role of a vTPA programme owner to assess accreditation bodies. Accreditation bodies must be part of the International Accreditation Forum and the IAF or International Laboratory Accreditation Co-operation.</p>
<p>4) Does the vTPA programme have an accreditation arrangement with an accreditation body with international standing⁵, recognition and credibility? If not, how does the vTPA programme owner ensure that accreditation bodies have the capacity and competency to perform effectively?”</p>	<p>Japan same as above</p>
<p><u>Accreditation of Certification Bodies</u></p>	
<p><u>Accreditation of Certification Bodies</u></p>	<p>Thailand We wonder whether the Voluntary Third-Party Assurance Programme considered in this document covers an Inspection Body (IB), as this section refers to ISO/IEC 17020 which specifies requirements for the operation of inspection bodies.</p>

	<p>- If IB is included, this sub-section should be revised to read</p> <p>“Accreditation of Certification and Inspection Bodies”</p> <p>- So, this sub-section should be revised to read as follows:</p> <p>“Accreditation of Certification and Inspection Bodies</p> <p>3) Does the Accreditation Body assess the certifying and inspection body using the relevant and internationally recognized standards?</p>
2) Is the accreditation of certification bodies subject to a periodic review and renewal?	<p>Australia</p> <p>Is the accreditation of certification bodies for the vTPA subject to a periodic review and renewal?</p> <p>Rationale: editorial suggestion to improve readability.</p>
3) Does the accreditation body assess the certifying body using relevant and internationally recognized standards ⁶⁾ ?	<p>Australia</p> <p>Does the accreditation body assess the certifying body for the vTPA using relevant and internationally recognized standards?</p> <p>Rationale: editorial suggestion to improve readability.</p>
<p><u>Footnote 7</u></p> <p>Examples include: ISO/IEC 17020, ISO/IEC 17065 or ISO/IEC 17021-1 supplemented with ISO/TS 22003, ISO/IEC 17011</p>	<p>Japan</p> <p>These four standards are relevant.</p> <p>ISO 17020 specifies requirements for the competence of bodies performing inspection.</p> <p>ISO 17011 conformity assessment - Requirements for accreditation bodies accrediting conformity assessment bodies.</p> <p>ISO 17065 which is product certification.</p> <p>ISO 17021 which management system certification.</p>
4) Is the certifying body accredited for the vTPA programme according to the relevant accreditation standard?	<p>Australia</p> <p>Comment: For paragraph 4), suggest it its moved to paragraph 2).</p> <p>Rationale: Paragraph 4) follows on logically from paragraph 1).</p>
Standard Setting Process	
1) Do the vTPA programme owners set their own standards or utilise national or international standards for assurance?	<p>Japan</p> <p>same as above.</p>
6) Are the vTPA standards written in a way that they can be assessed for conformance <u>conformance with the standard</u> ?	<p>Japan</p> <p>Improvement of text(lack of object)</p>
Conformity Assessment	
1) Does the vTPA programme have written policies on frequency, methodology, announced and unannounced audits and competency requirements for certification bodies?	<p>Australia</p> <p>Comment: For paragraph 1), query why the vTPA programme requires written policies on frequency, methodology, announced and unannounced audits and competency requirements for certification bodies? Isn't that the role of the accreditation body?</p> <p>Rationale: Unclear why the vTPA is responsible for these tasks?</p>
1) Does the vTPA programme have written policies <u>written procedures</u> on frequency, methodology,	<p>Nicaragua</p> <p>Nicaragua suggests replacing the term, as it is</p>

announced and unannounced audits and competency requirements for certification bodies?	the most widely used in conformity assessment standards in written Spanish
2) Does the vTPA programme require a conformity assessment against the standard on a defined regular basis e.g. annual audit of participating FBOs, following , <u>according to</u> an appropriate quality assurance framework?	Mexico
Responses to Non-Conformance	
1. Do the vTPA programme arrangements include clearly defined procedures for dealing with non-conformities against the standards, failures to rectify non-conformities, and other situations where sanctions might be required?	Australia Comment: Clarify paragraphs 1 and 2 so it is clearer who is sanctioning who and between which stakeholders are the arrangements made. Rationale: Paragraphs are unclear. Comment: Suggest inclusion of an additional paragraph as follows: Does the vTPA programme have procedures in place to ensure responses to non-conformance are proportionate to the risk to public health? Rationale: It is important that the vTPA programme has procedures in place to ensure responses to non-conformance are proportionate to the risk to public health.
1. Do the vTPA programme arrangements include clearly defined procedures for dealing with non-conformities against the standards, failures to rectify non-conformities, and other situations where sanctions might be required?	Consumer Goods Forum GFSI Position is to modify. Comments: Paragraph 1 and 2 needs more clarification on who is sanctioning who and between which stakeholders are the arrangements.
1. Do the vTPA programme arrangements include clearly defined procedures for dealing with non-conformities against <u>of the requirements specified in the standards, failures to rectify implement corrective actions arising from</u> non-conformities and other situations where sanctions might be required?	Nicaragua Suggestions to amend the wording, in line with the terms used in other conformity assessment standards.
2. Do the arrangements include a system for review of audit reports, decisions on interpretation and sanctions, and a procedure for appeal?	Australia Comment: Clarify paragraphs 1 and 2 so it is clearer who is sanctioning who and between which stakeholders are the arrangements made. Rationale: Paragraphs are unclear. Comment: Suggest inclusion of an additional paragraph as follows: Does the vTPA programme have procedures in place to ensure responses to non-conformance are proportionate to the risk to public health? Rationale: It is important that the vTPA programme has procedures in place to ensure responses to non-conformance are proportionate to the risk to public health.
2. Do the arrangements include a system for review of audit reports, decisions on interpretation and sanctions, and a procedure for appeal?	Consumer Goods Forum GFSI Position is to modify. Comments: Paragraph 1 and 2 needs more clarification on who is sanctioning who and between which stakeholders are the arrangements.
Data Sharing and Information Exchange	
1. Is there an up-to-date list of participating FBOs (including their status) that are certified or verified as conforming to the vTPA standard, and is this	Australia Comment: In paragraph 1), suggest adding additional text as per below

<p>information available to the competent authority? Is the information available in the public domain?</p>	<p>1) Is there an up-to-date list of participating FBOs (including their status) that are certified or verified as conforming to the vTPA standard, and is this information available to the competent authority? Is the information available in the public domain, preferably through a web-accessible database?</p> <p>Rationale: It is critical for a NFCS to be able to quickly and easily verify that certificates are valid.</p>
<p>1. Is there a list of up-to-date information on participating FBOs (including their status) that are certified or verified as conforming to the vTPA standard, and is this information available to the competent authority? Is the information available in the public domain?</p>	<p>Nicaragua Delete the last question. Normally this type of information will be known to the Authority who will decide whether or not it is communicated to other interested parties, given the possible impact on society</p>
<p>2. Subject to national privacy legislation, will the vTPA programme owner inform the competent authority immediately when they become aware of a significant risk to public health or consumer deception?</p>	<p>Brazil Brazil understands that the word "significant" should be deleted, as it is something subjective. We believe that the owner of the vTPA should report risk situations that have not been mitigated. If it reaches the level of significant, we interpret it as a loss of control in production, and with that, lives may have already been affected.</p>
<p>2. Subject to national privacy legislation, will the vTPA programme owner inform the competent authority immediately when they become aware of a significant risk to public health or consumer deception?</p>	<p>Australia Comment: In paragraph 2), define 'significant risk to public health'. Rationale: Need to be clearer of the circumstances when data will be provided to competent authorities.</p>
<p>2. Subject to national privacy legislation, will the vTPA programme owner inform the competent authority immediately when they become aware of a significant risk to public health or consumer deception?</p>	<p>Japan same as above</p>
<p>2. Subject to national privacy legislation, will the vTPA programme owner inform the competent authority immediately when they become aware of a significant risk to public health or consumer deception?</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comments: Significant risk to public health needs to be defined. At this stage of the assessment of vTPA programme owner might not be aware that the competent authority has considered information/data from their programmes in their regulatory oversight (ie Principle 1, paragraph D). At this assessment stage of the vTPA credibility, if the vTPA programme is not aware or has not worked with competent authorities before, there is no possibility for the vTPA to demonstrate this process of data sharing to the competent authority.</p>
<p>2. Subject to national privacy legislation on confidentiality of the information, will the vTPA programme owner inform the competent authority of a significant risk to public health or consumer deception?</p>	<p>Nicaragua</p>
<p>3. Will the vTPA programme owner notify the competent authority of any FBO that ceases to participate?</p>	<p>Australia Comment: Is paragraph 3) needed if the vTPA owner meets the requirements in 1). Need to clarify why this is needed in addition to 1).</p>

	Rationale: This criterion seems unnecessary if the vTPA owner maintains an up-to-date list, ideally on a web-accessible database.
3. Will the vTPA programme owner notify the competent authority of any FBO that ceases to participate?	Japan same as above
3. Will the vTPA programme owner notify the competent authority of any FBO that ceases to participate?	Consumer Goods Forum GFSI Position is to modify. Comments: This is a voluntary programme. So the effect of not participating or stopping participation can not result in a report to competent authorities. FBO may decide not to participate because of various reasons and so this need to be clarified that in which case vTPA programme owner informs competent authority regarding FBO that ceases to participate.
3. Will the vTPA programme owner notify the competent authority of any FBO that ceases to participate?	Thailand - sub-section 3), 4) and 5) As data sharing and information exchange are the crucial matters of this document, these subsections should be revised to clearly describe that the concrete evidence should be demonstrated in the assessment. And, for consistency with questions in other subsections, the word "Will" should be replaced with an appropriate word.
3. Will the vTPA programme owner advise <u>notify</u> the competent authority of any FBO that ceases to participate?	Nicaragua
4. Will the vTPA programme owner agree to notify the competent authority of any changes made to the vTPA programme, including but not limited to: the standard, governance, certification and accreditation arrangements?	Australia Comment: In paragraph 4), suggest adding additional text as per below 4) Will the vTPA programme owner agree to notify the competent authority of any changes made to the vTPA programme, including but not limited to: the standard, governance, certification, information sharing and accreditation arrangements? Rationale: While this list is not exhaustive, changes to information sharing arrangements are important and therefore we recommend including this to the list.
4. Will the vTPA programme owner agree to notify the competent authority of any changes made to the vTPA programme, including but not limited to: the standard, governance, certification and accreditation arrangements?	Japan same as above
5. Will the vTPA programme owner share information/data relating to conformance with the standard where the standard aligns with regulatory requirements to inform the NFCS?	Japan same as above
6. If the data available is electronic form are there adequate arrangements for maintaining the security of the data?	New Zealand Point 6) insert 'in' before 'electronic form'
6. Are there adequate arrangements to maintain the security of the data? If the data available is electronic form are there adequate arrangements for maintaining the security of the data?	Nicaragua Nicaragua suggests that the statement be removed because the security of the data must be independent of the medium on which the data is stored.

<p>7. Does the vTPA owner have permission to share FBO data with competent authorities and is this in accordance with national data protection obligations?</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comments: There should be a permission for the vTPA owner to share the data of the FBOs with the competent authority.</p>
<p>7. Does the vTPA owner have permission to share FBO data with the competent authority and is this in accordance with national data protection obligations?</p>	<p>Nicaragua We propose moving the question to 3, in order to make it consistent with the other questions</p>
<p>8. Does <u>Has</u> the vTPA owner established <u>have</u> a protocol for data <u>information/data</u> retention?</p>	<p>Nicaragua</p>
<p>G: REGULATORY APPROACHES FOR THE USE OF vTPA INFORMATION/DATA</p>	
<p>14. This section provides examples of process considerations and policy options available for competent authorities when they establish arrangements with vTPA owners to use vTPA information/data. It also contains examples of the practical uses that can be made by competent authorities of vTPA information/data to support their NFCS objectives.</p>	<p>Canada Canada would suggest deleting this text, for consistency with the comments that we submitted at Step 6, where we proposed deleting the header “policy options” below.</p>
<p><u>Process considerations</u></p>	
<p>Process considerations</p>	<p>Australia Comment: Add an additional paragraph that addresses the use of international benchmarking organisations of vTPA owners by the competent authority. Rationale: Para g seems to have the objective to list already existing examples of public-private projects of vTPA. In order to be as exhaustive as possible, the example of global benchmarking organisations should be mentioned.</p>
<p>c) Where there is a positive assessment outcome the competent authority may choose to enter into an arrangement with the vTPA owner by mutual consent.</p>	<p>Australia Comment: In paragraph c, clarify ‘positive assessment outcome’ and ‘arrangement’. Rationale: Further guidance is needed on what a positive assessment outcome is and what is meant by ‘arrangement’.</p>
<p>c) Where there is a positive assessment outcome the competent authority may choose to enter into an arrangement with the vTPA owner by mutual consent.</p>	<p>Consumer Goods Forum GFSI Position is to modify. Comments: There is a lack of clarity around the terms “positive assessment outcomes” and “arrangements”</p>
<p>d) Competent authorities that have arrangements with vTPA owners should establish a process for the sharing of relevant information/data and processes for handling findings of non-conformities, including alerting the competent authority of any significant public health risk or consumer deception.</p>	<p>Brazil Brazil understands that the word “significant” should be deleted, as it is something subjective. We believe that the owner of the vTPA should report risk situations that have not been mitigated. If it reaches the level of significant, we interpret it as a loss of control in production, and with that, lives may have already been affected.</p>
<p>d) Where an arrangement is in place between a competent authority and a vTPA owner, the vTPA owner should have a process in place for the sharing of relevant information/data with the competent authority and processes for handling findings of non-conformities, including alerting the competent authority of any significant public health risk or consumer deception. Competent authorities that have arrangements with vTPA owners should establish a</p>	<p>Canada In this sentence as currently written, it is unclear which entity is responsible for sharing information and which entity should have the processes in place to handle findings of non-conformities. Canada suggests to revise the sentence to clarify accountabilities and has proposed text to that effect.</p>

process for the sharing of relevant information/data and processes for handling findings of non-conformities, including alerting the competent authority of any significant public health risk or consumer deception.	
d) Competent authorities that have agreements with vTPA owners should establish a process for the sharing of relevant information/data and processes for handling findings of processing non-conformities, including alerting the competent authority of any significant public health risk or consumer deception.	Nicaragua Editorial changes are proposed, in line with the wording used in the conformity assessment rules.
e) Competent authorities may need to should establish transparent procedures to verify the reliability of the vTPA information/data that it intends using.	Mexico Avoid confusions
(f) Competent authorities may choose to set up regular meetings, or use other communication channels, with the vTPA owner, in order to analyse the information/data shared to look for trends and consider the need for any intervention <u>food safety intervention</u> .	Nicaragua Nicaragua suggests defining the scope of the authority.
h) In addition to specific and critical information detailed in an agreement-arrangement between the competent authority and the vTPA owner, there should be routine information exchanged to demonstrate that the vTPA programme continues to operate in line with its agreed governance.	Canada Editorial, for consistency with terminology used throughout the text.
i) Where competent authorities choose not to enter into an agreement with the vTPA owner they may access the information/data directly from the FBO.	Australia Comment: Delete paragraph i. <u>Rationale:</u> Beyond the scope of this document. There are other regulatory frameworks that deal with exchange of information between FBOs and a competent authority. <u>Comment:</u> Clarify the information/data that can be shared. Consider FBOs in this para. <u>Rationale:</u> FBOs are the owner of the data but are not considered in this paragraph.
i) Where competent authorities choose not to enter into an agreement-arrangement with the vTPA owner they may access the information/data directly from the FBO.	Canada Editorial, for consistency with terminology used throughout the text.
i) Where competent authorities choose not to enter into an agreement with the vTPA owner they may access the information/data directly from the FBO.	Consumer Goods Forum GFSI Position is to delete. Comments: The paragraph is beyond the scope of this document as the scope of the document is "principles and guidelines for the assessment and use of voluntary third party assurance". Other regulatory frameworks deal with exchange of information between FBOs and CA.
j) The competent authority should identify the information/data from the vTPA audits that is of most value to its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in para 38 ("Data Sharing and Information Exchange" above).	Consumer Goods Forum GFSI Position is to modify point J. Comments: Defining the information/ data that can be shared needs to be clarified throughout the document especially for this paragraph. FBOs is the owner of the data but is not considered in this paragraph.
j) The competent authority should identify the information/data from the vTPA audits that is of most value to its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in para 38 ("Data Sharing and Information Exchange" above).	Consumer Goods Forum GFSI Position is to add a new point, as point "K". Comments: The para G seems to have the objective to list already existing examples of public-private projects of vTPA. In order to be as exhaustive as possible, the example of global benchmarking organizations should be

K. <u>"The competent could identify overarching vTPA global benchmarking organizations which have benchmarked and recognized the most requiring food safety vTPA programmes owners complying with criteria enounced in para F"</u>	mentioned. "The competent authority could use international benchmarking organizations of vTPA owners"
j) The competent authority should identify the information/data from the vTPA audits that is of most value to its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in para 38 ("Data Sharing and Information Exchange" above).	New Zealand Point j) Reference needs correction – there is currently no Para 38.
j) The competent authority should <u>could</u> identify the information/data from the vTPA aud <u>audits</u> audits that is of most value to its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in para 38 ("Data Sharing and Information Exchange" above).	Colombia This is not a duty but an option for the competent authority. In addition, paragraph 38 needs to be revised as it is not in the document.
j) The competent authority should identify the information/data from the vTPA audits that is of most value to its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in para 38 ("Data Sharing and Information Exchange" above).	Nicaragua Nicaragua recommends that the reference to "paragraph 38" be revised
j) The competent authority should identify the information/data from the vTPA audits that is of most value to <u>has the most impact</u> on its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in para 38 ("Data Sharing and Information Exchange" above).	Nicaragua
j) The competent authority should identify the information/data from the vTPA audits that is of most value to its NFCS objectives and agree the access arrangements for those elements. Key elements are identified in paragraph 38 ("Data Sharing and Information Exchange" above).	Mexico Paragraph 38, which does not exist, is mentioned: We suggest numbering the subheadings and using the correct reference.
Policy options	
b. In order to validate the suitability of an assurance system, including a review of the vTPA requirements programme and its operation the competent authority may consider the value of comparing the vTPA requirements—standards with relevant international standards and/or relevant national regulatory requirements.	Canada Editorial revisions for accuracy and consistency of terminology in the document.
c. As many vTPA standards include requirements that go beyond food safety and consumer protection into supplier preferences, the competent authority should focus on the regulatory requirements that protect the health of consumers in relation to food safety and ensuring fair practices in food trade.	Japan redundent
d. Audit information/data generated by the vTPA programme, and FBO certification status may be used to inform NFCS planning leading to reduced intensity or frequency of regulatory inspection for participating FBOs.	FAO-AGFF FAO would like to request some clarification on the possible redundancy between policy options "d" and "h" further down. If there is no significant concept being added in h with respect to d, we would propose to merge these 2 as follows: "audit information/data generated by the vTPA programme and FBO certification status may be used to determine the food safety risk associated with the participating FBOS, to inform NFCS

	planning and adjust frequency or intensity of regulatory oversight”.
d. Audit information/data generated by the vTPA programme, and FBO certification status may be used to inform NFCS planning, leading to a reduced intensity or frequency of regulatory inspection for participating FBOs.	Colombia The information in subparagraphs d, e and h is similar and therefore we suggest that only one paragraph be left.
h. The competent authority may determine that FBOs participating in a vTPA programme that meet the relevant assessment criteria in these guidelines pose a lower food safety risk and so subject them to less frequent regulatory oversight.	Nicaragua We suggest combining it with paragraph d) and e) since the wording has the same objective.
i. Competent authorities may use the additional information/data from vTPA audits to help prioritise regulatory resources to higher risk areas to better protect consumers in relation to food safety and fair practices in food trade.	Colombia Delete because the method of prioritising the higher risk areas is covered by the Principles and Guidelines for National Food Control Systems (NFCS) (CXG 82-2013), referred to in the Preamble