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Organización
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Naciones
Unidas
para la
Agricultura
y la
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COMMITTEE ON FISHERIES

SUB-COMMITTEE ON FISH TRADE

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REVIEW OF MARKET ACCESS REQUIREMENTS

SUMMARY

The paper reports on recent developments and describes FAO activities regarding market access requirements related to consumer protection, traceability, labelling, certification and domestic marketing. The Sub-Committee is invited to provide guidance on how to further strengthen FAO's work in this area.

INTRODUCTION

1. During its eleventh session, the COFI Sub-Committee on Fish Trade¹ (COFI:FT) reviewed developments and issues in market access requirements, in particular those requirements relevant to fish and seafood safety, quality, traceability, certification, private standards and market access barriers. The Sub-Committee praised FAO's work in connection with Codex standard setting activities and for its field work in capacity building, technical assistance and training in developing countries. It also highlighted the complexity of market access requirements for fish trade at the international level and requested FAO to expand international efforts for effective international harmonization and promotion of equivalence schemes, using scientifically based standards and regimes.
2. The Twenty-eighth Session of the Committee on Fisheries² (COFI) endorsed the recommendations of COFI:FT and emphasized the need to look particularly at issues related to small-scale fisheries and aquaculture.
3. The objectives of this paper are to: i) report on recent developments in market access requirements related to consumer protection, traceability, labelling, certification and domestic marketing; ii) describe FAO activities in this field, and iii) seek the guidance of the Sub-Committee on how to strengthen FAO's work in this area.

RECENT DEVELOPMENTS IN FISH SAFETY AND QUALITY

4. Developments and implementation of fish safety and quality regimes continue to evolve in order to integrate further the application of scientifically based risk analysis methods in food safety management and to ensure consumer protection amidst increasing demand for fish, technological developments in food preservation, transportation and distribution and globalization of fish trade. This evolution is affecting the entire fish and fish products supply chain and requires that the responsibility for the supply of safe, healthy and nutritious seafood is shared by all involved in the production, processing, trade and consumption, from "sea to table".
5. In the major markets, namely EU, Japan and USA, which import around 75 percent of the internationally traded fish, implementation of different regulations domestically and in exporting countries continues. These regulations require that fish and fish products be produced and prepared/processed in farms and establishments that have implemented pre-requisite programs of good practices and HACCP-based quality control programs. Fish farms and establishments are to be certified as meeting these requirements. Likewise, national surveillance programs of the harvesting areas should be in place to control the threats of biotoxins and other biological and chemical pollutants and residues of veterinary drugs.
6. The EU has continued application of the food and feed hygiene legislation and regulations which entered into force on 1 January 2006. Many countries which supply fish and fish products to the EU market have been visited by the Veterinary Commission to verify the degree of conformance with EU requirements and promote further equivalence.
7. The Food Protection Plan (FPP) of the US Food and Drug Administration (FDA) that aims to generalize the use of science and the risk-based approach of prevention, intervention and response to improve the safety of foods consumed in the USA, has continued to expand the seafood safety requirements set at the point of production and manufacture in exporting countries. For this, the FDA has established agreements with several exporting countries to strengthen

¹ FAO. 2008. Report of the Eleventh Session of the COFI Sub-Committee on Fish Trade. Rome, Italy.

² FAO. 2009. Report of the Twenty-eighth Session of the Committee on Fisheries COFI. Rome, Italy.

collaboration, provide technical assistance to foreign regulators and industry and establish foreign FDA offices. The establishment of such agreements and arrangements include the involvement of China, India, and countries from Latin America, Europe and the Middle East. The FDA is also increasing resources to verify that fish and fish products made or processed overseas conform to FDA safety standards and requirements before they are imported. These voluntary third-party certification programs can include a private certification entity or a non-FDA federal, state, local or foreign regulatory body recognized by the FDA³.

8. In Japan, application of HACCP-based food control regulations is pursued, including sanitary and hygienic requirements for fish handling and processing establishments and conditions for storage and transport. Incorporation of risk analysis principles continues, but spot checks at the entry border are still prevalent. In this respect, the quarantine offices of the Ministry of Health and Welfare test about 10 percent of cargo for specific chemical residues or indicator/pathogenic micro organisms. When non-compliance is detected, 50 percent of the cargo from that country may be subjected to testing and this can be increased to 100 percent mandatory testing if further non-compliance is detected. Bilateral consultations with exporting countries to clarify the Japanese sanitary requirements and assist in their implementation at the early stages of the food chain continue. The Japanese Ministry of Health, Welfare and Labour provides information on the imported food monitoring plan and the results of monitoring.

9. Several exporting countries, especially many developing countries, continue to face difficulties to meet the requirements of the major import markets and experience restricted access to some markets, while others have seen their products rejected or detained at the border. While FAO's technical assistance continues to target these needs, further harmonization and equivalence agreements are needed to increase transparency and promote science-based consumer protection and lessen the disruption of international fish trade flows.

10. At the international level, the Codex Alimentarius Commission has continued to promote the development of internationally agreed standards that are based on scientific principles and fulfil the objectives of consumer health protection and fair practices in food trade. Implementation of the Commission strategic plan 2008–2013 is being reinforced as more Members, including from developing countries, are becoming active in the scientific and technical deliberations of the various Codex committees, in particular those dealing with fish and seafood safety and quality issues, such as the Codex Committee on Fish and Fishery Products, on Food Hygiene, Veterinary Drugs, Additives and Contaminants, etc.

FAO ACTIVITIES

11. The FAO Fisheries and Aquaculture Department has continued its scientific and technical support to FAO's normative work by:

- Providing advice to the Thirtieth Session of the Codex Committee on Fish and Fishery Products, which advanced several sections of the Code of Practice for Fish and Fishery Products and standards including final endorsement for some⁴;
- Providing advice to the Fortieth and the Forty-first Sessions of the Codex Committee on Food Hygiene (CCFH) which advanced the Code of Hygienic Practice for Control of *Vibrio* spp. in fish and fish products⁵;
- Working on the development of risk analysis tools for use by national governments based on FAO/WHO risk assessment for *Vibrio* spp in fish and fish products;

³ <http://www.fda.gov/RegulatoryInformation/Guidances/ucm125431.htm>.

⁴ FAO/WHO, 2009. Report of the Thirtieth Session of the Codex Committee on Fish and Fishery Products. Rome, Italy.

⁵ FAO/WHO, 2009. Report of the Forty-first Session of the Codex Committee on Food Hygiene. Rome, Italy.

- Providing support to the CCFH Physical Working Group on development of Code of Hygienic Practice for Control of Viruses in bivalve molluscs;
 - Organizing an Expert Workshop on Salmonella control in products from aquaculture;
 - Providing support to countries working on a fish sauce standard to generate the data required to improve practices and contribute to the development of the Code of Practice for fish sauce;
 - Organizing a Technical Consultation to advance the guidelines on aquaculture certification. The Technical Consultation was attended by 98 participants from 46 Members of FAO and by observers from one intergovernmental and two non-governmental organizations. During the consultation, good progress was achieved to advance the draft guidelines on aquaculture certification. The results of these deliberations will be discussed at the coming session of the COFI Sub-Committee on Aquaculture in June 2010 in Bangkok, Thailand;
 - Monitoring the causes of detentions and rejections of fish and fish products at the borders of major markets to develop the necessary measures to reduce these cases of detentions/rejections through appropriate technical assistance and capacity building and reduction of those causes considered as unjustified technical barriers to trade;
 - FAO co-sponsored with UNIDO the Eighth World Seafood Congress organized by the International Association of Fish Inspectors (IAFI) in Agadir, Morocco, from 4–7 October 2009, in which there were thematic papers on aquaculture certification, private standards, fish safety including views of aquaculture producers, retailers and regulatory agencies. FAO in collaboration with UNIDO supported participation from developing countries in this Congress; and
 - FAO assisted in the organization and holding of the Seventh International Conference on Molluscan Shellfish Safety (ICMSS) in Nantes, France, in 2009. In addition to scientific and technical support, FI channelled resources to support the participation of scientists, regulators and enforcement people from developing countries.
12. FAO continued its capacity building activities in developing countries for:
- Implementing Codex guidelines, Codes of practice and standards, assessment and management of national seafood safety and quality regimes to meet major market requirements and comply with requirements in the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and the Agreement on Technical Barriers to Trade (SPS), traceability and certification programmes;
 - Initiating a joint programme between FAO aquaculture and trade services in several Asian countries to develop integrated national programmes to address both aquatic animal health and food safety issues and build capacity, in particular for small scale fish farmers to enter certification programs; and
 - At the multilateral level, FI is providing support to the World Organization of Animal Health (OIE) Ad-hoc group in charge of revising the aquatic animal health Code to expand it to international animal health issues that may be carried by aquatic products and commodities. Likewise, FI is collaborating in a multi-partner project on "Sustaining Ethical Aquaculture Trade" aiming at improving the interdisciplinary understanding of the market chains, developing improved/transparent measures of sustainability for these commodities; enhancing sustainability and ethical values through action research and improving scientific, business and policy linkages between Europe and Asia in aquaculture. FI is also assisting WTO to evaluate, implement or monitor implementation of fisheries related projects dealing with the implementation of the SPS and TBT agreements, under the Standard and trade Development Facility (STDF) of the WTO.

SUGGESTED ACTION BY THE SUB-COMMITTEE

13. Increased globalization of fish trade and the wide range of countries and regions participating in this trade require transparent and harmonized trade regimes based on scientific risk assessment to ensure consumer protection, fair trade practices and elimination of unjustified technical barriers to trade. FAO is mandated to facilitate the development of such trade regimes.
14. FAO will continue its normative and field programmes in these areas, with a special focus on small-scale fisheries and aquaculture. The bulk of the funding is from the FAO regular programme and the needed expansion of the programme will require extrabudgetary resources.
15. The Sub-Committee is invited to comment on the work of FAO in reference to Codex, multilateral programs, capacity building and technical assistance to developing countries and recommend future areas of work, with particular attention to potential sources of extrabudgetary funding.