



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

**Twenty-second Session**

**Melbourne, Australia, 6-12 February 2016**

**DISCUSSION PAPER ON CONSIDERATION OF EMERGING ISSUES AND FUTURE DIRECTIONS**  
**FOR THE WORK OF THE CODEx COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION**  
**AND CERTIFICATION SYSTEMS**

Prepared by the European Union

## Introduction

1. The Codex Alimentarius Commission, in establishing the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS), recognized the importance of such systems in protecting the health of consumers and facilitating fair practices in the food trade. CCFICS has been successful in developing a large number of essential guidelines on both food import/export control systems and on national food control systems.
2. At its 20<sup>th</sup> session (2013), CCFICS recognized that emerging challenges were impacting approaches and technologies relating to food safety controls, and that these trends were likely to continue. In this regard, it is crucial that Codex guidance reflect current best practices and technologies. As a result, the Committee requested a discussion paper be prepared to enable CCFICS to take a strategic approach to its area of work, including what a national food control system might look like in the future and how such analysis might be reflected in recommendations for future work of the Committee. The Committee welcomed the offer of the United States of America to prepare that discussion paper.
3. At its 21<sup>st</sup> session (2014), CCFICS considered the discussion paper (CX/FICS 14/21/7) and agreed:
  - i. That the section on the history of CCFICS was useful information, should be kept current and completed with text explaining how the various CCFICS documents related to each other;
  - ii. The document should include a new paragraph 14(a) bis as follows: "emerging food safety issues, fair practices in the food trade and nutrition";
  - iii. That consideration should be given to how to deal with the concern of sustainable access to safe food;
  - iv. To keep the strategic horizon scan up to date;
  - v. To develop simple criteria to assist in preliminary assessment and identification of priority areas that the Committee may need to work on in the future. The criteria to undertake a preliminary assessment could include the following: What is the problem? What will be the benefits of the new work? What is the potential for success? What are the potential challenges that could hinder progress of the work? What is the timeline and how does the work relate to current framework of CCFICS texts?
  - vi. Following application of the criteria in (v) above, potential new work of high priority could then lead to discussion papers, project documents and new work in accordance with the Codex Procedural Manual.
  - vii. That there was a need to develop a process to ensure that existing CCFICS texts fulfilled their intended purpose and were up-to-date;
  - viii. To accept the offer by the European Union to take responsibility for the document until the 22<sup>nd</sup> session of CCFICS; and
  - ix. That discussion of the document would be a standing item on the CCFICS agenda.

4. The 22<sup>nd</sup> session of CCFICS is invited to consider the current version of the discussion paper as updated by the European Union.

#### **Relationship to Codex Strategic Plan**

5. The 2014-2109 Codex Strategic Plan, adopted by the Codex Alimentarius Commission at its 36th (2013) Session, sets out important goals, objectives and activities for the work of Codex. The agreement by CCFICS to consider the strategic direction for the Committee is consistent with the 2014-2019 Codex Strategic Plan. Specifically, the work is consistent with the elements below:

#### **Strategic Goal 1:**

Establish international food standards that address current and emerging issues.

#### **Objective 1.2:**

Proactively identify emerging issues and Member needs and, where appropriate, develop relevant food standards.

#### **Activity 1.2.1**

Develop a systematic approach to promote identification of emerging issues related to food safety, nutrition and fair practices in the food trade.

With respect to specific implementation:

Responsible parties and timeline: All Committees, by 2016.

Expected outcome: Timely Codex response to emerging issues and to the needs of Members.

Measurable indicators: 1) Committees implement systematic approaches for identification of emerging issues; 2) regular reports on systematic approach and emerging issues submitted to the Executive Committee through the Codex Secretariat.

#### **History of CCFICS**

6. As an outcome of the Uruguay round of trade negotiations and the resultant inclusion of Codex in the World Trade Organization's Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) as the reference organization for food safety standards and also Codex's importance in relationship to the WTO Technical Barriers to Trade Agreement (TBT Agreement), the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO), in cooperation with the General Agreement on Tariffs and Trade (GATT), convened the FAO/WHO Conference on Food Standards, Chemicals in Food and Food Trade. As part of this Conference, participants suggested ways to make the work of the Codex Alimentarius Commission on international food standards more responsive to the current needs of Governments, including considering and identifying the major problems in import/export food control that obstruct international trade in food and to suggest solutions to such problems. Among the Conference's many recommendations was the formation of a committee to deal with import/export food control problems, including certification problems.

7. The 19th (1991) Session of the Codex Alimentarius Commission, in considering the recommendations of the Conference, agreed to establish a committee to consider matters of import/export inspection and certification. It agreed that the new Committee would establish draft terms of reference<sup>1</sup> for consideration at its first session with subsequent consideration and approval by the Commission. The Commission also accepted the offer of Australia to host the Committee. The first session of CCFICS was held in September 1992.

8. The initial work of CCFICS was to develop the *Principles for Food Import and Export Inspection and Certification* (CAC/GL 20-1995). Subsequently, the Committee developed two documents that laid out fundamental guidance for food import/export control systems, the *Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems* (CAC/GL 26-1997) and the *Guidelines for Food Import Control Systems* (CAC/GL 47-2003).

9. Over the course of its work, the Committee has developed a series of guidelines on various operational aspects of food import/export control systems including:

- *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates* (CAC/GL 38-2001);

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<sup>1</sup> Codex Procedural Manual, 24th edition, page 193.

- *Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations* (CAC/GL 19-1995);
- *Guidelines for the Exchange of Information between Countries on Rejections of Imported Food* (CAC/GL 25-1997); and
- *Principles for Traceability/Product Tracing as a Tool within a Food Inspection and Certification System* (CAC/GL 60-2006).

10. The Committee addressed the area of equivalence, developing *Guidelines for the Development of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems* (CAC/GL 53-2003) and *Guidelines for the Development of Equivalent Agreements Regarding Food Import and Export Inspection and Certification Systems* (CAC/GL 34-1999). The Committee considered but did not undertake work relating to the equivalence of TBT-related measures, noting that such work did not appear necessary and that it would be difficult to determine how equivalence could be objectively assessed in non-safety situations.

11. The Committee has also developed guidance relating to undertaking foreign audits and inspections (*Principles and Guidelines for the Conduct of Assessments of Foreign Official Inspection and Certification Systems* as Annex to CAC/GL 26-1997).

12. Most recently, the Committee has expanded its work to encompass all aspects of food control systems, completing work on *Principles and Guidelines for National Food Control Systems* (CAC/GL 82-2013), which was adopted by the Codex Alimentarius Commission at its 36th (2013) Session.

### **The current work of CCFICS**

13. The 21<sup>st</sup> session of CCFICS agreed to propose new work on the following topics:

- Principles and/or guidelines for the exchange of information (including questionnaires) between countries to support food import and export;
- Guidance for monitoring the performance of national food control systems;
- Revision of the *Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations* (CAC/GL 19-1995); and
- Revision of *Guidelines for the Exchange of Information between Countries on Rejections of Imported Food* (CAC/GL 25-1997).

14. The 38<sup>th</sup> session of the Commission approved the proposals for new work on the above topics, which will be further considered by CCFICS at its 22<sup>nd</sup> session.

15. In addition, CCFICS agreed, at its 22<sup>nd</sup> session, to prepare discussion papers on the following topics for consideration at its 22<sup>nd</sup> session:

- system comparability/equivalence; and
- the use of electronic certificates by competent authorities and migration to paperless certification.

### **Horizon scan of issues**

16. While it is impossible to predict the future direction of food safety and associated food control systems, it is possible to make some general statements regarding this area.

17. It is likely that the global trade in food, food ingredients, feed and associated agricultural products will continue to increase, driven by increased population and expanding economies. Domestic food production will similarly increase, driven by the same factors. Associated with these increases will most likely be an increasing need to track and respond to foodborne illnesses, whether microbial or chemical, due at a minimum to simple volume of production and trade, but also driven by emerging pathogens and advances in science and technology allowing for more effective identification and trending of foodborne illness. This combination of factors should result in the need for an increased capability for well-functioning food control systems

18. While the underlying components of a food control system may not change significantly in the next 10 to 20 years, it is probable that certain aspects of how systems operate will change, with some of the changes being significant and impactful. Most of these changes are likely to be associated with increased capability to carry out work or exchange information electronically. Systems will be automated, increased leveraging of information will occur, increased levels of intelligence and trend information will be obtained, and data analysis will increase. Such developments will likely result in changes in terms of which problems are identified, which actions taken and how the results are viewed.

19. Scientific advances will continue, or likely accelerate, with many outcomes, including new food technologies (production, processing, packaging and transport/distribution), new food products, with their associated need for control, and improved capabilities to identify and control foodborne hazards and identify food-related illnesses.

20. More precisely, with respect to food control systems and the work of CCFICS, the Committee should consider the impact of:

- a) Newer approaches to food production, processing, transport and distribution, both globally and domestically, and what adjustments, if any, are needed in existing CCFICS-developed Codex texts;
- b) Emerging food safety issues, fair practices in the food trade and nutrition;
- c) Newer approaches to ensuring the safety of foods, including preventative and outcomes-based systems, and what adjustments, if any, are needed in existing CCFICS-developed Codex texts;
- d) Adjustments to existing CCFICS-developed Codex guidelines to reflect current and anticipated changes in food control systems and their component parts;
- e) The suite of tools for and means of providing assurances, including the use of establishment lists, equivalence determinations, systems recognition, use of third parties and other leveraging activities, and how and when they are applied (including such components as the use of questionnaires and other assessment tools, and leveraging the work of public and private entities);
- f) The tools and methods used to measure performance of food safety systems and how and when they are applied;
- g) The use of information technology as applied to food control systems including use for data gathering and analysis and electronic certification;
- h) The vulnerability of foods to intentional contamination and whether or not existing Codex guidance with respect to food control systems is sufficient in this regard; and
- i) The interaction among various governmental entities involved in food trade, in particular between food control authorities and customs/border protection agencies, and interaction used to leverage information.

21. Work is under way to address issues raised in points e, f and g above, under agenda items 4, 5 and 8 of the 22<sup>nd</sup> Session of CCFICS, respectively..

22. In considering the elements above and its long-term work strategy, CCFICS will need to take into account the differing needs and capabilities of countries. Additionally, any resulting CCFICS guidance will need to encompass the fundamental components of food control systems as well as the inclusion of newer approaches and technologies.

#### **Forward-looking: potential work of CCFICS**

23. Recognizing the horizon scan and trends presented above, CCFICS may wish to consider the following areas as strategic directions for new work. They are presented in no particular order of importance or priority.

- a) Extending the mechanisms to recognize the competency of food control systems beyond that of equivalence. Broader, more flexible means of recognizing the ability of a competent authority to provide assurances as to the safety of food are being considered and/or used by Governments; such approaches include the use of evaluating food safety outcomes rather than the level of protection to measure comparability. CCFICS may wish to consider the development of guidance in this area, perhaps developing a broader guidance document that considers different approaches to recognizing the competency of a food control system and incorporates the *Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems* (CAC/GL 53-2013). As a component of this work, CCFICS may wish to consider the development of guidance relating to the leveraging of information between competent authorities. CCFICS will consider this topic further under **agenda item 8** (Discussion paper on system comparability/equivalence) at its 22<sup>nd</sup> session.
- b) Developing a more general guidance document on establishing cooperative arrangements between competent authorities. Such a document could expand the guidance in the *Guidelines for the Development of Equivalence Agreements Regarding Food Import and Export Inspection and Certification System* (CAC/GL 34-1999) to collaborative and/or systems-recognition cooperative arrangements more generally.

- c) Developing guidance on specific mechanisms beyond the activities of a competent authority acting alone to assure the safety of food — for example, guidance relating to leveraging work conducted by private and public entities, including official third parties to provide assurances relating to compliance with applicable Government standards and guidelines.
- d) Expanding the guidance on traceability presented in the *Codex Principles for Traceability/Product Tracing as a Tool within a Food Inspection and Certification System* (CAC/GL 60-2006), recognizing that the existing guidance is limited and that the capabilities relating to traceability/product tracing have significantly advanced since it was developed.
- e) Recognizing that responsibility for the handling of imported food is often a shared between food control authorities and customs/border control authorities, CCFICS may wish to consider developing guidance relating to the interaction between such agencies.
- f) Recognizing the increasing use of electronic means of transmitting information, CCFICS should consider this area in depth and its impact on the operation of food control authorities, including in particular, the areas of electronic certification and the exchange of information in such areas as alternatives to certification (e.g. establishment lists). CCFICA will consider this topic further under **agenda item 9** (Discussion paper on the use of electronic certificates by competent authorities and migration to paperless certification) at its 22<sup>nd</sup> session.
- g) Recognizing that much of the work done by CCFICS has been of an overarching or framework nature, CCFICS may wish to consider the value and usefulness of developing guidance relating to the more detailed operational aspects of food control systems. Examples of such work may include: guidance relating to which areas should be examined during establishment audits and/or inspections; and appropriate elements for training programmes for food establishment inspectors. The Committee may wish to review existing CCFICS-developed Codex texts to determine which specific areas are appropriate for development of such additional guidance.
- h) Acknowledging that the intentional contamination of food can be a food safety concern, CCFICS may want to revisit this topic to determine if there is sufficient interest in developing guidance in this area or incorporating reference to it into existing CCFICS-developed Codex texts.
- i) Recognizing that many of the existing CCFICS-developed Codex texts were developed a number of years ago, it may be worthwhile, in the light of new information and the trends identified above, to review these texts to determine whether updating and revision is appropriate. At its 22<sup>nd</sup> session (2015), CCFICS will consider revisions to the following texts: *Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations* (CAC/GL 19-1995) **agenda item 6**; and *Guidelines for the Exchange of Information between Countries on Rejections of Imported Food* (CAC/GL 25-1997) **agenda item 7**.

## Recommendations

24. The information presented above with respect to the horizon scan, trends and the forward-looking potential work of CCFICS should be further considered at its 22<sup>nd</sup> session. Members and Observers are strongly encourage to critically examine these areas and provide their thoughts on both the suggestions presented in this paper and on other areas they may deem it important for CCFICS to consider as the Committee continues to reflect on where to focus its attention on over the coming decade and beyond. In this regard, it is important that CCFICS take a broad view of its charge, reflecting on:

- a) the work it has done on enabling a successful food control system, both with respect to food import and export control systems and on domestic control systems;
- b) the gaps that may still exist in this guidance;
- c) the need to update existing guidance; and
- d) new areas for which guidance is needed.

25. The Committee should continue to keep this document up to date and as a standing item on the CCFICS agenda. This should facilitate the identification of near-term work priorities while also assisting in the long-term planning of the Committee's work.