

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: [codex@fao.org](mailto:codex@fao.org) - [www.codexalimentarius.org](http://www.codexalimentarius.org)

**Agenda Item 4**

**CRD20**

Original language only

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

#### Twenty-Sixth Session

#### Comments of Morocco

#### Morocco's Declaration

Following the technical connection problems that Morocco tried to overcome to join the CCFICS26 session and given the persistence of these difficulties for several hours, Morocco sends the following statement.

#### Agenda Item 4 :

Morocco would like to thank New Zealand, Kenya and the United States of America for their chairmanship and co-chairmanship of the EWG and for their excellent work in managing the discussion and moderation work of this group.

Morocco makes the following comments and hopes that the Committee will take them into account:

1. SECTION 3 – Definitions: Morocco proposes reference or inclusion of proposed definitions in the document Preliminary Draft Consolidation of Codex Guidelines on Equivalence (CX/FICS 23/26/5), like "Outcomes" and add a new definition like "level of protection"

Rationale: Provide stability of interpretation

2. SECTION 4 – PRINCIPLES – Evaluation point d. / SECTION 5 – stages of the process - step 5: evaluation process, point 30 – point 4 / SECTION 5 – stages of the process - step 6: decision-making process, point 33 – point 1:

Morocco notes that throughout the proposed draft refers to the crucial issue of the duration of the assessment and decision-making process by the term "timely manner". (cited " 3 time in the draft). However, it is practically customary for the assessment, decision-making, and for global equivalence process to last for years (sometimes up to 10 years). In this respect, and in order to encourage members to be more transparent on this subject,

Morocco proposes to Change the term "timely manner" to "within a reasonable time" that we consider a legal term and whose case law provides a fairly predictable definition.

The addition of an independent point at Step 5: parg. 33 Importing countries are encouraged to provide exporting countries with the normal average duration of the assessment process before it is conducted. This period must be justified and reasonable."

General: Morocco proposes to provide flexibility mechanisms by establishing a sped-up process of equivalence. Admittedly, this process will be the will-recorded by both parties, but we consider this draft needs to provide for it in order to identify the steps (or parts of steps) that are likely to be accelerated. The inclusion of an expedited process in the draft will allow members to become aware of the existence of such agreements (agreements) in accordance with the requirements of step 7 of this draft but also with members' commitments under the WTO SPS Agreements.