CODEX ALIMENTARIUS COMMISSION

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Food and Agriculture Organization of the United Nations

World Health Organization

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS (CCFICS)

Twenty-Sixth Session

Hobart, Tasmania, Australia

1 – 5 May 2023

INFORMATION ON ACTIVITIES OF FAO AND WHO AND OTHER INTERNATIONAL ORGANIZATIONS RELEVANT TO THE WORK OF CCFICS

(Information from UNIDO, WCO, WTO and the STDF Secretariats)

A. ACTIVITIES OF UNIDO RELEVANT TO CCFICS

1.   United Nations Industrial Development Organization (UNIDO) provides a range of services to improve food safety control systems and food safety management systems of food business operators among its Member States. From the beginning of the drafting and until the adoption of the different CCFICS guidelines, UNIDO has been engaged in supporting the implementation of the Codex guidelines, specifically on *Principles and Guidelines for the assessment and use of voluntary third-party assurance programme* (CXG 93-2021), and paperless exchange of official certificate included in the *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates* (CXG-38 2001, revised in 2021). The present document is a report on the work and tools that UNIDO has conducted in relation to the Codex Committee on Food Import and Export and Inspection and Certification Systems (CCFICS).

UNIDO work on voluntary third-party assurance programmes (vTPA)

2.   As part of the activities of the Standards and Trade Development Facility (STDF) funded project entitled *Piloting the use of voluntary third-party assurance programmes (vTPA) in West Africa*, UNIDO has organized a series of webinars aimed at increasing understanding and awareness of the various regulatory approaches and options for using data generated by vTPA programs. Competent authorities (CAs) from the United Kingdom, Germany, the Netherlands, and Canada have shared experiences and lessons learned from a regulatory perspective how to assess and use data generated by vTPAs for more informed regulatory decision-making and prioritization of regulatory resources.

3.   A vTPA partnership platform has been established by UNIDO to mobilize expertise and resources under the West Africa and the Central America vTPA projects. Members joint voluntarily and commit to share financial and/or in-kind resources to contribute to the results of the project. The platform currently has 18 members including global players such as WHO or LRQA and private industry such as FSSC 22000, International Featured Standard (IFS) and GlobalG.A.P.

4.   In-country trainings in West Africa conducted by a number of vTPA owners, namely FSSC 22000, IFS and British Retail Consortium (BRC) have raised awareness of the existing vTPA schemes for around 80 participants from food producing or processing companies, consulting firms, inspectors and competent authorities from Mali and Senegal.

5.   In the framework of the UNIDO regional programs in the Arab Region funded by Sweden and in cooperation with the Arab Industrial Development, Standardization and Mining Organization (AIDSMO), UNIDO organized an Arab Regional Forum to increase awareness on CXG 93-2021 and the potential for a regional approach to reduce required efforts of regulators. The Forum was held in Amman, Jordan on the 30th August to 1st September, 2022. It brought together representatives of competent authorities, food production companies and accreditation bodies from 13 Arab countries to promote consultation and discussion on a possible implementation of a regional vTPA approach.

6.   UNIDO is in the process of finalizing and piloting a tool for CAs on training them on the assessment process of vTPAs. The purpose of the tool is to build capacities of CAs following the CCFICS guideline on the assessment process of vTPA programmes. Based on the assessment, the CA will be able to decide whether the information / data generated by the respective vTPA may be used to better risk-profile sectors or even

individual Food Business Operators (FBO). A pilot training of the tool took place between 27 February and 2 March 2023 in Cairo, Egypt.

Remote audit and verification

7.   Since its establishment, UNIDO has supported the establishment and improvement of conformity assessment services around the world. The COVID-19 pandemic has accelerated the implementation of remote conformity assessment techniques, generating and promoting a wide variety of technologies available to make conformity assessment activities more dynamic. On the road to the digitization and digitalization of quality infrastructures and conformity assessment services, including inspection, UNIDO has played an important role. UNIDO released a publication in 2022 on the implications of remote conformity assessment for developing countries was released. The **Remote Conformity Assessment in a Digital World Publication** provides a high-level overview of the evolution of remote assessment and auditing techniques in recent years and their application in different conformity assessment contexts. It also highlights the benefits associated with such techniques, along with the challenges and implications for the future.

8.   UNIDO has received a project preparatory grant (PPG) from the Standards and Trade Development Facility (STDF) to assess the uptake of remote audit and inspection services globally. Accordingly, a survey was circulated among Codex focal points and SPS Committee Members for better understanding of practices after the COVID-19 pandemic. The preliminary findings were presented during the SPS Committee Thematic Session on the Use of Remote (Virtual) Audit and Verification in Regulatory Frameworks on 21 June 2022. The Government of Australia has also provided funds to UNIDO to gain better understanding of current practices, advantages, and burdens related o the application of remote audits in three South-East Asian countries. A meeting with the potential group of regulators was held on the margin of the Vienna Food Safety Forum.

Paperless exchange of official certificates

9.   In collaboration with the African Union – InterAfrican Bureau for Animal Resources (AU-IBAR), UNIDO has organized an Informal Questions and Answers related to that time draft guidance on paperless exchange of official certificates to African regulators on 15 October 2021. The purpose of this informal session was to provide an update on the state of play and to shed some additional light on the nature of the revision of the *Guidelines for Design, Production, Issuance and Use of Generic Official Certificates* (CXG 38-2001) for paperless use of electronic certificates. The session allowed regulators from Africa to engage with the former Chair and Co-Chair (from the Netherlands and Australia) of the electronic working group, leading this revision to its current stage (adoption at Step 5/8 by CAC44 (2021)). Apart from the presentation done by the Chairs, participants listened to the perspective from World Customs Organization (related to their WCO data model) as well as to the perspective from an African country on how this guideline could be utilized, after adoption.

Vienna Food Safety Forum

10.   In collaboration with the Department of Agriculture, Fisheries and Forestry of Australia and the STDF, UNIDO organized the 2022 Food Safety Forum from 3 to 5 October in Vienna. Four hundred participants attended in person and remotely to listen to and discuss about data driven innovation in food safety. Topics addressed during the conference included the use of the voluntary third-party assurance (vTPA) approach to improve food safety outcomes; sharing data for improved food safety decision making; electronic exchange of health certificates and how it changes certification; costs and benefits of remote audit and verification n regulatory frameworks; use of data and information and communication technology (ICT) in food safety for improved audit outcomes and regulatory enforcement functions; existing guides and tools for implementing remote practices in food safety control; and remote inspection and trade verification practices.

B. ACTIVITIES OF THE WORLD CUSTOMS ORGANIZATION (WCO)

World Customs Organization (WCO) initiatives on paperless processes, interoperability and facilitation of safe and legitimate trade

1.   Taking into account the ever-increasing developments in the area of information and communication technology (ICT), the Customs community believes that the utilization of ICT could provide an unprecedented opportunity to enhance the efficiency of Customs' work. Paperless processing, the dematerialization of documents and risk-based non-intrusive inspection are examples of WCO initiatives in the context of digitalization. The use of advanced electronic data in a harmonized manner could support Customs in providing greater facilitation for safe and legitimate trade by, inter alia, enabling the implementation of modern data-driven risk management and less intrusive clearance control.

2.   The Customs community considers cross-border movements to be complex procedures involving many stakeholders, including government agencies. The approach followed by the WCO is that of cross-sectorial coordination and collaboration addressing all stakeholders at the border, given that "silo" and uncoordinated approaches would not lead to significant progress in the facilitation of cross-border procedures.

3.   The WCO applies a Digital Customs concept that serves as a conceptual framework to support Members in understanding and implementing the ICT-related tools, instruments and guidelines already developed by the WCO. The WCO Digital Customs concept supports trade facilitation and security, fair and efficient revenue collection, the protection of society, and institutional and human resource development. Drawing on its expertise, the WCO is carrying out further work from three perspectives in particular:

- Standards development/enhancement;
- Cooperation/coordination between and among Customs and its strategic partners;
- Development of capacity and core competence within Customs.

4.   To this end, the WCO has developed a range of guidance, instruments and tools to support Members in implementing digitalization and paperless processing, digital collaboration, interconnectivity and seamless data exchange. Examples of the instruments and tools developed include the WCO Data Model and the Single Window Compendium, which are described in greater detail below.

WCO Mercator Programme in support of TFA implementation

5.   The WCO, as the only intergovernmental organization dealing with Customs matters which are at the heart of the WTO Trade Facilitation Agreement (TFA), provides TFA support to its Members through its Mercator Programme launched in June 2014. The Mercator Programme follows a dual-track approach that comprises overall and tailor-made tracks, allowing the WCO to respond to important cross-cutting, as well as country-specific challenges to TFA implementation. The Mercator Programme is a unique initiative that allows for uniform implementation by applying WCO instruments and tools, and is supported by the practical experiences of the global Customs community. It has been evolving to address the needs and requirements of the WCO's membership, including those arising from the most recent challenges caused by the COVID-19 pandemic.

WCO Annual Theme

6.   Last year (2022), the WCO and the Customs community dedicated themselves to taking forward a particular theme under the slogan "Scaling up Customs Digital Transformation by Embracing a Data Culture and Building a Data Ecosystem". The Customs community focused on how to operate in a fully digital environment and create an operating model that captures and exploits data from across the trade ecosystem. To support Customs administrations in this endeavour, the WCO Secretariat has placed data-related topics on the Agendas of several committees and working groups, organized awareness-raising seminars, developed e-learning modules, drafted a Capacity Building Framework for Data Analytics, issued practical publications and published articles in the WCO News Magazine. Moreover, a community of experts has been established under the name BACUDA (BAnd of CUstoms Data Analysts), bringing together Customs and data scientists with the objective of developing data analytics methodologies. The WCO continues to find ways to collect and share data about Customs administrations with a view to enhancing the way it delivers capacity building, and continues to undertake data-driven assessments and work with international experts to respond to requests for assistance.

7.   In continuance of these activities, the WCO announced the slogan for this year (2023) as "Nurturing the Next Generation: Promoting a Culture of Knowledge-sharing and Professional Pride in Customs". This is about placing human capital, and especially the new generation, at the heart of the transformation of Customs – an approach the WCO has been advocating for a number of years. In order to nurture a data-driven culture, the Customs community continues to enhance staff members' ability to interpret and analyze data accurately. Customs administrations try to integrate data science into their curriculums for newly-recruited officers and to

participate in the development of distance learning courses to familiarize Customs officers with the collection and analysis of data in order to forge a data-driven culture. The WCO encourages Customs administrations to present information about the practices and measures they have introduced; they may do so during meetings of WCO working bodies which address this theme, during the events we organize throughout the year, and in our various publications.

WCO Data Model

8.   The WCO Data Model (DM) has provided the data foundation for global trade interoperability for more than two decades. It was developed to provide a universal language for cross-border data exchange. It is a compilation of clearly structured, harmonized, standardized and reusable sets of data definitions and electronic messages designed to meet the operational and legal requirements of Customs and other cross-border regulatory agencies (CBRAs) responsible for border management. The DM significantly reduces costs and improves efficiencies for Members and other stakeholders, such as the business community.

9.   The current version of the DM – Version 3 – has evolved to meet the needs of its users over the years. Solutions for Single Window systems, Multi-Modal Manifest and XML are some of the enhancements offered to meet increased governmental regulatory requirements and the demand for new technologies. The global trade landscape continues to change rapidly as technological advances make data more accessible, and governments adjust regulations to leverage these advances. The role of the DM as the data foundation becomes even more essential as the WCO and its Members focus on formulating a Data Strategy. In June 2023 the next major release – Version 4 – will keep the DM at the forefront by supporting cutting-edge technologies and making vast improvements to the Model.

10.   This new version includes the introduction of the WCO DM App. This interactive, web-based application allows Members to easily view, search, and compare data elements in the DM without having to go to multiple locations. Users will be able to reference other Members' national information packages to assist them with mapping, and the maintenance process will become easier with the automation and storage of the Data Maintenance Request (DMR) form. The App will also provide all the necessary technical guidance materials, including the conventional downloadable documents, giving Members all the information they need in one location.

Joint CCFICS – WCO work on Data Harmonization

11.   With regard to the joint work between CCFICS and the WCO, at the 61st Meeting of the WCO Data Model Projects Team (DMPT), held in September 2021, the Chairperson of the CCFICS Electronic Working Group (EWG) provided an update on developments in the CCFICS's work on the paperless use of electronic certificates in international food trade. He pointed out that the Guidance on this subject included a CODEX reference data model for the official generic CODEX certificate, which could be used as a reference for further data mapping of the WCO DM CODEX Derived Information Package (CODEX DIP).

12.   At the 63rd Meeting of the DMPT, in May 2022, the WCO Secretariat highlighted the opportunity to initiate official cooperation with CODEX, so that work on the standardization and digitalization of certificates could be conducted by experts from Customs and CODEX, working together. The DMPT agreed to include in its Work Programme an activity to update the CODEX DIP relating to food safety certification, in alignment with the CODEX Guidelines on the principles and guidelines for food import and export inspection and certification systems.

13.   At the 65th DMPT Meeting in February 2023, the CODEX DIP was reviewed; this involved examining the existing data structure of the generic CODEX model dataset produced by the CCFICS. The exercise was conducted in the intersession, in cooperation with CODEX food safety experts. The draft update of the CODEX DIP contains the mapping, with a comparison between the generic CODEX model and the WCO DM License, Permits, Certificates and Others (LPCO) Base Information Package (BIP). The draft mapping is complete, therefore further validation work on each mapped element is expected to be done at the 66th DMPT Meeting in May 2023.

14.   In conclusion, the WCO's initiatives on paperless processes, interoperability, and the facilitation of safe and legitimate trade through the development of the WCO Data Model CODEX DIP serve to enhance the efficiency and effectiveness of Customs processes. By adopting these initiatives and standards, the CCFICS can improve the safety and quality of the food supply chain while facilitating Customs procedures through the harmonization of data exchange.

WCO Single Window Compendium[1]

15. The WCO has developed a Compendium on "Building a Single Window Environment", providing comprehensive guidance in this respect. When developing the Compendium, account was taken of UN/CEFACT Recommendation 33 on Single Window. The latter contains, inter alia, "Guidelines on Data Harmonization" which suggest using the WCO DM as the foundation for undertaking data harmonization work as one of the basic building blocks for the development of a Single Window environment.

16.   Considering that CODEX is an important strategic partner of the WCO, the WCO is interested in aligning its tools on paperless processing with CODEX's initiatives, with the objective of harmonizing approaches to facilitate collaboration, coordination and seamless interoperability between the WCO and CODEX Members, and to achieve more efficient border management.

WCO Single Window Compendium[1]

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[1] http://www.wcoomd.org/en/topics/facilitation/instrument-and-tools/tools/single-window-guidelines.aspx

C.   RELEVANT ACTIVITIES OF THE WTO SPS COMMITTEE AND THE STDF[2]

This report to the 26th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) provides a summary of some of the recent relevant activities of the WTO Committee on Sanitary and Phytosanitary Measures (the "SPS Committee"). It focuses on the work of the WTO SPS Committee Working Group on Approval Procedures (Working Group on Approval Procedures) and specific trade concerns (STCs) recently discussed in the SPS Committee. This report also contains information on relevant work of the Standards and Trade Development Facility (STDF).

1 RELEVANT WORK OF THE SPS COMMITTEE

1.1 Working Group on Approval Procedures

1.1. In November 2019, the SPS Committee held a thematic session on approval procedures[3], building on a previous workshop on control, inspection and approval procedures in July 2018.[4] Following the thematic session, Members recommended that the Committee create a working group open to the participation of all Members and Observers to continue to examine the topic of approval procedures.[5]

1.2. The Working Group on Approval Procedures started its work in November 2020, with Canada and Paraguay acting as co-stewards[6], and is due to conclude in March 2023. Twenty-five Members participated in this group: Argentina, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, the European Union, Japan, Mexico, New Zealand, Norway, Paraguay, Peru, the Philippines, the Russian Federation, Singapore, South Africa, Switzerland, Chinese Taipei, Ukraine, the United Kingdom, the United States, and Uruguay. The OECD was also a participant.[7]

1.3. The Working Group on Approval Procedures focused on: (i) developing a common understanding of approval procedures; (ii) discussing tools available and best practices to enhance the implementation of the obligations of the SPS Agreement as they apply to approval procedures and compiling a collection of readily available tools and resources; (iii) identifying key challenges of approval procedures that impact international trade and that the SPS Committee should seek to address, such as those relating to timing and undue delays, transparency, communication and information exchange, justification and discrimination, and lack of harmonization with international standards; and (iv) identifying principles of approval procedures that facilitate international trade while meeting the importing Member's appropriate level of sanitary or phytosanitary protection and the SPS Committee's role in highlighting these principles.

1.4. On 1 March 2023, the Working Group on Approval Procedures circulated a comprehensive summary of its work[8] and a collection of available tools and resources, listing existing instruments to enhance the implementation of the SPS Agreement.[9] The Working Group on Approval Procedures also circulated the following recommendations to aid the SPS Committee in providing consistent guidance for Members:

a.   The Collection of Available Tools and Resources in document G/SPS/GEN/2098 should be kept up to date by the SPS Committee with the assistance of the Secretariat;

b.   Members should consider the use of SPS Committee mechanisms to facilitate discussions on approval procedures, and to explore the need for additional guidance or tools;

c.   Members are encouraged to further the implementation of Annex C of the SPS Agreement;

d.   Members are reminded of the importance of key principles of the SPS Agreement, including those reflected in Annex C. In the context of the transparency principle specifically, Members are encouraged to: (i) make information available on websites; (ii) update contact details on the ePing SPS&TBT platform; (iii) notify all new or changed approval procedures expected to have a significant effect on trade; (iv) provide information at the outset of an approval process; (v)

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[2] This report has been prepared under the WTO Secretariat's own responsibility and is without prejudice to the positions of WTO Members or to their rights or obligations under the WTO. The same applies for the section on STDF.
    [3] The presentations of the thematic session are available at
https://www.wto.org/english/tratop_e/sps_e/workshop05112019_e.htm.
    [4] The presentations of the workshop are available at
https://www.wto.org/english/tratop_e/sps_e/workshop910718_e.htm.
    [5] G/SPS/64, para. 3.12.
    [6] The Working Group on Approval Procedures worked on the basis of proposed guidance by Canada (G/SPS/W/328/Rev.1), as subsequently updated by Canada and Paraguay (G/SPS/W/328/Rev.1/Add.1).
    [7] The Working Group on Approval Procedures liaised, and Members collaborated with, the OECD on its related work on approval procedures. The OECD published a report in February 2023, and will hold an event on this topic in the margins of the meetings of the SPS Committee on 22 March 2023 (G/SPS/GEN/2105).
    [8] G/SPS/GEN/2097.
    [9] G/SPS/GEN/2098.

maintain an open and ongoing communication; and (vi) use international tools for the electronic exchange of certificates;

e. Members are encouraged to engage in regulatory cooperation to maximize capacity and resources, to facilitate approval procedures, and to address asynchronous approvals; and

f. Members are encouraged to adopt approval procedures that make use of modern technologies and practices, such as remote audits, and to work with relevant international organizations in this area.[10]

1.5. The collection of available tools and resources as well as these recommendations were put forward for possible endorsement by the SPS Committee at its meeting on 22-24 March 2023.

1.2 Specific Trade Concerns

1.6. The SPS Committee devotes a large portion of each regular meeting to the consideration of STCs. Any WTO Member can raise STCs about the food safety, plant or animal health requirements imposed by another WTO Member. Issues raised in this context are usually related to the notification of a new or changed measure or based on the experience of exporters. Often other countries will share the same concerns. At SPS Committee meetings, Members usually commit themselves to exchange information and hold bilateral consultations to resolve the identified concern.

1.7. A summary of the STCs raised in meetings of the SPS Committee is compiled on an annual basis by the WTO Secretariat.[11] Altogether, Members have raised 558 STCs since the establishment of the WTO in 1995 (up until March 2023). Overall, 188 (33%) of STCs raised relate primarily to food safety, with many of those also concerning control, inspection, or approval procedures.[12]

1.8. In 2022, several new STCs of relevance to Codex concerned Maximum Residue Limits (MRLs) or import tolerances for plant protection products. Other relevant new STCs concerned heavy metal contaminants (arsenic in yeast), MRLs for nicotine in tea, health certificate requirements, registration requirements for foreign manufacturing facilities, sampling frequency for antibiotic residues, and radioactivity checks on imported food products. Thirteen issues that had been raised in previous years with food safety as primary topic were discussed again in 2022. Many of these concerned MRLs for pesticides and contaminants and some explicitly related to control, inspection and approval procedures.

2 RELEVANT STDF WORK

2.1. The STDF has undertaken studies that show how implementation of SPS measures can sometimes unnecessarily increase the cost and time of doing business. SPS procedural costs may include, for example, more controls than necessary, overlapping documentary requirements, multiple inspections or longer than necessary waiting times. Tackling these costs is important to reduce trade costs for the private sector, and make sure that public resources are used optimally.[13] In addition, the STDF has conducted work on electronic SPS certification (eCert), including innovative projects on electronic phytosanitary certification (ePhyto) and electronic veterinary certification (eVet).[14]

2.2. In 2022, the STDF published a Guide to help SPS regulators in developing countries use Good Regulatory Practices (GRPs) to improve SPS measures and facilitate safe trade. The Guide offers a handbook to navigate and use GRPs when designing, developing, and reviewing SPS measures. It may also be used to support the development and/or implementation of capacity development projects at the national or regional level, supported by the STDF or other partners. The Guide is available in English, French, Russian and Spanish.[15]

2.3. Three STDF projects, in Mali & Senegal[16], in Rwanda & Uganda[17], and in Belize & Honduras[18] respectively, are piloting the use of a voluntary Third-Party Assurance (vTPA) Programme to improve food safety, based on the Codex *Principles and Guidelines for the Assessment and Use of vTPA Programmes* (CXG 93-2021). One of these projects is implemented by UNIDO, which has also established a vTPA partnership platform to mobilize expertise and resources under all these projects. Reference is made to the background document prepared by UNIDO for this meeting.

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[10] G/SPS/GEN/2099.
[11] The latest version of this summary can be found in document G/SPS/GEN/204/Rev.23.
[12] Information on STCs can be easily extracted from the ePing SPS&TBT platform or the WTO Trade Concerns database.
[13] See: https://standardsfacility.org/facilitating-safe-trade.
[14] See: https://standardsfacility.org/SPS-eCert.
[15] See: https://standardsfacility.org/good-regulatory-practice.
[16] See: https://standardsfacility.org/PG-665.
[17] See: https://standardsfacility.org/PG-842.
[18] See: https://standardsfacility.org/PG-682.

2.4. The STDF also provided seed funding to a small project to identify current practices applied by regulators regarding the conduct of remote inspections of food business operators. This work is also implemented by UNIDO, which is collaborating with regulators actively participating in CCFICS. This small grant will also allow for the identification of a pilot country (or countries) where best practices in applying remote inspection practices could be introduced or further improved, potentially for funding by the STDF.[19] Again, reference is made to the UNIDO background document for this meeting.

2.5. Finally, in October 2022 the STDF, together with UNIDO, organized the Vienna Food Safety Forum. The event provided a platform for food safety stakeholders from the public and private sectors and academia to exchange experiences about the digital transformation of food safety practices.[20]

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[19] See: https://standardsfacility.org/PPG-782.
[20] See for the programme, speakers, and presentations: https://standardsfacility.org/vienna-food-safety-forum-2022.