

codex alimentarius commission



FOOD AND AGRICULTURE
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INFORMATION ON NATIONAL FOOD CONTROL SYSTEMS AND CONSUMER PARTICIPATION IN FOOD STANDARD SETTING

Reports from Ethiopia, Mali and Morocco

Ethiopia

National Food Control System

The Ethiopian Food Safety Control System is basically divided into two sectors, i.e., the health and agriculture sectors. The health sector is mainly responsible for the safety of food products for human consumption and the agriculture sector focuses on the safety of animal and plant health. Both sectors are responsible for developing food safety legislation, directives, guidelines, procedures, etc. and have well-established organizational structures to the grass-root level to execute the food safety inspection system. But there is no single food control system.

Consumer Participation in Standard Setting

Stakeholders, especially the Ethiopian Consumer Association, are represented in the work of standardization.

Mali

National Food Control System

The main objectives of the national food control system are:

- the protection of public health against food-borne diseases;
- the protection of consumers against falsified, unfit or adulterated food products;
- the promotion of trade through quality assurance and adherence to national and international legislative and regulatory requirements.

i) Organization of official control services

In Mali, the control of food products is governed by basic laws, general decrees and implementing orders for the legislative and regulatory texts.

However, some of these texts are obsolete and no longer correspond to national and international reality, thus undermining their effect.

In view of the new challenges of globalization and the requirements of the SPS measures and the WTO agreements, a national workshop emphasized the need for Mali to equip itself with legislative and regulatory texts that corresponded to international requirements.

Under the guidance of the National Food Safety Agency, a food commodity control and surveillance plan has been drawn up with the technical services responsible for control and inspection. The plan has a companion inspection guide to harmonize control procedures.

ii) *Food safety legislation and regulations in Mali*

• **Phytosanitary legislation**

Phytosanitary control is governed by Law N° 02-013 of 03 June 2002 which institutes phytosanitary control in the Republic of Mali, together with Decree N° 02-305/PRM of 3 June 2002 which provides the implementing modalities for Law N° 02-013.

The law gives the definitions and general principles of quarantine; determines the areas of competence of control officers; and addresses infringements and penalties.

The decree states the institutions responsible for phytosanitary control and the modalities of phytosanitary inspection, and imposes a phytosanitary certificate.

The complementary texts include Order N° 06-3275/MA-SG of 10 August 2005 on the conditions of treatment of wood packaging materials in the Republic of Mali.

This text has resulted in the institutional recognition of the IPPC International Standard for Phytosanitary Measure N° 15 which provides guidelines for regulating wood packaging material in international trade.

Law N° 02-014 of 3 June 2002 instituting the certification and control of pesticides in the Republic of Mali and Decree N° 02-306/PRM of 3 June 2002 setting its implementing modalities.

These texts define the labelling modalities with the interval before harvesting.

However, Mali does not have any specific text on the evaluation of pesticide residues in food.

• **Animal health legislation**

The control of animal health is governed by Law N° 01-022 of 31 May 2001 which regulates animal health inspection in the Republic of Mali and Decree N° 01-339/PRM of 9 August 2001 which provides its implementing modalities.

The law gives the definitions and general principles of sanitary inspection of animals and animal-derived foods; determines the areas of competence of control officers; and addresses infringements and penalties.

The decree lists the contagious diseases for the Republic of Mali, defines sanitary culling and a disease free area, determines special measures for selected diseases, sets sanitary measures for the export and import of live animals, animal-derived foods and genetic material, identifies the institutions responsible for animal health control and the modalities of animal health inspection, and imposes an animal health certificate.

The complementary texts include:

- Interministerial Order N° 7028/MRNE-MSPAS of 22 December 1987 regulating the sanitary and safety inspection of animal-derived foods in Mali.
- Law N° 02-001/PRM of 16 January 2002 setting the conditions for the production, processing and marketing of milk and milk products and Decree N° 02-304/PRM of 3 June 2002 on its implementing modalities.
- Interministerial Order N° 00 3445/MDR/MIC/MEP of 5 December 2000 banning the importation of beef and beef products, meatmeal, bloodmeal and bonemeal, live cattle and cattle ovules and embryos.
- Interministerial Order N° 04-0596/MIC/MEF/MAEP-SG of 18 March 2004 banning the importation of chicken meat.

- **Other food-related legislative texts**

- Decree N° 66/PG-RM of 2 March 1962 establishing the modalities for organizing and implementing the control of processed products from agriculture, livestock, water and forest resources and agroindustries of Mali.
- Order N° 93-0123/MEFP-CAB of 27 January 1993 instituting mandatory information on edible oil packaging.
- Order N° 01-2699/MICT-SG of 16 October 2001 listing products banned for import or export.
- Interministerial Order N° 06-1907/MS/MIC/MEP-MA-SG of 4 September 2006 regulating the sale, information and quality control of breastmilk substitutes in Mali.

- **Mali's food standards**

Mali currently has 52 approved food standards and 18 proposed draft standards under public inquiry. Mali's standards cover cereals and cereal products, fruit and vegetables, milk and milk products, fish and fish products, meat and meat products, eggs and egg products, precooked meals, food additives and processing aids.

The workshop on food standards in Mali held 26-29 June 2006 by the National Food Safety Agency provided an opportunity for the technical services, agricultural and agrifood practitioners and representatives of consumer associations to critically assess Mali's standards in relation to Codex standards.

The workshop's conclusion was that Mali's standards did not conform with Codex standards regarding definitions, hygiene criteria, MRLs for food additives, contaminants and pesticides, and methods of analysis and sampling.

On the strength of experience gained from participation in Codex proceedings, Mali's ANSSA has started to review existing national standards on the basis of Codex standards and to translate Codex standards into national regulations.

iii) Control structures

Responsibility for food control is shared between several ministries. Although these have very different roles and responsibilities, their regulatory activities sometimes overlap and their surveillance duties are sometimes dispersed. There is also a considerable disparity in competence and resource allocation between structures. Furthermore, public health protection responsibilities sometimes clash with the need to foster trade or develop a particular industry or sector.

1. The National Health Directorate (DNS)

The National Health Directorate was established by Ordinance N° 00-20/PRM of 20 March 2001 and subsequently ratified by Law N° 01-058 of 3 July 2001.

The National Health Directorate's Public Hygiene and Sanitation Division inspects the hygiene of production plants (supplies and equipment), transportation, personnel, water and foods.

2. The National Veterinary Services Directorate (DNSV)

The National Veterinary Services Directorate was established by Law No 05-010/PRM of 11 February 2005. It is the authority for veterinary health measures and controls animal-derived foods including from hunting, fisheries and beekeeping.

3. The National Agricultural Directorate (DNA)

The National Agricultural Directorate was established by Law N° 05-012/PRM of 11 February 2005. It is the authority for phytosanitary control and ensures implementation of the SPS measures through its Phytosanitary Legislation and Control Division.

- **Representation of the food control services throughout the territory**

The official food control services are represented at central level by the Public Hygiene and Sanitation Division (DNS), the Phytosanitary Legislation and Control Division (DNA) and the Veterinary Inspection and Public Health Division (DNSV).

At the level of the eight administrative regions and the district of Bamako, they are represented by food control units placed under a division attached to the corresponding regional directorate.

The services are represented at subregional level by control branches and at municipal level by control posts.

The zoosanitary and phytosanitary control of imports and exports is effected at border control points (airport, railway stations, bus terminals) by veterinary inspectors and phytosanitary inspectors.

- ***Testing and control laboratories***

The assessment of food safety and nutritional quality is carried out by:

1. ***The National Health Laboratory (LNS)***

In accordance with the provisions of Ordinance No 00-40/PRM of 20 September 2000, the LNS is responsible for controlling the quality of medicines, foods, beverages and any other substances imported into or produced in Mali and used for therapeutic, dietary or nutritional purposes, in order to safeguard human and animal health.

2. ***The Veterinary Central Laboratory (LCV)***

Its responsibilities as stated in Law N° 94-027/PRM of 1 July 1994 include, on the public health level, the detection of animal diseases, microbiological analysis and investigation of contaminants in foods.

3. ***The Animal Nutrition Laboratory (LNA)***

This is one of the central laboratories of the Rural Economy Institute (IER) with responsibilities that include determining the nutritional value of feed and checking for the presence of mycotoxins and pesticides.

4. ***The Laboratory for the Control of Agricultural Processing***

This laboratory is responsible for conducting physical and chemical analyses of plant-derived products and foods, operating under the National Agricultural Directorate.

5. ***The Water Quality Laboratory (LQE)***

This laboratory operates under the National Directorate for Water Resources and is responsible for controlling the quality of water in any form of beverage.

- ***National agency for the coordination of food safety actions***

In 2002 Mali adopted a national food safety policy and institutional framework. The National Food Safety Agency was established in 2003 and the National Food Safety Council in 2005.

The National Food Safety Agency (ANSSA)

Established by Law N° 03-043/PRM of 30 December 2003, the National Food Safety Agency is a public scientific and technological establishment mandated to ensure food safety.

It is therefore responsible for:

- coordinating all actions relating to food safety;
- supplying technical and scientific support to control structures;
- ensuring technical and scientific support for the drafting of food safety regulations;
- assessing potential health hazards from foods;
- supporting the activities of the surveillance systems and epidemiological networks;
- communicating risk.

The National Food Safety Agency has carried out the following actions to strengthen Mali's national food safety system:

- a workshop to review the regulations of control services;
- a workshop to elaborate and adopt national plans for the control and surveillance of food control structures;

- support for the validation of a general inspection guide and establishment of a framework of coordination among actors of food safety management (ongoing);
- a workshop to critically assess Mali's food standards in relation to Codex standards;
- support for the review of Mali's standards (ongoing);
- support for HACCP training of control officers and agrifood practitioners;
- support for the training in sampling techniques of food safety risk assessment officers;
- elaboration and dissemination of microprogrammes to raise food safety awareness.

Cooperation

Mali is actively involved in the implementation of food control conventions and regulations and is a member of the following organizations:

- FAO
- WHO
- OIE
- IPPC
- Codex Alimentarius

At the subregional level, the WAEMU supports its member countries in the areas of standard setting, legislation, inspection, certification and accreditation.

- through the TradeMali project, USAID is helping introduce quality systems in fruit and vegetable exporting companies;
- the European Union is active under the Pesticides Initiative Programme (PIP);
- the Netherlands is assisting training and standard setting and is helping the ANSSA implement its policy;
- Tunisia is helping with standard setting.

National Codex Contact Point and Other National Structures for Codex Matters

Codex central liaison service

The ANSSA has been designated Mali's Codex Contact Point under its national food safety policy and institutional framework.

i) ANSSA activities for the communication and promotion of Codex standards

- The transmittal of Codex documents to technical services, subcommittee members and consumer associations;
- a technical workshop on information and awareness raising concerning Codex standards held on 20 and 21 September 2005;
- a workshop on food standards held from 26 to 29 June 2006;
- the first National Food Safety Week held 13-19 March 2006;
- meetings for Malian delegations to report back on Codex committee meetings;
- a year-end report of the national secretariat to the NCC;
- opening of a reference room and processing of food legislation and regulation documents;
- monitoring of the Codex site and transmittal of information documents to stakeholders;
- production and dissemination of microprogrammes to inform, educate and raise awareness about food safety;
- creation of a website.

ii) *Establishment and functioning of the National Codex Committee*

The National Codex Committee was established by order of the Minister of Health. It groups all stakeholders (government services, producers, private sector and civil society) and involves the representatives of FAO and WHO. It has 17 subcommittees covering Mali's priority areas.

The first meeting of the National Codex Committee held on 23 May 2006 programmed Mali's priority activities for 2007 and made recommendations for its smooth functioning and that of its Codex subcommittees.

With logistical support from the NCC Secretariat provided by ANSSA, each subcommittee convenes before a corresponding Codex committee session in order to draw up a national position which it then passes on to the national delegation.

A meeting is held for each delegation to report back on the Codex committee proceedings.

Consumer Participation in Standard Setting

Mali has four consumer associations which are all involved in Codex related matters:

- ASCOMA (created in 1991);
- REDECOMA (created in 1992)
- ADAC (created in 2001)
- ADESCOM (created in 2001)
- CONSO LIGUE (created in 2003)

The consumer associations are represented at each national standard-setting level (National Codex Committee, technical subcommittees) where they help determine national positions for corresponding Codex committee meetings.

The consumer associations are also represented on the Governing Board and the Scientific Committee of the National Food Safety Agency and the National Food Safety Council.

Morocco

National Food Control System

(i) Official food control agencies

In Morocco, the control and promotion of food and agricultural commodity quality is a public exercise that has the legal arsenal to protect consumers and ensure fair trade. It covers the whole country and border points (imports and exports) and acts according to established intervention procedures (penal and administrative).

The operative parties answer to different ministerial departments, but the actual mission of controlling and promoting food quality is essentially assigned to four ministerial departments (Ministry of Agriculture, Rural Development and Marine Fisheries; Ministry of Health; Ministry of the Interior; Ministry of Trade, Industry and Economic Development).

These structures and their respective mandates (control or promotion of food quality) are accompanied by support entities, essentially laboratories qualified under Decree N° 2-97-25 of 20 May 1997 to conduct analyses for the prevention of fraud. There are however other laboratories operating under the devolved responsibilities of parent structures.

The structures associated with the four main ministerial departments are – depending on their juridical status – either administrative authorities (directorates and services) or public establishments operating under ministerial departments. They employ more than 4 500 persons, including 1 180 professionals (26% of the total) and 1 930 technicians and technical agents. The professionals involved in food control are mainly technical engineers, medical officers and veterinarians.

These structures are represented at regional and local level by 631 outposts. The Departments of the Interior and Agriculture are the most represented, with 244 (38% of the total) and 267 outposts (42%) respectively. The Directorate of Plant Protection, Technical Control and Repression of Fraud and the Directorate of

Livestock have representations in the ports of Casablanca, Tangiers and Agadir, grouped under the Directorates of Control and Quality. The Independent Authority for Export Control and Coordination has offices outside the national territory.

Food control is coordinated through interministerial commissions, committees and councils especially established for this purpose, notably (1) the Standing Interministerial Commission on Food Control and Repression of Fraud (CIPCARF) established in 1968, (2) the National Codex Alimentarius Committee set up in 1997, (3) the Interministerial Higher Council for Quality and Productivity (CSIQP) established in 1970, (4) the National Health Surveillance Unit (CNVS) set up in 2000 and (5) the National Grape and Wine Commission (CNVV) created in 1970.

The need to improve its food control system spurred Morocco to request FAO assistance in 2002, resulting in a TCP project to bring all control administrative structures within a single entity.

A draft law has been prepared to create a single authority responsible for food safety and quality. The underlying approach has been food risk analysis in its three components: risk assessment, risk management and risk communication. The provisions of this draft legislation reflect existing international principles on risk analysis, in particular the standards and codes of the Codex Alimentarius Commission.

(ii) Food safety and quality legislation and regulations

Morocco's body of law on food safety control is essentially made up of:

- Legislative Dahir (Decree) N° 1-75-291 of 8 October 1977 prescribing measures for the sanitary and quality inspection of livestock and animal-derived foods;
- Law N° 24-89 specifying measures for the sanitary inspection of imported animals, animal-derived foods and products, and sea and freshwater products promulgated by Dahir N° 12-89-230 of 10 October 1993;
- Law N° 13-83 on the repression of fraud in trade promulgated by Dahir N°1-83-108 of 5 October 1984;
- Law N° 17-88 on the labelling of shelf life on canned and similar goods and on processed beverages for human or animal consumption issued by Dahir N° 1.88.179 of September 1993;
- Law N° 49-99 on sanitary poultry production and the control and trade of poultry products issued by Dahir N° 1-09-199 of 13 June 2002.

The above legislation has produced horizontal and vertical regulatory texts on labelling, food additives, shelf life, hygiene of production facilities, characteristics of specific foods, etc.

Legislation on food quality control and repression of fraud in trade was reviewed in 1998 with FAO support. The aim was to equip the country with up-to-date, comprehensive food legislation (framework legislation, implementing texts) that conformed with international standards, in particular the Codex Alimentarius and the WTO SPS and TBT Agreements.

A framework "law on food safety and quality" has been drafted to this end, with provisions that have recently been reviewed under a GTZ cooperation project (German Cooperation). The new draft law is under scrutiny of the Standing Interministerial Commission on Food Control and Repression of Fraud (CIPCARF) and covers both food and feed. More specifically it:

- establishes the general principles of food and feed safety;
- determines the conditions under which food and feed should be prepared, produced and sold to qualify as safe, whether sold fresh or processed and whatever the conservation, processing and manufacturing system employed;
- includes general provisions to ensure that only safe products sold, notably rules of hygiene, sanitation and quality and the enforcement of mandatory standards;
- sets requirements for genetically modified organisms, their use in the food chain and the marketing of food, feed and products containing such organisms, stipulating the necessary control and surveillance procedures;

- imposes mandatory consumer information on food and feed labelling and accompanying documentation.

The draft law envisages implementing texts that will determine:

- the technical conditions that establishments must meet for the required approval of their activities;
- the modalities of implementation of own-account control and traceability systems;
- labelling requirements.

Three other important draft laws have been formulated:

- draft law on distinct signs of origin and quality;
- draft law on organic production;
- draft law on biosecurity.

(iii) Cooperation

The Moroccan authorities have taken pains to involve operators in quality aspects. They have initiated public-private partnerships under bilateral cooperation projects to implement national quality management programmes (PGQs) in a transparent manner. Two such programmes have so far been put in place: the first was for the fishery product sector in 1998 with support from Morocco-Canadian cooperation; the second for crop protection in 2002 with support from Morocco-German cooperation.

A technical assistance project was conducted in 2003 under Morocco-Belgian cooperation to improve the quality of agricultural inputs and raise farmer skills in using those inputs.

Morocco also has cooperation ties with FAO for the upgrading of its legal structure and the reorganization of its food control system.

National Codex Contact Point and Other National Structures for Codex Matters

(i) Central liaison service:

The relationship between the Codex Alimentarius Commission and the governments of Member Nations is mediated through Codex contact points. Morocco has been in the Commission since 1968 and has a contact point located in the Directorate of Plant Protection, Technical Control and Repression of Fraud, under the Ministry of Agriculture and Rural Development. Its contact point is responsible for:

- receiving all Codex texts;
- studying the documents;
- processing documentation relating to the Codex;
- distributing Codex documents, publications and other information to all interested parties.

(ii) National Codex Committee

Morocco was one of the first countries to have a National Codex Committee. This was set up in 1997, with the Chair and Secretariat provided by the department responsible for agriculture (the Directorate of Plant Protection, Technical Control and Repression of Fraud). It embraces all national elements associated with Codex. Its role is essentially to advise the Government on the implications of food safety and standardization issues arising from the Codex Alimentarius Commission and its subsidiary bodies.

Official recognition of this interministerial Codex coordination body was consolidated by approval of Decree N°2-03-140 of 17 January 2005 establishing the National Codex Committee.

The National Codex Committee is thus responsible for advising on:

- the proposals of the Codex Alimentarius Commission, responsible for implementing the Joint FAO/WHO Food Standards Programme;
- the participation of national delegations in proceedings of the Codex Alimentarius Commission and its subsidiary bodies;

- the proposed standards that Morocco intends to put before the Codex Alimentarius Commission for adoption as Codex standards;
- the adoption of Codex standards as Moroccan standards in the framework of legislation governing national standards;
- studies and research on food standards and safety relating to the work of the Codex Alimentarius;
- any other matter concerning the Codex Alimentarius.

Preparations for Codex meetings are made within the NCC as follows:

- the NCC working groups meet in response to circular letters and documentation sent by the Joint FAO/WHO Commission soliciting Morocco's comments;
- the national delegations to participate in a Codex session meet to prepare their participation;
- the participation reports are sent by the delegation that has represented Morocco to the NCC secretariat;
- the NCC meets in plenary every six months and the heads of delegation report on their participation.

Consumer Participation in Standard Setting

List of measurable objectives:

- National contact point: created in 1968 (Division of Repression of Fraud).
- The National Codex Committee: created in 1997 (chaired by the Minister of Agriculture, with the secretariat provided by the Division of Repression of Fraud).
- Public hearings to draw up national positions for Codex meetings.
- The National Codex Committee and its working groups hold regular meetings with stakeholders to (1) determine Morocco's position and response to proposals of the Codex Alimentarius Commission and its subsidiary bodies, (2) advise the Government on Codex standards and their application and, (3) propose delegates to Codex meetings.
- Identification of some twenty consumer associations organized into two confederations.
- As NCC members, the two consumer confederations help shape national positions for Codex meetings.
- The two consumer confederations participate actively in the Codex process at national level.