

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
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**Agenda Item 5**

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**ORIGINAL LANGUAGE ONLY**

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

**Eighteenth Session**

**Surfers Paradise, Australia 1-5 March 2010**

**PROPOSED DRAFT PRINCIPLES AND GUIDELINES FOR NATIONAL**  
**FOOD CONTROL SYSTEMS**

**(N06-2009)**

**(Comments at Step 3)**

**(Japan and Norway)**

**JAPAN**

**General Comments**

The purpose of the work on the elaboration of these guidelines is to provide quite wide range of components which can complement the existing Codex texts. To achieve this objective, prior to in-depth discussion on text under each section and paragraph, it is necessary to agree on what is a right structure of the document. In this connection, Japan suggests to consider the following points for restructuring the document:

“Scope” and “Objectives”

Sections on Scope (paragraphs 4 and 5) and Objectives (paragraph 6) should be merged under one section entitled “Scope and Objectives”. Then the whole paragraph 6 should be deleted as it only repeats the context of paragraph 4.

“Guidelines”

It is necessary to restructure the text in this section, in particular texts in subsection on “Characteristics of the national control system” and “Components of the system” needs to be reorganized to make the document concise and clearer.

A number of replications throughout the draft document should be streamlined to shorten the text, for example,

- Merge paragraphs 14, 25 and 26 referring to the importance of clearly defined responsibilities of the competent authorities;
- Merge paragraphs 22, 23, 34 and 36 referring to the clearly defined legislation;
- Merge paragraph 21 and 57 referring to continuous improvement;
- Merge paragraph 40 and 56 referring to verification
- Delete paragraph 10 as it is replication to the last sentence of paragraph 4; and
- Delete paragraph 42 as it is replication to paragraph 38.

### Specific Comments

#### **Introduction, Paragraphs 2 and 3:**

The following sentence should be inserted at the end of paragraph 2 and the whole paragraph 3 should be moved to footnote 1.

**There are some valuable references for use by member governments.**<sup>1</sup>

*Rationale: Paragraph 3 provides references regarding national food control systems.*

#### **Paragraph 7:**

“Food value” should be replaced with “food chain”, as “food chain” is commonly used in Codex.

**Paragraph 8** should be amended as follows:

**8.** All those involved in food businesses from production to consumption, including growers, processors, ~~regulators~~, transporters, distributors, retailers, ~~[academics and scientific institutions]~~ have the primary responsibility for complying with requirements **set by the competent authority** and ensuring safe food on those aspects of food which are under their control.

*Rationale: It is not relevant to include regulators as those who must comply with requirements. They are the authorities to set requirements as described in paragraph 31. Academics and scientific institutions should not be included in this paragraph because they are not directly responsible for complying requirements. For clarity, the phrase “set by the competent authority” should be added.*

**Paragraph 9** should be amended as follows:

9. Complementing food business responsibility, consumers ~~(national and international) must also~~ **should have appropriate knowledge on food selection and handling** ~~manage food safety risks.~~  
~~Consumers.~~

*Rationale: Noting the important role of consumer in reducing food safety risks at the final stage of the food chain, we should not rely on consumer in risk management.*

#### **Paragraph 10 and 11:**

“central” should be replaced with “primary” for clarification. These paragraphs should be merged and amended as follows;

**In developing or amending the elements of a national food system, protecting consumers’ health and ensuring fair practices should be the primary issues to be considered. In addition, consideration should also be given to other legitimate factors such as feasibilities of intervention and the costs and effects of various interventions with respect to consumers, industry and governments when necessary.**

*Rationale: To make the relation between paragraph 10 and 11 clear..*

**Paragraph 12** should be amended as follows for accuracy:

12. National food control systems should be developed and implemented **by the competent authority to achieve an appropriate level of consumer protection** ~~ensure consistent delivery by the competent authority(ies)~~

*Rationale: To establish consistency with words in the SPS agreements.*

**Paragraph 14, second sentence:** “is” should be replaced with “should” for consistent use of term in the Codex documents.

#### **Paragraph 16:**

The whole paragraph 16 should be deleted because the issue on “food security”, in other word the context of “access to food”, is not fallen in the mandate of Codex.

**Paragraph 17:** “must” should be replaced with “should” for consistent use of term in the Codex documents.

**Paragraph 18, 1<sup>st</sup> and 5<sup>th</sup> bullet points** should be amended as follows for clarity:

- Statistical data on production, trade , consumption **and other related issues;**
- Production technologies, processes and practices; **and-**

And new bullet points should be added as follows;

- **Consumer practice on selection, storage and handling of products**
- **Food safety hazards associated with each productions and epidemiological data on foodborne deceases**

**Paragraph 20 and First bullet point** should be amended as follows for clarity:

The national food control system should be able to detect and respond to emerging risks and identify trends and patterns based on data **of foodborne diseases and hazards in food** collected. To that end, a national food safety system should have:

- Monitoring and surveillance programs for **foodborne** diseases and hazards, as appropriate;

**Paragraph 21:** Third bullet point should be amended as follows, to be consistent with para.60:

Verification, maintenance and improvement/performance assessment (self **or and**-third party audit), import country findings, results of foreign assessments and domestic food safety data.

**Paragraph 27:**

Japan believes that there are needs of examples of “operational criteria” since “operational criteria” is not clear for us.

**Paragraph 28:**

Japan proposes to add the following sentence after paragraph 28;

For the following issues, interaction and communications between inspection personnel who take samples and laboratory personnel are essential;

- Testing items
- Test methodology
- Time when testing results is needed
- Specific sample handling requirement and
- Other operational precautions related to testing.

***Rationale:** Japan thinks good interaction and communication between inspection personnel who take samples and laboratory personnel are also important.*

**Paragraph 29:**

The term “programs” in 2<sup>nd</sup> line should be amended to “programmes” and the term “management” should be replaced with “quality assurance” to be consistent with the CAC/GL 26-1997.

In addition, Footnote 10 to paragraph 29: CAC/GL 27-1997 should be added to the reference

**Paragraph 38:**

The reference to “Codex Committee on Food Hygiene” should be deleted and “Good Manufacturing Practices” should be replaced with “relevant Codex Codes of Practice”.

**Footnote 13 to para40:**

The reference should be replaced with CAC/GL 62-2007.

**Paragraph 41** should be amended as follows as “safety presented by the product” does not make sense and “Consumer group” in the 3<sup>rd</sup> bullet point should be replaced with “population”:

The nature and frequency of audit/inspection of food production systems should be based on the risk to human health ~~and safety presented~~ **posed** by the product, its origin and the history of conformance...

**Paragraph 44** is not necessary and should be therefore deleted.

**Paragraph 46:**

A new footnote should be inserted as follows;

**There may be situations where requirements for foods intended for export, which are being sent to countries with stringent requirements and/or higher ALOP , are not the same requirements for domestic food of the originating country. In this case, efforts should be made to strengthen food safety control system for domestic foods to minimize the differences.**

**Paragraph 50:**

Third bullet point should be amended as follows and footnote 14-2 should be added referring “Principles for the Establishment of Codex Methods of Analysis-General Criteria for the Selection of Single-Laboratory Validated Methods of Analysis (ii)”:

**Recognition of laboratories in compliance with Guidelines for the Assessment of the Competence of Testing Laboratories Involved In the Import and Export Control of Food (CAC/GL27-1997)or principles of Good Laboratory Practice14-2;**

The first dash point under the fourth bullet point should be amended as follows;

**Auditing or inspection of premises and direct monitoring of processes** for compliance with hygienic, safety and other requirements

*Rationale: ‘premises’ should be audited or inspected, in the other hand, processes should be monitored (like CCP monitoring)*

If the meaning of the word “programs” in the fifth bullet point intends “GHP”, “programs” should be replaced with “GHP”.

**Paragraph 51**

Japan seeks clarification what kinds of proactive prevention of breaches are assumed in this paragraph. We think the current draft para 51 is too general, and it should provide more specific guidance.

**Paragraphs 52 and 54:**

“shall” should be replaced with “should” for consistent use of term in the Codex documents.

**Paragraph 53** should be amended as follows for accuracy:

In the most serious or persistent cases, de-registration of the ~~producer~~ **food business operator** or closure of the ~~producing~~ establishment.

**Paragraph 56:** The term “methodology” in first sentence should be replaced with “principles” and the footnote 18 should be replaced with “*Working principles for risk analysis for food safety for application by governments CAC/GL 62-2007*”.

*Rationale: FAO Food nutrition paper in footnote 18 has no status in this context.*

**Paragraph 57:**

The first bullet point should be amended as follows:

- Mechanisms to evaluate the effectiveness of the current system by means of self-assessments, internal ~~and/or external~~ audits, and ,where appropriate and necessary, external audits; and

***Rationale:** In principle, any country should be encouraged to possess its own self-assessment means and internal audits.*

**Paragraphs 58, 59 and 60:**

The relation among paragraphs 58, 59 and 60 is not clear. These paragraphs need to be reorganized and rewritten. At least, Japan proposes the following amendments:

**Paragraph 58:**

Paragraph 58 should be amended as follows for clarity and should be transferred to immediate after paragraph 60 to fit;

58. The performance of officially accredited bodies should be regularly assessed by the competent authority by following an official procedure. ~~Procedures should be initiated to correct deficiencies and, as appropriate, enable withdrawal of official accreditation.~~

***Rationale:** Paragraph 60 covers self-assessment or third-party audits comprehensively and paragraph 58 only refers to assessment of officially accredited bodies. It is appropriate to move paragraph 58, as complement to paragraph 60.*

**Paragraph 59:**

The text should be amended as follows, to allow for flexibility:

59. The competent authority(ies) implementing the national food control system should carry out self-evaluation. In some cases, the competent authorities may ~~or~~ have their effectiveness evaluated by third parties.

**Paragraph 60:**

The first sentence should be amended as follows:

60. Self-assessment ~~or third part audits~~ should be carried out periodically at various levels of the national food control system, ~~using internationally recognized procedures.~~

***Rationale:** Japan asks for clarification on what “internationally-recognized procedures” are. As far as Japan recognizes, there is no procedure to audit the entire national food control systems, while there is a document under discussion in CCFICS regarding to audit inspection and certification system of exporting countries.*

The Committee should discuss how to clearly distinguish “self evaluation”( para 59) and “self-assessment”(para 60).

“services” in the second sentence should be replaced “systems”, for accuracy.

**NORWAY**

Norway would like to thank you for the opportunity to submit comments to *the Proposed Draft Principles and Guidelines for National Food Control Systems* and we apologise for our late response.

**General comments**

When developing principles and guidelines for national food control systems, we recognise the need for a broad framework and some general principles in a **coherent and stand-alone document covering the whole food chain including feed** to make a complete food control system.

We see the need to include in this document key principles from already existing CCFICS texts, consequently it will be necessary for the committee to **consider redrafting** CCFICS texts as, *Principles for Food Import and Export Inspection and Certification (CAC/GL 20-1995)*, *the Guidelines for the Design, operation, Assessment and Accreditation of Food Import and Export Inspection and Certification (CAC/GL 26-1997* and *the Guidelines for Food Import Control Systems (CAC/GL 47-2003)* **to avoid duplication.**

We see it as important that CCFICS (and/or Codex as such) do not develop a new text (principles and guidelines) containing the same provisions as in existing texts, or with a lot of cross references as this will confuse the reader and after a period of time lead to an extensive revision.

Consequently, in relation to current work, we find it necessary to consider a revision of **existing texts** and then either 1) have the revised existing texts as annexes or incorporated into the document in separate chapters (dealing with issues specifically concerning the import and export process) or 2) keep them as separate documents without the duplicated provisions.

As a whole we consider the Draft still in need for additional work in respect to the format and layout. We believe that CCFICS might need to consider whether it is useful to complete principles first and then work on the guidelines. This might help the committee to an orderly and focused discussion on the key principles, before entering into the discussion on guidelines. This approach might also help the committee to develop the final document in line with the structure of the document on audits as this is a good example to be used as a standard outline for documents developed by CCFICS (also with reference to the structure used in CAC/GL 38-2001).

### Specific comments

#### INTRODUCTION paragraph 2

We suggest redrafting the second sentence:

~~While~~ **The focus of the *Principles and Guidelines for National Food Control Systems* is on production, storage, transport and sale of food.** ~~s within national borders, the document is consistent with and should be read in conjunction with.....~~ **and continue deleting the rest**

**Rationale:** We consider it important that this document is a stand alone document and clearly states that it provides superior principles and guidelines concerning food throughout the production chain. Reference to other related codex texts should be taken into considerations in the final stage of developing this document, and when decision is made on revision or inclusion of existing texts.

#### PRINCIPLES FOR A NATIONAL FOOD CONTROL SYSTEM

##### Paragraph 1

We suggest deleting the principle: ~~Protection of consumers~~

**Rationale:** Protection of the consumer is the primary goal of food standards and guidelines. The primary goal of a national food control system is to secure that production, storage, transport and so on complies with national food regulations, and if not to enforce compliance.

##### New principles

We suggest adding the following new principles:

**A National food control system should ensure control that is objective, effective, consistent, appropriate and impartial.**

**Rationale:** This is a key principle for a reliable and trustworthy food control system.

**A national food control system should be verifiable.**

**Rationale:** Any system should contain requirements so that it can be verified by competent authorities or other designated parties.

**A national food control system should have clearly defined responsibilities for all involved parties.**

**Rationale:** Key principle for a functioning system, to know who is responsible for what.

**GUIDELINES - FRAMEWORK FOR A NATIONAL FOOD CONTROL SYSTEM****Paragraphs 12, 13 and 14**

We suggest deleting paragraph 12 (consistent system) 13 (the ability to verify a control system) and 14 (clearly defined responsibilities) as they as they will be covered by our new principles.

**Rationale:** Norway considers these elements to be overarching principles; however they will need revised wording.

**Paragraph 16**

We suggest deleting this paragraph: ~~A national Food Control System should be developed to ensure food security in the context of both access to food and food safety.~~

**Rationale:** We consider that regulating access to food within principles and guidelines for a food control system is outside the scope of Codex.

The competent authority should be clearly defined; and we are awaiting a discussion on the definition at the next CCGP session. We will come back to this when discussing what the system applies to. We also consider it to be useful to have some guidance regarding the staff carrying out official controls and that they should be free from any conflict of interests. We suggest a section on definitions and that there should be a principle regarding the impartiality of the staff conducting the controls.