



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

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DISCUSSION PAPER ON THE BURDEN OF MULTIPLE QUESTIONNAIRES DIRECTED AT
EXPORTING COUNTRIES

Prepared by Costa Rica

BACKGROUND

1. At the 19th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) held in Cairns, Australia, from October 17th to 21st, 2011, the Committee agreed to establish an electronic working group to prepare a document with the following command:

- Elaborate a discussion document to describe clearly the problems, including those faced by exporters due to multiple questionnaires,
- Identify possible solutions and
- Generate a draft document for consideration at the next meeting.

2. The electronic working group led by Costa Rica and open to all Codex Members and Observers, requested the registration of interested experts, whose deadline was February 17th, 2012. The electronic working group that was made up consists of the following countries: Argentina, Australia, Brazil, Canada, Chile, Colombia, Cuba, France, Germany, Ireland, Italy, Malaysia, Mexico, Norway, New Zealand, Panama, Paraguay, Philippines, Russia, Saint Lucia, Sweden, Thailand, The Netherlands and United States.

First discussion document

I. Introduction

3. International food trade demands that imported foods do not pose a risk to human, animal and / or plant health and meet the level of protection required by the importing country. In this context, it is required that the competent authorities of the exporting countries provide guarantees related to the efficacy of food control systems to meet the standards of innocuity, mainly through the detailed completion of questionnaires based on their food control system. Among the factors to be considered during the development of the questionnaires are transparency, equivalence and harmonization between the states and their regulators.

4. Guarantees that an exporting country can offer on compliance with sanitary requirements are based on various aspects which involve conditions of the competent authority such as organization, capacity and effectiveness in controlling and monitoring food, infrastructure, analytical capacity and legislation among others. Generally, as part of the awareness process and evaluation of the above elements, the authorities of importing countries request information by way of questionnaire prior to conducting their assessment.

II. Objective and scope

5. The main objective of this first discussion document is to present the problem caused by the application of multiple questionnaires, as to promote transparency, efficiency and optimization of resources of the competent authorities through the exchange of information, and to optimize and facilitate international food trade. This, by developing a generic model of a harmonized questionnaire that summarizes the aspects of the overall assessment of the food control system of the exporting countries. Herein should be considered as an annex to the Guidelines for Food Import Control Systems CAC/GL 47-2003. Also, it should be read in

conjunction with the Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems CAC/GL 26-1997.

6. The scope of this document is limited to the evaluation of national food control systems.

III. Description of the problem

7. The member countries of the World Trade Organization, in accordance with the Agreement on the Application of Sanitary and Phytosanitary Measures in relation to the Agreement on Technical Barriers to Trade, are entitled to protect their legitimate interests and therefore, to establish regulatory requirements to protect public, animal and / or plant health. The requirements for each country will depend on their level of protection and their situation in relation to the state of public health. In order to facilitate international food trade, confidence that imported products meet the appropriate level of protection requested or required is needed. Some countries use questionnaires to obtain the information they consider necessary to assess whether controls of exporting countries are effective and provide the required protection.

8. The information requested by the competent authorities of importing countries is usually extensive and varied from one country to another, leading to the interested country of export having to answer a number of questionnaires according to the requirements of each importing country.

9. The main obstacles for exporting countries include:

- a) In most cases, the questionnaires are not published on the website of the competent authorities of the importing country, causing unnecessary delays due to lack of clarity and transparency.
- b) There is no predetermined time period for review of the questionnaires by the competent authorities of importing countries. Given this, the process from the application of the questionnaire and review thereof can be extended indefinitely, affecting promptness in food trade. In most cases, industry is the main affected party by losing potential customers, and on the other hand, business opportunities for importers are also impaired and delays of availability of the products offered to consumers in the countries of destination can occur.
- c) The growing number of questionnaires received and the different level of information requested, can lead to inefficient usage of the different resources.
- d) Often, questionnaires are applied to specific products which require the competent authority to develop multiple questionnaires for each product it is looking to put in different markets.
- e) Questionnaires can also be specific for a processing plant. This requires the company to provide detailed and often confidential information, which then must be reviewed, verified and approved by the competent authority of the exporting countries. In situations where there may be many companies who wish to enter a market, the workload for the competent authorities in both exporting and importing countries can be enormous.
- f) When multiple questionnaires focused on specific commodities or establishments are required, there are often large introduction sections that are repeated or duplicated in each questionnaire completed.
- g) Some authorities propose different versions of questionnaires without having the ability to specify which one of all is valid or updated.
- h) Each importing country has its own questionnaire, which means that there are different formats.
- i) Questionnaires are often available only in the language of the importing country.

IV. Possible solutions

10. To reduce obstacles, it is necessary to implement the following measures:

- Define the scope and type of information necessary to evaluate a system of food control.
- Develop a generic model of a harmonized questionnaire that summarizes the aspects of the overall assessment of the food control system.
- The generic model of the questionnaire must be published on the websites of the competent authorities of the importing country to strengthen the transparency and accessibility and reduce the need to complete the questionnaire more than once.

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- It is recommended that the document is made available in the language of the importing country and in English.
 - Competent authorities of exporting countries must keep the generic document properly managed and updated to shorten processes at the moment that the competent authority of the importing country requests it.
 - It is recommended that the competent authorities of importing countries publish the assessments of food control systems of exporting countries, in the form of a list of countries approved for import of certain commodities.
 - The competent authority of the importing country should indicate the time required for the review of the questionnaire, in order to avoid undue delay of the process. Explanations should be provided when the review is delayed.
 - Importing countries should consider the results of the evaluations of the food control systems of the exporting country previously issued by third countries or international organizations to streamline the assessment process of the food control system of the exporting country.
 - Competent authorities of the exporting countries should publish on the website of the organization all the necessary information so that other authorities can assess the national food control system, and in case the need arises for additional information, it should be requested by the authority of the importing country by means of a questionnaire.
 - Questionnaires and / or the information published on the website of the competent authority should be the basis for the recognition of national food control systems.

Project Document

Proposal for New Work to develop a Generic Questionnaire to assess Food Control National Systems Codex Committee on Food Import and Export Inspection and Certification Systems

Prepared by Costa Rica

1. Purpose and scope of the proposed standard.

- Develop a harmonized questionnaire to assess a country's food control system.
- Focus should be on national food control system, not on establishment specific requirements or commodity specific requirements.

2. Relevance and timeliness.

- The increased number of questionnaires requested by the authorities of importing countries entails for the authority of the exporting country the need to comply with numerous requirements, such as information and other various resources.
- Currently, no time or language has been established for managing applications, which is the cause of many obstacles countries must face, as for example the expenditure of resources that could be destined to other priorities.
- A harmonized questionnaire could be used to make importing countries gain confidence in the food control systems of exporting countries, eliminating the need for multiple models of certificates and complex attestations.

3. The main aspects to be covered.

- Questionnaire with appropriate level of information to assess a country's food control system.
- Consistent with the draft text "Draft and Proposed Draft Principles and Guidelines for National Food Control Systems (N06-2009).

4. An assessment against the Criteria for the Establishment of Work Priorities.

The proposal is consistent with the criteria as follows:

- *Diversification of national legislations and apparent resultant or potential impediments to international trade:*

The proposed harmonized questionnaire may assist competent authorities in obtaining and assessing information of national food control systems. This will benefit both exporting and importing countries, and contribute to enhance confidence in each other's system, potentially leading to reduction or elimination of complex existing procedures.

- *Scope of work and establishment of priorities between the various sections of work:*

The scope of the work is to develop a harmonized questionnaire consistent with the existing Codex documents, which provides a framework that may assist governments in the gathering and assessment of information of national food control systems, to ensure that foods and their production systems, deliver the appropriate level of protection in order to safeguard the health of consumers and facilitate fair practices in the food trade.

5. Relevance to Codex Strategic Objectives.

The proposal is consistent with Goal 3 of the Codex Strategic Plan 2008-2013:

- *Strengthening Codex work-management capabilities.*

6. Information on the relation between the proposal and other existing Codex documents.

This document should be considered as an annex to the Guidelines for Food Import Control Systems CAC/GL 47-2003. Also, it should be read in conjunction with the Guidelines for the Design, Operation,

Assessment and Accreditation of Food Import and Export Inspection and Certification Systems CAC/GL 26-1997.

7. Identification of any requirement for and availability of expert scientific advice.

None.

8. Identification of any need for technical input to the standard from external bodies so that this can be planned for.

None.

9. The proposed timeline for completion of the new work, including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years.

Subject to Commission approval at its 36th session in 2013, it is expected that the work can be completed in three to four years with:

- Consideration at Step 3 by CCFICS 21;
- Consideration at Step 5 by CCFICS 22; and
- Adoption of the proposed Guidelines by the Commission within a period of 4 years.