

# codex alimentarius commission



FOOD AND AGRICULTURE  
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Agenda Item 4 (r)

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON MILK AND MILK PRODUCTS

### Seventh Session

Queenstown, New Zealand, 27 March – 1 April 2006

### PROPOSED DRAFT MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS

#### AT STEP 3

*Prepared by Switzerland with the assistance of Argentina, Australia, Botswana, Canada, EC, France, India, Ireland, Malaysia, the Netherlands, New Zealand, Spain, Thailand, United States and IDF.*

Governments and international organizations wishing to submit comments at Step 3 on the Proposed Draft Model Export Certificate for Milk and Milk Products are invited to do so **no later than 28 February 2006** to: Codex Committee on Milk and Milk Products, New Zealand Food Safety Authority, 68 - 86 Jervois Quay, P.O. Box 2835, Wellington, New Zealand (Facsimile: +64 4 463 2583 or E-mail: Audrey.Taulalo@nzfsa.govt.nz), with a copy to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, Via delle Terme di Caracalla, 00100 Rome, Italy (Fax No + 39.06.5705.4593; E-mail: codex@fao.org).

### Background

1. The 50<sup>th</sup> Session of the Executive Committee approved the elaboration of a Model Export Certificate for Milk and Milk Products as new work upon the request of the Codex Committee on Milk and Milk Products<sup>1</sup>. At its 6<sup>th</sup> Session<sup>2</sup> (26 -30 April 2004), the Committee considered the Draft Model Export Certificate which had been elaborated by a Drafting Group and returned it to Step 2 for redrafting by a Drafting Group led by Switzerland, with the assistance of Argentina, Australia, Botswana, Canada, EC, France, India, Ireland, Malaysia, the Netherlands, New Zealand, Spain, Thailand, United States and IDF, on the basis of the comments submitted and the discussions held at the 6<sup>th</sup> Session. The Drafting Group has revised the Draft Model Export Certificate for Milk and Milk Products and is now submitting it for comments at Step 3. This revised text will be considered by the Committee at its forthcoming 7<sup>th</sup> session.

2. At its 6<sup>th</sup> session, the Committee expressed general support for the work of the Drafting Group, but it was noted that the certificate needed further elaboration with regard to the inclusion of a cover page providing clarification on the objectives, the terminology and its use. Furthermore, it was noted that the certificate should have clear and well understood terms to facilitate its correct use; the requirements in the public health attestation part created difficulties for accepting dairy products on the basis of their compliance with the exporting country requirements. It was further suggested that the certificate should also take into account the work of the Codex Committee on Fish and Fishery Products (CCFFP) and that the acceptance of certificates issued in electronic format should be indicated, when feasible.

1 ALINORM 03/11, paras 121-122.

2 ALINORM 04/27/11, paras 101-108

3. The proposed Draft Model Export Certificate for Milk and Milk Products has been redrafted taking into account the comments received at the 6<sup>th</sup> session of the Committee. This revised draft was sent to all members of the Drafting Group for comments and guidance especially in relation to the public health attestations. The Draft was further revised in light of the comments received from the Drafting Group members. The section on public health attestations was entirely redrafted. All references to animal health attestations were deleted, as animal health issues are not within the Codex mandate.

4. According to the Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates (CAC/GL 38-2001, Rev. 1-2005) the indication of the "nature of food" is required even though there is no definition for the term "nature of food". For the purpose of the Model Export Certificate for Milk and Milk Products, "the nature of food" refers to milk and milk products defined under Section 2, Definitions, of the Codex General Standard for the Use of Dairy Terms (CODEX STAN 206-1999).

## **PROPOSED DRAFT MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS**

### **At Step 3 of the Procedure**

#### **INTRODUCTION**

1. Certification is one method that can be utilized by regulatory agencies of importing and exporting countries to compliment the control of their inspection systems for milk and milk products. This model certificate recognizes that importing country authorities may, as a condition of clearance of consignments, require importers to present certification issued by, or with the authority of, exporting country authorities. To help facilitate international trade, the numbers and types of certificates should be limited. Harmonisation efforts could be promoted through the use of international (Codex) model certificates such as the proposed Codex Model Export Certificate for Milk and Milk Products.

2. Currently, the Model Export Certificate covers only aspects related to human health. There is no reference to animal health attestations as animal health issues are outside the mandate of Codex. However, if the OIE considers it necessary to have such attestations in a joint model export certificate, animal health attestations could be introduced in this Model Export Certificate at a later stage.

3. The Model Export Certificate for Milk and Milk Products does not mandate the use of such certification. Alternatives to the use of official and officially recognized certificates should be considered wherever possible, in particular where the inspection system and requirements of an exporting country are assessed as being equivalent to those of the importing country.

4. The Model Export Certificate does not in any way diminish the trade facilitation role of commercial or other types of certificates, including third party certificates, not issued by, or with the authority of, exporting country authorities.

#### **OBJECTIVES**

5. The certificate should contain essential information relating to food safety and the facilitation of fair trade.

6. The certificate should clearly describe the dairy product and the consignment to which it uniquely relates. The certificate should contain a clear reference to the hygiene requirements to which the certified dairy product needs to conform. This statement is based on the inspection system of the competent authority.

7. The level of information required should be adequate for the importing country's purpose and not impose unnecessary burdens on the exporting country or exporter, nor should there be a requirement for the disclosure of information that is commercial-in-confidence unless it is of relevance to public health.

8. The establishment of bilateral or multilateral agreements, such as equivalence agreements may provide the basis for dispensing with the issuance of certificates.

#### **SCOPE**

9. The Model Export Certificate includes official and officially recognised certificates. It applies to milk and milk products presented for international trade that meet food safety and suitability requirements. The Model Export Certificate does not cover animal health matters.

10. Where administratively and economically feasible, certificates may be issued in an electronic format provided that the principles for electronic certification<sup>3</sup> are met.

#### **GENERAL REMARKS CONCERNING THE PRODUCTION AND ISSUANCE OF CERTIFICATES**

11. The production and issuance of certificates for milk and milk products should be carried out in accordance with the principles and appropriate sections of the following Codex texts:

- Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates (CAC/GL 38-2001, Rev. 1-2005);

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<sup>3</sup> CAC/GL 38-2001, Rev. 1-2005 Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates

- Principles for Food Import and Export Inspection and Certification (CAC/GL 20-1995);
- Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems (CAC/GL 26-1997);
- Guidelines for the Development of Equivalence Agreements Regarding Food Import and Export Inspection and Certification Systems (CAC/GL 34-1999);
- Code of Ethics for International Trade in Foods (CAC/RCP 20-1979 (rev. 1-1985))

12. The selection of the appropriate language(s) of certificates should be based on adequacy for the importing country's purpose, comprehension by the certifying officer and minimizing unnecessary burden on the exporting country.

## DEFINITIONS

**Certificates**<sup>4</sup> are those paper or electronic documents, which describe and attest to attributes of consignments of food moving in international trade.

**Certification**<sup>5</sup> is the procedure by which official certification bodies or officially recognized certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

**Certifying bodies** are official certification bodies and bodies officially recognized by the competent authority.

**Certifying officers**<sup>4</sup> are employees of certifying bodies authorized to complete and issue certificate.

**Inspection:** For the purposes of the Model Export Certificate for Milk and Milk Products, inspection is the examination of the milk and milk products or systems for control of milk and milk products, raw materials, processing, and distribution including in-process and finished product testing, in order to verify that they conform to requirements.

**Official Certificates**<sup>4</sup> are certificates issued by an official certification body of an exporting country, in accordance with the requirements of an importing or exporting country.

**Official inspection systems and official certification systems**<sup>5</sup> are systems administered by a government agency having jurisdiction empowered to perform a regulatory or enforcement function or both.

**Officially recognized inspection systems and officially recognized certification systems**<sup>5</sup> are systems which have been formally approved or recognized by a government agency having jurisdiction.

**Officially Recognized Certificates**<sup>4</sup> are certificates issued by an officially recognized certification body of an exporting country, in accordance with the conditions of that recognition and in accordance with the requirements of an importing or exporting country.

**Requirements:** For the purposes of the Model Export Certificate for Milk and Milk Products, requirements are the criteria set down by the competent authorities relating to trade in milk and milk products covering the protection of public health, the protection of consumers and conditions of fair trading.

## USE OF MODEL EXPORT CERTIFICATES FOR MILK AND MILK PRODUCTS

13. Each field of the Model Export Certificate for Milk and Milk Products must be filled in or else, marked in a manner that would prevent alteration of the certificate.

**Original Certificate** should be identifiable and this status should be displayed appropriately with the mark "ORIGINAL" or if a copy is necessary, this certificate should be clearly marked "COPY". The term "REPLACEMENT" is reserved for use on certificates where, for any good and sufficient reason (such as loss of or damage to the certificate in transit), a replacement certificate is issued by the certifying officer.

**Page numbering** should be used where the certificate occupies more than one sheet of paper.

<sup>4</sup> CAC/GL 38-2001, Rev. 1-2005 Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates

<sup>5</sup> CAC/GL 20-1995 Principles for Food Import and Export Inspection and Certification

**Seal and signature** should be applied in a manner that minimizes the risk of fraud.

**Certificate number (No)** is unique for each certificate and is authorized by the competent authority of the exporting country. If there is an addendum, it must be clearly marked as such and must have the same identification number as the primary certificate and the signature of the same certifying officer signing the sanitary certificate.

**Competent authority:** For the purposes of the Model Export Certificate for Milk and Milk Products, the competent authority is the official organisation empowered to execute various functions. Its responsibility may include the management of official systems of inspection or certification at the regional or local level.

## **I. DETAILS IDENTIFYING MILK AND MILK PRODUCTS**

**Nature of food** Definition of the product according to Section 2 of the Codex General Standard for the use of dairy terms (CODEX STAN 206-1999) (e.g. composite milk product).]

**Name of product** if a name or names have been established for a food in a Codex Standard, at least one of these names shall be used. In other cases, the name prescribed by national legislation or in the absence of any such name, either a common or usual name existing by common usage as an appropriate descriptive term which is in accordance with the General Standard for the use of dairy terms and not misleading or confusing to the consumer shall be used. (CODEX STAN 1-1985 (Rev. 1-1991) and CODEX STAN (206-1999)).

**Number of units** refers to the amount of packages as e.g. cartons, boxes, bags, barrels, pallets, etc.

**Lot identification / Date code** is the lot identification system developed by a processor to account for their production of milk and milk products thereby facilitating the traceability/product tracing of the product in the event of public health investigations and/or recalls.

**Manufacturing establishment or Factory approval/Identity No** Number assigned by the competent authority to the manufacturing establishment or factory where the milk product was produced. In case the consignment encompasses products from several manufacturing establishments or factories the approval number of each manufacturing establishment and / or factory should be mentioned.

## **II. PROVENANCE OF MILK AND MILK PRODUCTS**

**Country of Dispatch:** For the purposes of the Model Export Certificate for Milk and Milk Products, the country of dispatch designates the name of the country of the competent authority which has the competence to verify and certify the conformity to the attestations.

**Means of transport** describes the way the product is transported. This indication is completed by the name of the air carrier, vessel, etc. and the flight/ train/ truck/ container number, as appropriate.

**Specific transportation and handling requirements** refer to the necessary information on how to handle the product in order to prevent it from perishing. This includes the indication of the storage temperature specified by the manufacturer.

**Exporter or Consigner [Exporter License N°]** the exporter's license N° is not a mandatory indication. The exporter's license number should only be indicated if required by the authority.

## **IV. ATTESTATION**

**Public health attestation** statement confirming that the product or batches of products originate from an establishment that is basically in good regulatory standing with the Competent Authority in that country and that the products were processed and otherwise handled under a competent HACCP System and that the food complies with the hygiene requirements of the exporting country or the hygiene requirements of the Code of Hygienic Practice for Milk and Milk Products.

Logo/ letterhead of certifying body \_\_\_\_\_ Certificate No \_\_\_\_\_

### MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS

Competent authority responsible for Certification \_\_\_\_\_

#### I. Details identifying milk and milk products

[Nature of Food \_\_\_\_\_]

Name of the Product (s) \_\_\_\_\_

Number of units \_\_\_\_\_ Weight per unit \_\_\_\_\_

Net weight \_\_\_\_\_

Lot identification or Date code \_\_\_\_\_

Manufacturing Establishment or Factory Approval or Identity No \_\_\_\_\_

Name and Address of Contact (Manufacturing Establishment or Factory) \_\_\_\_\_

#### II. Provenance of milk and milk products

Country of dispatch \_\_\_\_\_

Means of transport \_\_\_\_\_

Specific transportation and handling requirements (if appropriate) \_\_\_\_\_

Exporter or Consignor [Exporter License N° if required] \_\_\_\_\_

Name and  
Address \_\_\_\_\_

#### III. Destination of milk and milk products

Country of destination \_\_\_\_\_

Importer / Consignee

Name and Address \_\_\_\_\_

#### IV. Attestation

The undersigned certifying officer hereby certifies that:

1. The products described above were manufactured at (an) establishment(s) that has/have been approved by, or otherwise determined to be in good regulatory standing with the competent authority in the exporting country and that

2. The product(s) (please tick the appropriate box)

from the point of raw material production to the point of their export, the products have been prepared, packed, held and transported under good hygienic practice and an effective food safety control system, implemented within the context of HACCP where appropriate, implemented consistently and in accordance with the requirements contained in the Codex Code of Hygienic Practice for Milk and Milk Products.

The product(s) was/were produced in accordance with the public health requirements of..... (specify the country)

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Date and Place of issuance of  
Certificate\_\_\_\_\_

Certifying officer (seal and signature)

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