

# CODEx ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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**Agenda Item 3, 4, 5, 6, 7, 8 and 9**

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEx COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

#### Twenty-seventh Session

(Comments submitted by African Union)

#### **AGENDA ITEM 3: Information on activities of FAO and WHO and other international organizations relevant to the work of CCFICS (CX/FICS 24/27/3 and CX/FICS 24/27/3 Add.1)**

##### **Position:**

The African Union acknowledges and appreciates the valuable efforts of FAO, WHO, and other international organizations in promoting improved food control systems on the African continent. These activities contribute significantly to enhancing National Food Control Systems and align with the African Union's Food Safety which is instrumental in advancing the objectives of the African Continental Free Trade Area (AfCFTA).

#### **AGENDA ITEM 4: Draft Consolidated Codex Guidelines related to Equivalence (CX/FICS 24/27/4)**

##### **Background:**

CCFICS24 (2018) discussed the consolidation of Codex guidelines related to equivalence and a new work project document was developed. The new work proposal underwent critical review by CCEXEC77, noting that consolidation of all Codex guidance on equivalence will be helpful for national authorities, including developing countries, and will also help ensuring fair practices in the food trade. The new work proposal was subsequently approved by CAC42. CCFICS commenced the consolidation work through an Electronic Working Group (EWG) chaired by New Zealand with the United States of America and Chile as Co-Chairs. The EWG, among others, identified the relevant Codex texts and sections or paragraphs therein that needed to be considered within the consolidation work, including the type of work to be done. Three complete texts (CXG 34-1999, CXG 53-2003 and, when completed, the draft guidelines on recognition and maintenance of equivalence of NFCS), and specific parts of CXG 26-1997 (Section 5 and paragraph 55) were identified as relevant for the consolidation work.

CCFICS25 (2021) agreed to progress the proposed draft consolidated Codex guidelines related to equivalence (CX/FICS 21/25/7) and reestablished the EWG chaired by New Zealand and co-chaired by the United States and Kenya to further the work for consideration at CCFICS26. A Physical Working Group (PWG) prior to CCFICS26 (2023) considered comments received on the revised draft and prepared a report for the Committee's consideration. CCFICS26 considered the report of the PWG and the draft text, reviewing and amending Sections 1–4 and providing general comments and suggestions on the remaining sections, noting that these provisions remain open for comments and the rest of the draft principles and guidelines were returned to Step 2 for further drafting. An EWG open to all Members and Observers, chaired by New Zealand, and co-chaired by the United States of America and Kenya was reestablished to further the work. A revised draft of the consolidated text on equivalence, drawing on the contributions of the EWG was developed that addressed the following issues raised by members of the EWG:

- The inclusion of definitions from other existing CCFICS text including equivalence and whether these should be updated, and the inclusion of new definitions. While there had been proposals to CCFICS26 to include several further definitions, it was the majority view of the EWG that most were not necessary;
- The retention of passages of text from other existing CCFICS guidelines without amendment or if updating of text and concepts to take account of the passage of time is appropriate for a consolidation; and
- Whether or not it is necessary to include separate sections on the assessment of system equivalence and assessment of the equivalence of measures.

Codex Members and Observers are invited to comment on the draft text and to give specific consideration to the questions, which highlight where there was a mix of views in the EWG comments and responses.

#### **Position:**

African Union thanks New Zealand (Chair), the United States and Kenya (Co-chairs) for leading the efforts to prepare the proposed draft consolidated Codex guidelines related to equivalence.

AU supports consideration of the proposed draft consolidated Codex guidelines related to equivalence at CCFICS27 with a view of progressing its development in the step process, taking into the following input in response to the questions raised in the draft text.

#### **Questions 1 & 2 – Section 4: Definitions**

**Note: There was a mix of WG views on including the full phrase “objectives, and related outcomes or level of protection” as used in CXG 101-2023 in some but not all definitions.**

##### **Question 1: Is the current approach and wording supported?**

**Note: There was a mix of WG views on the wording for ‘Measure’ and for ‘Requirements’. The current proposed wording draws a distinction between ‘measure’ which can refer to either the importing or exporting country and ‘requirements’ which are the importing country’s conditions for trade.**

##### **Question 2: Is the current proposed wording supported?**

#### **Position:**

- 1) African Union supports the current approach and wording provided in the definition for decision criteria.
- 2) African Union proposes deletion of the definition for ‘requirements’ and retention of the definitions for ‘measure’, ‘sanitary measure’ and ‘technical measure’

#### **Rationale:**

- 1) The current approach and wording provided in the definition for decision criteria is comprehensive and takes into consideration the different terminologies used in the various Codex texts on equivalence under consolidation.
- 2) The definitions for ‘measure’, ‘sanitary measure’ and ‘technical measure’ also cover ‘requirements’ since they apply to both importing and exporting countries. Additionally, as elaborated in Annex A of the WTO SPS Agreement, sanitary or phytosanitary measures include all relevant laws, decrees, regulations, **requirements** and procedures including, inter alia, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labelling requirements directly related to food safety.

#### **Question 3 – Section 4: Principles**

**Note: CCFICS26 discussed the inclusion of a Principle on Demonstration of Equivalence noting that the draft text was not as yet written as a principle. The text has been revised by the EWG co-Chairs drawing on WTO/ SPS Article 4 and WTO/ TBT Article 2.7.**

**Question 3: Is the now revised proposed wording supported?****Position:**

African Union supports the revised proposed wording related to the principle on demonstration of equivalence.

**Rationale:**

The text as provided is not restrictive and at the same time promotes specificity towards the measures required by the importing country to achieve its objectives in protecting consumer health and fair practices in food trade.

**Questions 4:, 4a: and 5 – Section 6: Process steps**

**Note: There were mixed views on the need for separate Assessment process sections for systems equivalence and for equivalence of measures. It remains the view of the EWG Chair and co-Chairs that separate sections are not necessary. Any specific guidance related to a difference in the assessment process should be included as additional or amended text in the current Section 5.**

**Question 4: Do you agree with this assessment that separate sections are not needed?**

**Question 4a: If not, what additional text do you proposed needs to be included?**

**Question 5: In which paragraph or sub-section should additional text be provided?**

**Position:**

African Union is of the view that separate sections for 'assessment process for systems equivalence' and for 'equivalence of measures' are not necessary.

**Rationale:**

The section provides logical flow of steps that can be followed when carrying out consideration of a request for a recognition of equivalence upon formalization of a request and it gives flexibility to assessments relating requests solely related to specific parts of the NFCS which are sanitary in nature compared to those which may be solely technical in nature, or a combination of both.

It is current practice for importing countries to provide questionnaires and other guidance documents to exporting countries to inform assessments and the steps elaborated in this section provide a framework useful to facilitate a structured and focused approach and execution of the assessment(s).

**AGENDA ITEM 5: Draft guidelines on the prevention and control of food fraud at step 3/4 (CX/FICS 24/27/5)****Background:**

At CCFICS24 (2018), the European Union, as Co-Chair of the EWG on Food Integrity and Food Authenticity, introduced a discussion paper, which among others: provided an analysis of how different CCFICS texts took into account the issues around food integrity and authenticity; noted a number of areas where further work may be justified; and presented recommendations for the Committee's consideration based on inputs from the EWG. Recognizing the importance of the subject and the role CCFICS can play, the Committee established an EWG to conduct a comprehensive analysis of existing Codex texts within and outside of CCFICS and to propose new work, within the mandate of CCFICS, for consideration at CCFICS25.

At CCFICS25, upon evaluation of the discussion paper (CX/FICS 21/25/8) and the project document, the Committee agreed to start new work on the development of the guidance on the prevention and control of food fraud. This was approved at CAC44 with the establishment of an EWG, chaired by the United States of America and co-chaired by China, EU, Iran and United Kingdom, to prepare a proposed draft guidance on the prevention and control of food fraud for circulation for comments and for consideration at CCFICS26.

The different sections of the proposed draft guidance were discussed at CCFICS26, and due to the lack of consensus on matters such as inclusion of animal feed, investigations and prosecution of food fraud, the inclusion of intellectual property (IP) issues like geographical indications (GIs), etc. The Committee therefore decided to return the draft guidelines to Step 2 for redrafting, based on the plenary discussions. An EWG chaired by the USA, with co-chairs from the UK, China, the EU, and Iran was established to prepare the revised draft guidelines, considering all discussions and comments from CCFICS26, for consideration at CCFICS27 with lack of consensus on seven areas that are captured in the draft guidelines as questions.

**Position:**

African Union thanks the United States of America (Chair) and China, EU, Iran and the United Kingdom (Co-chairs) for the concerted efforts to prepare the revised proposed draft guidance on the prevention and control of food fraud.

AU supports advancement of the proposed draft guidance on the prevention and control of food fraud in the Codex step process, taking into account the following input to the seven questions raised by the EWG.

**Question 1 – Section 1: Pre-amble/Introduction****Should sub-paragraph “6 bis” be retained?****Position:**

African Union supports retention of sub-para “6 bis” [*Fundamental to the successful functioning of any food fraud combatting strategy is the establishment and maintenance of an anti-food fraud culture acknowledging the importance of human behaviors in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.*]

**Rationale:**

The establishment, implementation and maintenance of an anti-food fraud culture will complement the food safety culture employed by FBOs and competent authorities and strengthen vulnerability assessments in addressing human behavior controls with regards to the authenticity and integrity of food products. The cultural shift is crucial for long-term and sustainable measures to combat food fraud and aligns with broader goals of consumer protection.

**Question 2 – Section 2: Purpose / Scope****In paragraph 7, should the addition of “that may impact human safety” be retained?****Position:**

African Union does not support the inclusion of the bracketed text [*that may impact human food safety.*]

**Rationale:**

The safety and quality of feed for food producing animals can directly or indirectly influence consumer health and this is already provided for in the text preceding the square brackets in para 7.

In addition, this draft guideline under Section 1, para 3 emphasizes the importance of preventing and controlling food fraud to maintain consumer confidence in the safety, authenticity, integrity, suitability and quality of food. Exclusion of the bracketed sentence broadens the scope of the guidance, emphasizing the importance of considering the impact of animal feed on human food safety and quality of these feed.

**Question 3 – Section 2: Purpose / Scope**

**What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)?**  
**This issue is currently in Footnote 3 as bracketed text.**

**Exchanges on this question should be supported by information from the CAC Chairperson and the Codex secretariat.**

**Position:**

African Union supports opening the text in square brackets in footnote 3

*[Issues of intellectual property, such as geographic indicators and related labeling restrictions which do not represent a risk to public health and are beyond the scope of Codex are not addressed within this guideline.]*

**Rationale:**

African Union recognizes the importance of Intellectual property rights, however, issues of IP are diverse and may not fall within the jurisdiction of a National Food Control System.

GI's are the domain of WIPO where various Conventions, Treaties, Rights, Obligations, Legal effects and the resultant multilateral agreements underpin the requirements of GI's in terms of the adoption of the Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement).

In addition, while there are instances where trading partners may engage in food fraud practices, such as counterfeiting or mislabeling products to gain an economic advantage, it is important to note that the Codex Alimentarius Commission has established general standards for labeling and other relevant texts, including those addressing ethical trade in food. These standards are designed to safeguard the integrity of trade and ensure that such fraudulent activities are effectively addressed, thereby promoting fair and transparent international trade.

**Question 4 – Section 2: Purpose / Scope**

**Should 7bis be retained?**

**Position:**

African Union supports opening the text in square brackets in paragraph 7bis. *[the investigation and prosecution of food fraud offenses are outside the scope of this guideline and need to be handled by countries under their respective laws.]*

**Rationale:**

Investigation and prosecution of food fraud offenses is a preserve of domestic legal systems and Members should be allowed to carry out the exercise as guided by their legal regimes. In many countries, the mandate to investigate and prosecute food fraud offenders lies with government agencies outside the food control system.

However, close cooperation and collaboration should be established between such prosecution and investigative agencies and the NFCS which is provided for in principle 2 (Section 5) and Section 8 of the draft guidelines.

**Question 5 – Section 5: Principles**

- a. **Regarding Section 5 “Principles”, can the text of this Section be revised to better enhance the flow and alignment of the document as a whole? During the EWG process, one member questioned how the principles looked after the last revision. Is the Committee in agreement with the two principles currently articulated in Section 5?**
- b. **Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained?**

**Position:**

African Union agrees with the two principles and the accompanying text with a proposal to open both phrases in square brackets and reformulate the text in principle 1 to read:

*“NFCS can reduce the risk of food fraud by having measures, proportionate to the level of risk, in place to prevent, detect, mitigate, and control food fraud, including surveillance and monitoring activities in order **to ensure the integrity of the food supply chain, fair practices in food trade and consumer protection.**”*

#### **Rationale:**

The reorganized text provides a logical flow and puts emphasis on consumer protection emanating from the intended food fraud controls.

#### **Question 6 – Section 6: Roles and Responsibilities**

**Commenters pointed out redundancies between sub-paragraphs ‘b. bis’ and ‘e’. Should one of the sub-paragraphs be deleted?**

#### **Position:**

African Union proposes deletion of sub-paragraph b. bis and the retention of sub-paragraph e.

~~b. bis [Have measures in place to mitigate the risk that the food products and ingredients are not authentic and ensure that the nature, safety, quality, and substance are accurately represented.]~~

*e. Take reasonable precautions to prevent, detect, mitigate, and control food fraud, including having processes in place for rapid removal of affected product from the market.*

#### **Rationale:**

Measures to mitigate risks that food products and ingredients are not are not authentic are catered for in sub-paragraph. ‘e’ while aspects related to ensuring that the nature, safety, quality, and substance are accurately represented are provided for in sub-paragraph. ‘c’.

#### **Question 7 – Section 8: Cooperation, collaboration and exchange of information between competent authorities**

**A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included?**

#### **Position:**

African Union supports inclusion of paragraph. 15 ter with an amendment to read as:

‘Enhance collaboration to better integrate neutral technologies in the food chain which can aid more **effective and efficient** prevention of food fraud’.

#### **Rationale:**

The guideline should not be prescriptive to specific technologies but open to the use of any available neutral technologies that allow Members flexibility to deploy suitable and accessible neutral technologies.

**AGENDA ITEM 6: Draft revision and updating of the Principles for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification System (CXG 60-2006) (CX/FICS 24/27/6)****Background:**

CCFICS25 considered a paper prepared by the United States and the United Kingdom to revisit the existing principles document on traceability/product tracing to ensure the scope and content are fit for purpose. With general consensus on the topic's importance, the committee agreed to establish an EWG co-chaired by the United States and the United Kingdom to consider whether the revision and update of the Principles for Traceability/Product Tracing as a Tool within a Food Inspection and Certification System (CXG 60-2006) by gathering information from Food Business Operators (FBOs) about the technology platforms in use and how the use of emerging technologies can enhance traceability systems.

At CCFICS26, the United States and the United Kingdom presented output of the EWG, including a discussion paper and a draft project document, the former recommending that CCFICS26 considers the merits of undertaking new work to update CXG 60-2006.

Subsequently, CAC46 approved new work on the revision and updating of CXG 60-2006, and to establish an EWG, open to all Members and Observers, chaired by the United States of America and co-chaired by Australia, Ecuador, Honduras, and the United Kingdom, to prepare a proposed draft revision of the *Principles for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification Systems* (CXG 60-2006) for consideration at CCFICS27.

**Position:**

African Union extends its sincere gratitude to the United States for chairing the EWG, and to Australia, Ecuador, Honduras, and the United Kingdom for their co-chairing efforts, recognizing their substantial contributions of all Members and Observers that participated in the preparation of the proposed draft revision of the Principles for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification Systems (CXG 60-2006).

African Union supports the advancement of the draft revised Principles and Guidelines for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification System (CXG 60-2006) to Step 5 with the comments below for consideration.

**Rationale:**

The African Union supports advancing the draft revised Principles and Guidelines for Traceability/Product Tracing (CXG 60-2006) to Step 5, as they are essential for enhancing food safety, facilitating market access, and promoting transparency within food systems. These principles are especially valuable for African countries, where strengthening food inspection and certification is crucial for protecting consumers, accessing global markets, and building trust among trading partners. Moreover, aligning with these international standards supports progress towards responsible food production.

**Issue 1 – General comment**

African Union would like to seek clarity on the application of these principles and guidelines to feed for food producing animals.

**Rationale:**

Feed for food producing animals can directly or indirectly affect food safety along the food supply chain.

**Issue 2 – Preamble, Paragraph 1****Position:**

African Union proposes amendment of the text in square brackets by deleting the word “products” after food to read: [Traceability/product tracing consists of acquiring information *about movement* of food ~~products~~, which can be retrieved along the supply chain to all the way to the consumer.]

**Rationale:**

Food as defined by Codex is more embracing rather than ‘food products’ that could imply focus on only the finished products i.e. Food means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drink, chewing gum and any substance which has been used in the manufacture, preparation or treatment of “food” but does not include cosmetics or tobacco or substances used only as drugs.

**Issue 3: Preamble, Paragraph 2**

**Position:**

African Union proposes deletion of the text in paragraph 2 of the preamble and moving it to the scope with some amendments (*Refer to Issue 3 below*).

**Rationale:**

The preamble should be limited to introduction of the subject; traceability/product tracing. The statement in paragraph 2 extends to the applicability of draft revised Principles and Guidelines which best fits in the scope.

**Issue 4: Scope**

**Position:**

African Union proposes amendment of the scope to read: This document provides guidance to assist competent authorities on establishing traceability/product tracing as part of their NFCS ***and promote good practice*** by providing guidance to food business operators (FBOs) on implementation of traceability/product tracing within their food operations and throughout the food supply chain. ***The guidance does not mandate a single way to conduct traceability/product tracing.***

**Rationale:**

To cater for the proposed amendments in the preamble and ensure that the scope fully defines the applicability of the draft revised Principles and Guidelines for Traceability/Product Tracing.

**Issue 5: Principles c & d)**

**Position:**

- a) African Union would like to seek clarity on the difference between principles c and d and whether the two cannot be combined into one principle to read:
  - c. Traceability/product tracing should facilitate and support the exchange of data/information along throughout the food supply chain (interoperability), including between FBOs and competent authorities.  
Traceability/product tracing should improve communication among the involved parties; improve the standardization, appropriate use, and reliability of data/information; and improve effectiveness and productivity of the organization.  
Interoperability between systems can support competent authorities of exporting and importing countries and FBOs to exchange data/information across different systems without the need for all entities to be on a single operational, proprietary, or technology platform.

- b) African Union further proposes transfer of the explanatory text in the second paragraph under principle 'c' to principle 'a' for principle 'a' to read:

a. Traceability/product tracing should be designed to support NFCS objectives.

Robust traceability/product tracing that can identify and extract reliable data/information about the sourcing or movement of a food and/or any of its ingredients and packaging, as well as associated process steps, is an important part of a well-functioning NFCS.

Competent authorities should consider the entire food supply chain when designing and implementing traceability/product tracing within an NFCS. The application of traceability/product tracing should be practical<sup>5</sup>, be technically feasible, be economically viable for a FBO and within an NFCS, and avoid unnecessary burdens.

**Rationale:**

- a) With the exception of (interoperability), principle 'd' states exactly what is stated in principle 'c'. The exchange of data/information as and when it is required and the ability to exchange data/information between different data management systems are all factors of communication that can be covered in one principle.
- b) Principle 'a' focuses on the design of a traceability/food tracing system and so does the text proposed for movement.

**Issue 6: Responsibilities 12) d. and e.**

**Position:**

African Union proposes rearrangement of the responsibilities so that 'e' comes before 'd' i.e.,

- d) Implement the traceability/product tracing system adapted to their organization, their sector, their supplier profile, customer requirements (contractual requirements) and legal requirements. Based on these, evaluate the internal and external needs. Identify the data/information that needs to be traced and define the parameters of traceability.
- e) Test their traceability/product tracing system to ensure it operates as intended.

**Rationale:**

To have a logical flow of the responsibilities. Implementation of the traceability/product tracing system in accordance with applicable requirements ought to precede its testing for effectiveness.

**Issue 7: Traceability/product tracing system design (Paragraph 24 in square brackets)**

**Position:**

- a) African Union proposes opening the text in square brackets with amendment and combining it with the subsequent text to read:

To encourage interoperability, standardization of syntax (formats) and semantics (meanings) of data/information that are shared wholly or partly by different systems, competent authorities may consider utilizing international data standards as a benchmark for their traceability/product tracing.

- b) African Union further proposes deletion of footnote 6.

**Rationale:**

- a) To provide clarity.
- b) To maintain neutrality on available technologies.

**Issue 8: Information protection, paragraph 27**

**Position:**

African Union proposes an amendment to the text in paragraph 27 to read:

Data/information sharing agreements may be needed between competent authorities, **and between other interested parties** to provide a robust governance mechanism that enables data/information to be shared across a food supply chain by providing the necessary assurances on data protection and security.

**Rationale:** Establishment of agreements for data/information sharing should extend beyond competent authorities to between all stakeholders in the food supply chain such as between NFCS and FBOs, or between FBOs and FBOs when such information/data sharing arrangements arise as stated in 21 c).

#### **Issue 9: Communication and cooperation, Paragraph 30**

**Position:**

**African Union proposes opening the square brackets and retention of the text provided therein. To read:**

Competent authorities should respond in a timely manner to requests from other competent authorities for traceability/product tracing data/information, consistent with their national legislation and relevant data/information protection requirements. When requests for traceability/product tracing data/information is related to a food safety incident or emergency to identify impacted food products and address any public health risks, they might want to refer to CXG 19:1995, Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations.

**Rationale:**

The text elaborated in the square brackets provides guidance on the available Codex tools that provide precise guidance for exchange of data/information in food safety emergencies.

#### **AGENDA ITEM 7: Discussion paper on guidance on appeals mechanism in the context of rejection of imported food (CX/FICS 24/27)**

**Background:**

The discussion paper on the "Appeal Mechanism in the Context of Rejection of Imported Food," prepared by India and Nigeria, addresses the critical issue of border rejections in global food trade. The paper highlights that while the primary goal of food control authorities is to protect public health and ensure a reliable global food supply chain, the rejection of food consignments at borders often leads to significant economic losses, food waste, and a decline in trust in the safety and quality of the exporting country's produce. Rejections can occur due to various reasons, some unrelated to food safety, such as labeling or documentation issues, which underscores the need for a fair appeal mechanism to allow stakeholders to demonstrate compliance and avoid unnecessary food loss.

The paper proposes the development of Codex guidance on an appeal mechanism for rejected food consignments, arguing that existing Codex texts do not adequately address this issue. By providing a transparent and standardized appeal process, the guidance would help prevent food loss, promote fair trade, and enhance trust in international food systems. The proposed guidance would align with international standards and contribute to the achievement of Sustainable Development Goals by reducing food loss and supporting food security.

**Position:**

African Union supports the development of a Codex guidance on appeals mechanism in the context of rejection of imported food.

**Rationale:**

The proposed work on developing an appeal mechanism for the rejection of imported food consignments addresses critical challenges that disproportionately affect the food trade. Rejections at borders often result from issues unrelated to food safety, e.g. documentation errors. These rejections lead to significant economic losses, wasted food, and diminished trust in exports, even when the products are otherwise safe for consumption. By establishing a transparent and standardized appeal process, trading partners can mitigate these unnecessary losses, and ensure that products can be reconditioned or relabeled to meet import requirements rather than being outrightly discarded.

Furthermore, the lack of transparency in current rejection practices contradicts the spirit of existing Codex guidelines, which emphasize fairness and the opportunity for review.

#### **AGENDA ITEM 8: Discussion paper on the standardization of sanitary requirements (CX/FICS 24/27/8)**

##### **Background:**

This discussion paper on the standardization of sanitary requirements, prepared by Brazil with the assistance of Australia, New Zealand, Spain, and the United States, addresses challenges in the current system of electronic certification for food imports and exports. These challenges include inconsistent requirements, repetitive information, and a lack of transparency, all of which complicate the processing and validation of sanitary certificates. The proposal seeks to develop a global standard for sanitary requirements that would streamline and harmonize the certification process, making it more efficient and reducing the risk of errors. This standardization would allow for easier implementation of electronic certification systems (e-CERT) and enhance the reliability of international trade in food products.

A pilot project, supported by CCFICS26, demonstrated the feasibility of this approach, showing that standardized terms and a harmonized structure can significantly improve the clarity, accuracy, and efficiency of sanitary certification processes.

##### **Position:**

African Union supports the commencement of work on the standardization of sanitary requirements.

##### **Rationale:**

The current system of non-standardized sanitary requirements poses significant challenges particularly in managing the complexities of international trade. Standardizing these requirements would reduce the risk of errors, streamline certification processes, and enhance transparency, thereby improving market access for exports. This is crucial for Africa, where many countries rely heavily on agricultural exports.

#### **AGENDA ITEM 9.1: Review and update of Appendix A - the list of emerging global issues (CX/FICS 24/27/9)**

##### **Background:**

Responsiveness of Codex to new and emerging issues is a common theme across all Codex committees. At CCFICS, discussions on emerging issues serve to provide an opportunity for members to identify and prioritize potential new work falling within the mandate of CCFICS. The approach in CCFICS to this standing agenda item continues to evolve over time with the responsibility for revising and updating the list of emerging issues between sessions falling to a volunteer custodian. During CCFICS26, the United Kingdom volunteered to be the custodian and agreed to submit a revised document that took account of responses to CL 2023/66-FICS. A virtual intersessional workshop was held on 21 May 2024 to explore the existing list and three newly identified emerging issues in more depth.

An intersessional workshop is planned to be held in advance of CCFICS27 to review the updated list. CCFICS27 is invited to:

- discuss the updated list of emerging issues;
- note the Annex providing a brief overview and key points from the intersessional meeting
- consider the discussion papers and new work proposals prepared by:
  - Norway (CX/FICS 24/27/9.2)
  - Australia (CX/FICS 24/27/9.3)

**Position:**

African Union commends the United Kingdom for taking custody of the list of emerging issues and keeping it up to date. African Union further appreciates the efforts of the Codex Secretariat towards facilitation of an intersession workshop co-chaired by the United Kingdom and Australia where further discussions were held on the identified emerging issues and responses elicited from circular letter CL 2023/66-FICS.

African Union supports the approach to maintain the review of emerging global issues as a standing item on the agenda of CCFICS sessions.

**AGENDA ITEM 9.2: Proposals for New work related to the emerging global issues (CX/FICS 24/27/9.Add.1)**

**Part 1: Proposed revision to the Principles and guidelines for the exchange of information between importing and exporting countries to support the trade in food (CXG 89-2016) to develop principles and guidelines to harmonize the use (the drivers), development (content and format) and implementation (mechanisms including digitalization) of establishment listings**

**Background:**

There is an increase in information demands about National Food Control Systems amongst trading nations to gain confidence in the trade of food and food stuffs. Competent authorities (CA) gather this information using various tools, such as audits, import testing, questionnaires, certificates, and establishment and product listings. Requirements for establishment and product listings by importing country authorities are becoming more common, especially to ensure that establishments meet specific safety, quality, and regulatory standards set by the importing country's CA.

The listing requirements can be extensive, and are often resource demanding, entailing increased costs for CAs and food business operators (FBOs) in exporting countries. The information to be provided and the submission processes vary with the requesting CA and may include information requirements varying from regulatory oversight to production and processing information for individual products. Additionally, there are difficulties in keeping government to government reporting lines intact and keeping lists up to date. Outdated listing information might lead to potential problems at the border, again leading to unnecessary barriers to trade. Different formatting of the lists (forms) also results in work intensive difficulties when providing information. The current situation is labor-intensive for both exporting and importing countries as many listing portals operate in isolation of exporting countries' systems.

CCFICS therefore seeks to provide principles and guidelines would ensure that establishments meet specific safety, quality, and regulatory standards set by the importing country's CAs through a revision of the existing Principles and guidelines for the exchange of information between importing and exporting countries to support the trade in food" (CXG 89-2016).

**Position:**

African Union appreciates the efforts of Norway towards the preparation of the discussion paper and the project document to support the revision of the principles and guidelines for the exchange of information between importing and exporting countries to support the trade in food (CXG 89-2016) to provide principles and guidelines for establishment of listings.

African Union supports the commencement of work on the revision of CXG 89-2016 and proposes the creation of an EWG for this work to facilitate wider participation of Codex Members and Observers.

**Rationale:**

Principles and guidelines for establishment listings will facilitate harmonized, streamlined, and timely information sharing when such lists are justified. This could decrease the requirement for burdensome data gathering, contribute to saving resources such as time and money, ensure updated information is readily available for trading partners, and consequently facilitate fair practices in food trade and trade in safe food.

**AGENDA ITEM 9.21: Proposals for New work related to the emerging global issues (CX/FICS 24/27/9 Add.2)**

**Part 2: Discussion paper on the digitization of the National Food Control Systems**

During the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) Emerging Issues Intersessional Workshop held on 21 May 2024, the participants discussed a newly identified emerging issue proposed by Australia regarding the development of principles for the digitalization of National Food Control Systems (NFCS). The participants agreed that this was an important issue and that Australia, working with the Netherlands and the United Kingdom, should develop a discussion paper and potentially a draft new work proposal for consideration and discussion at CCFICS27.

**Position:**

African Union appreciates the efforts of Australia, the Netherlands, and the United Kingdom towards the initiation of work on the digitalization of National Food Control Systems and supports its commencement.

AU further proposes the creation of an EWG for this work to facilitate wider participation of Codex Members and Observers.

**Rationale:**

Development of Codex principles and guidelines for digitalization of National Food Control Systems will provide a clear pathway for digitalizing their NFCS and encourage broader adoption of digital tools and technologies that will promote faster, secure and efficient exchange of data and information and thus facilitate global food trade.