

APPENDIX V

PROJECT DOCUMENT

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 HARMONISE THE USE, DEVELOPMENT, AND IMPLEMENTATION OF ESTABLISHMENT LISTINGS.**1. Purpose and scope of the proposed standard**

The purpose and scope of the standard is to guide the Competent Authority(ies) (CA) of a National Food Control System (NFCS) in situations where the use of establishment listings are considered justified by risk for the exchange of information.

Guidelines and Principles should facilitate harmonized, streamlined, and timely information sharing when such lists are justified. This should ensure that information is required only once and decrease the requirement for burdensome data gathering, contribute to saving time and money, ensuring updated information is readily available for trading partners, and consequently facilitate trade in safe food.

The work is proposed to be an annex to the *Principles and guidelines for the exchange of information between importing and exporting countries to support the trade in food* (CXL 89-2016), and may require minor consequential amendments. This work would aim at harmonising the use (the drivers), development (content and format) and implementation (mechanisms including digitalization) of establishment listings.

2. Relevance and Timeliness

Most trade in food occurs without countries requiring an exchange of information on their NFCS. However, in recent years, there has been an increase in the information demands 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.

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 Outdated listing information might lead to potential problems at the border, again leading to unnecessary barriers to trade.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 labour-intensive for both exporting and importing countries as many listing portals operate in isolation of exporting countries' systems.

Updating lists and delisting can also be challenging, resulting in outdated information which lead to potential problems at the border, again leading to unnecessary barriers to trade.

Developing Codex principles and guidelines for establishment listings, should not result in increased requirements for such lists. On the contrary, the purpose is to facilitate harmonized, streamlined, and timely information sharing when such lists are justified. This should decrease the requirement for burdensome data gathering, contribute to saving time and money, ensuring updated information is readily available for trading partners, and consequently facilitate trade in safe food.

Furthermore, it is good practice for Codex Committees to keep their documents under review to ensure they remain relevant and fit for purpose. Taking into account the number of importing countries having implemented requirements for establishments lists and the number of countries considering implementation since CXG 89-2016, and the lack of guidance on this issue, the proposal is highly relevant and timely.

3. The main aspects to be covered

Taking into account existing guidance (remote audits, certificates, equivalence etc), and CXG 89-2016 develop principles and guidelines to harmonise the use (the drivers), development (content and format) and implementation (mechanisms including digitalization) of establishment listings, in order to support timely and meaningful information exchange to provide the necessary assurances to importing countries to confirm safe food is being produced and exported by an establishment. This would contribute to saving time and money, ensuring updated information is readily available for trading partners, and consequently facilitate trade.

4. Assessment against the Criteria for the Establishment of Work Priorities

General criterion: Consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries.

The proposed new work will support competent authorities when considering whether it is justified to require establishment lists for imports. It will also contribute to establish systems for exchanging information regarding safe food, thereby improving consumer protection. Furthermore, it will promote consistency and harmonization of establishments lists, thus facilitating fair practice in the food trade, while at the same time allowing sufficient flexibility to consider the different levels of risks and limiting requests to additional information in response to gaps or risks not addressed. Updating the global guidelines will also provide greater clarity and certainty for competent authorities and food businesses operators.

Criteria applicable to general subjects:

(a) Diversification of national legislations and apparent resultant or potential impediments to international trade.

Lack of standardization or harmonization of establishment lists can hinder fair practice in food trade. This is especially challenging in situations where updating of lists take time.

(b) Scope of work and establishment of priorities between various sections of the work.

Refer to scope section above.

(c) Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies)

We are not aware of any work being done in this area.

(d) Amenability of the subject of the proposal to standardization.

Codex currently has texts covering equivalence, exchange of information, import control system and National Food Control Systems, which all refer to establishment listing. The proposed work would consider revision of one of the existing documents to provide guidance in such lists.

(e) Consideration to global magnitude of the problem or issue.

Increases in global trade, the complexity of supply chains, and digitization of information along with technologies to facilitate the integrity and sharing of such information suggest it would be timely to revisit the existing guidelines, *Principles for the Exchange of Information between importing and exporting Countries to support the Trade in Food*.

Standardization of establishment listing requirements will also help countries to use establishment lists in a more streamlined manner, allowing more timely transfer of information, ensuring updated information readily available for trading partners.

5. Relevance to Codex strategic objectives

The proposed work is directly related to the purposes of the Codex Alimentarius Commission, namely, goals one of the Codex Strategic Plan 2020-2025: "Address current, emerging and critical issues in a timely manner", in particular Strategic Objective 1.2: "Prioritize needs and emerging issues". In addition, the work is relevant to goal five: "Enhance work management systems and practices that support the efficient and effective achievement of all strategic plan goals."

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

The proposal relates to establishing "Principles and guidelines for Establishment listing" a possible annex to CXG 89-2016. The proposed new work provides a link between elements of information to be exchanged, as described in several CCFICS texts:

- CXG 26-1997 *"Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems"*,
- CXG 34-1999 *"Guidelines for the Development of Equivalence Agreements Regarding Food Imports and Export Inspection and Certification Systems"*,
- CXG 38-2001 *"Guidelines for Design, Production, Issuance and Use of Generic Official Certificates"* an
- CXG 47-2003 *"Guidelines for Food Import Control Systems"*.

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

N/A

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

None anticipated.

- 9. 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 timeframe for developing a standard should normally not exceed five years**

It is proposed that the work will extend over three (3) sessions of CCFICS.