

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 5.1

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Twenty-Seventh Session

Cairns, Australia

16 – 20 September 2024

DRAFT GUIDELINES ON THE PREVENTION AND CONTROL OF FOOD FRAUD

Comments in reply to CL 2024/71-FICS

Comments by Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, European Union, Iran, Japan, Kenya, Morocco, New Zealand, Peru, Republic of Korea, Rwanda, Singapore, Somalia, Uganda, United Republic of Tanzania, Uruguay, USA and ICBA, ICUMSA, IDF/FIL, THIE

Background

1. This document compiles comments received through the Codex Online Commenting System (OCS) in response to CL 2024/71-FICS issued in July 2024. Under the OCS, comments are compiled in the following order: general comments are listed first, followed by comments on specific sections.

Explanatory notes on the Annex

2. The comments submitted through the OCS are hereby attached as **Annex I** and are presented in table format, while comments received via email have been attached as **Annex II**

ANNEX I

GENERAL COMMENTS

COMMENT	MEMBER/ OBSERVER
Australia thanks the Chair and Co-chairs for their concerted efforts in the development of this document. We are of the view that the guideline is well advanced in its drafting. We provide specific comments addressing Questions 1 – 7.	Australia
Burundi appreciates the EWG for the work well done and notes the progress made in developing these guidelines. Burundi recommends advancing the Draft Guidelines on the Prevention and Control of Food Fraud to the next Codex standard elaboration process.	Burundi
Kenya thanks the EWG for the work well done and notes the progress made in developing these guidelines. Kenya recommends advancing the Draft Guidelines on the Prevention and Control of Food Fraud. Kenya further notes that the term feed is not sufficiently covered within the guidelines. It is only covered in the preamble and scope.	Kenya
While New Zealand supports the development of these guidelines, in line with the Project Document approved by CAC45, we remain concerned about the potential for increasingly complex and costly obligations and requirements to be imposed on both national competent authorities and business operators. It is important that the guideline remains proportionate to risk and the context (including the legal framework) within the country.	New Zealand
ROK gives sincere thanks to the Chairs and co-chairs of the eWG for all the work put into develop the guideline for food fraud. We are in agreement of the drafted guideline in general with a few opinions.	Republic of Korea
Somalia acknowledges the efforts of the EWG and recognises the progress achieved in developing these guidelines. Furthermore, Somalia recommends advancing the Draft Guidelines on the Prevention and Control of Food Fraud to the next stage of the Codex standard development process.	Somalia
Uganda appreciates the EWG for the work well done and notes the progress made in developing these guidelines. Uganda recommends advancing the Draft Guidelines on the Prevention and Control of Food Fraud to the next Codex standard elaboration process.	Uganda
IDF appreciates the interest of the Committee in advancing these Guidelines to adoption. However, we note that several significant issues remain outstanding and require further discussion at CCFICS27 before we can support adoption of these Guidelines. In particular, IDF believes that the outstanding issues and questions related to the scope of these guidelines, question 3 below, require a satisfactory resolution and consensus before we can support adoption of the Guidelines whether at this session or a future session of CCFICS. Discussions at past committee meetings and within various electronic working groups suggest consensus may be difficult to reach on these outstanding yet vital scope questions. It would be our proposal that the most effective way to facilitate progression of these guidelines towards adoption would be to provide a meaningful amount of time for discussion of this and other priority outstanding issues at the September meeting. Only at the conclusion of such discussions can an informed decision be made on whether consensus exists and whether these Guidelines are ready for adoption.	IDF/FIL

SPECIFIC COMMENTS

COMMENT	MEMBER / OBSERVER
PREAMBLE AND INTRODUCTION	
3. Government oversight and good manufacturing practices by food business operators (FBOs) are important to protect public health, to limit the opportunity for food fraud and to maintain consumer confidence in the safety, authenticity, integrity, suitability¹, and quality of food. Regarding the phrase "safety, authenticity, integrity, suitability", the United States suggests, for simplicity and clarity, and to emphasize the need to have confidence overall in the food supply, that this be changed to "confidence in the food supply." The footnote referencing the definition of "Food suitability" could be moved to the next time it is used (In Section 4)	USA
3. Government oversight and good manufacturing practices by food business operators (FBOs) are important to protect public health, to limit the opportunity for food fraud and to maintain consumer confidence in the <u>integrity (e.g. safety, authenticity, quality, integrity, authenticity) and</u> suitability¹, <u>and quality</u> of food. The wording is not in line with the definition given in Section 3. According to the definition in section 3, food safety, quality and - in our opinion also authenticity - are part of food integrity.	European Union
3. Government oversight and good manufacturing practices by food business operators (FBOs) are important to protect public health, to limit the opportunity for food fraud and to maintain consumer confidence in the <u>safety, authenticity, integrity, suitability¹, and quality of food</u> food supply chain. For simplicity, we suggest shortening this sentence. This includes deleting the footnote.	Canada
Footnote 1:	
Food suitability is defined in CXC 1-1969 as "Assurance that food is acceptable for human consumption according to its intended use". Food suitability is defined in CXC 1-1969 as "Assurance that food is acceptable for human consumption according to its intended use". Footnote is not related to this guideline and it is suggested to be removed from the footnote section	Iran
Food suitability is defined in CXC 1-1969 as "Assurance that food is acceptable for human consumption according to its intended use". Delete footnote as it was suggested on Comment #19 to shorten sentence.	Canada
5. The prevention and control of food fraud is a shared responsibility, with, FBOs <u>are</u> responsible for producing safe and suitable food, and for presenting it in a manner so as not to deceive consumers. Competent authorities provide regulatory oversight and have an important role in increasing awareness about food fraud by building partnerships and collaborating with relevant stakeholders to prevent, detect, mitigate, and control food fraud. We suggest to cut the first sentence into two shorter sentences for clarity and legibility. The prevention and control of food fraud is a shared responsibility. FBOs are responsible for producing safe and suitable food, and for presenting it in a manner so as not to deceive consumers.	Canada
6 Work in the area of food fraud is widespread in a range of international organizations. Countries may wish to consider work from these and other organizations, as appropriate, when developing tools and strategies to prevent, detect, mitigate, and control food fraud. Canada recommends deleting paragraph 6. We don't see the benefit or appropriateness of including a recommendation in a Codex text to remind readers that they should explore what is happening internationally. It is expected that competent authorities, when considering strategies for a particular topic, be it fraud or other topic, would gather	Canada

COMMENT	MEMBER / OBSERVER
information from different sources. Codex texts do not generally include recommendations to remind readers to gather information.	
Question 1: Should sub-paragraph “6 bis” be retained?	
Question 1: yes	THIE – Tea & Herbal Infusions Europe
Question 1: yes	Colombia
Question 1: Position: Uganda supports to retain Para 6 b, is with inclusion of stakeholder collaborations considering their critical role that stakeholders play in an effective anti-food fraud strategy. Justification: Para 6 b provides additional information on the role of behavior of people and their culture. Uganda further proposes the text in the square brackets to be amended to read: Fundamental to the successful functioning of any food fraud combatting strategy is stakeholder collaboration in the establishment and maintenance of an anti-food fraud culture acknowledging the importance of human behaviors in protecting the integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers Justification: stakeholder involvement is important in ownership in the implementation of strategic actions	Uganda
Should sub-paragraph “6 bis” be retained? Australia does not support this addition. Paragraph 5 already acknowledges the importance of a collaborative approach to the prevention, detection, mitigation and control of food fraud. The term ‘anti-food fraud culture’ would need to be defined. We also reiterate our concerns re the inclusion of feed in a document which focuses on the prevention and detection of fraud in food.	Australia
Should sub-paragraph “6 bis” be retained? Singapore is flexible in retaining or removing 6bis.	Singapore
Should sub-paragraph “6 bis” be retained? ICBA recommends removing sub-paragraphy “6bis” as an anti-food fraud culture would be likely subjective.	ICBA
Should sub-paragraph “6 bis” be retained? There is no need to retain the sub-paragraph 6 bis	Brazil
Should sub-paragraph “6 bis” be retained? The EUMS agree to retain 6bis. Encouraging that an anti-food fraud culture is embedded into FBOs food safety management systems and national food controls systems contributes to the supply of safe and authentic products.	European Union
Should sub-paragraph “6 bis” be retained? Japan does not have strong preference.	Japan
Should sub-paragraph “6 bis” be retained? Kenya proposes the retention of 6 bis. Justification: Para 6 bis. provides additional information on the role of behavior of people and their culture.	Kenya

COMMENT	MEMBER / OBSERVER
Should sub-paragraph “6 bis” be retained? New Zealand does not support the retention of para 6 Bis as drafted because of the lack of clarity of what is intended or necessary to establish and maintain an anti-food fraud culture. Further as written 6 bis is attempting to potentially introduce an obligation in an introductory paragraph. New Zealand acknowledges that just as development of a food safety culture within a food business has a role in ensuring FBO are performing well within a food safety context, development of an anti-food fraud culture may be similar. This role and responsibility is captured in paragraph 10 which is the appropriate location within this guideline.	New Zealand
Should sub-paragraph “6 bis” be retained? Morocco supports to maintain this sub-parag. (which was initially a Moroccan proposition) in the document (opening the brackets). However, Morocco proposes a new wording for more clarity: [6 bis. A fundamental component of any effective food fraud prevention strategy is the development and reinforcement of an anti-food fraud culture. This culture emphasizes the role of human behavior insafeguarding the integrity of the food supply chain and ensuring food/feed in a manner so as not to deceive consumers.] This paragraph highlights the necessity of embedding an anti-food fraud culture as a cornerstone of any food fraud prevention strategy. It emphasizes that beyond policies and regulations, human behavior plays a pivotal role in maintaining the integrity of the food supply chain. By fostering a culture of vigilance and responsibility, this approach helps ensure that food and feed are presented honestly,protecting consumers from deception. This cultural shift is crucial for long-term, sustainable success in combating food fraud and aligns with broader goals of consumer protection and trust in the food industry.	Morocco
Should sub-paragraph “6 bis” be retained? Korea opposes to retain the 6bis. It does contain valuable messages but does not need too specific about 'anti-fraud' culture. We should thrive for 'food safety culture' instead.	Republic of Korea
Should sub-paragraph “6 bis” be retained? Position: Burundi supports to retain Para 6 bis with inclusion of stakeholder collaborations considering their critical role that stakeholders play in an effective anti-food fraud strategy. Rationale: Para 6 bis. provides additional information on the role of behavior of people and their culture. Burundi further proposes the text in the square brackets to be amended to read: Fundamental to the successful functioning of any food fraud combatting strategy is stakeholder collaboration in the establishment and maintenance of an anti-food fraud culture acknowledging the importance of human behaviors in protecting the integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers Rationale: stakeholder involvement is important in ownership in the implementation of strategic actions	Burundi
Should sub-paragraph “6 bis” be retained? Canada recommends deleting paragraph 6bis from the Preamble. We note that the concept of anti-food fraud culture is covered under “FBOs roles and responsibilities” (para 10.f) and that FBOs responsibilities are covered in paragraph 5 of the preamble. In our opinion, together these already address the same intent as paragraph 6bis.	Canada
Should sub-paragraph “6 bis” be retained? Yes, the infomration in "6 bis" should be retained but may need re-wording to be included directly in 6.	ICUMSA

COMMENT	MEMBER / OBSERVER
¿Se debería mantener el subpárrafo “6 bis”? Se respalda que se mantenga en el documento el subpárrafo 6 bis Lo anterior porque es esencial que las instituciones gubernamentales y organismos reguladores se comprometan a fomentar una cultura de integridad en la cadena alimentaria, que puede incluir la implementación de políticas y programas de capacitación que sensibilicen a todos los actores involucrados sobre la importancia de la transparencia y la ética en la producción y comercialización de alimentos.	Colombia
¿Se debería mantener el subpárrafo “6 bis”? Perú acuerda en que se mantenga el sub párrafo 6 BIS de la sección 1 del preámbulo de introducción.	Peru
¿Se debería mantener el subpárrafo “6 bis”? Pregunta 1: Uruguay está de acuerdo con la importancia de una cultura anti-fraude alimentario en la estrategia global para combatir el fraude alimentario, sin embargo, entiende que la inclusión del párrafo 6 bis no es esencial y que aborda aspectos del comportamiento humano difíciles de controlar y regular. Entiende que la eficacia de las estrategias puede depender de diversos factores, y la implementación de medidas técnicas y regulatorias puede ser suficiente en algunos contextos para lograr los objetivos deseados. Por lo tanto considera que no es necesaria su inclusión	Uruguay
[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 behaviours in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.] Somalia supports keeping Para 6 bis with the inclusion of stakeholder collaboration, given the critical role stakeholders play in an effective anti-food fraud strategy. Justification: Para 6 bis offers valuable insights into the influence of human behavior and culture. Somalia also proposes amending the text within the square brackets to state: "Fundamental to the successful functioning of any food fraud combatting strategy is stakeholder collaboration in the establishment and maintenance of an anti-food fraud culture acknowledging the importance of human behaviors in protecting the integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers." Justification: Stakeholder involvement is crucial for ensuring ownership and effective implementation of strategic actions.	Somalia
[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 behaviours in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.] Kenya also proposes the text to be amended to read: Fundamental to the successful functioning of any food fraud combatting strategy is stakeholder collaboration in the establishment and maintenance of an anti-food fraud culture acknowledging the importance of human behaviors in protecting the integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers Justification: stakeholder involvement is important in ownership in the implementation of strategic actions	Kenya
[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 behaviours in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.] The creation of cultural infrastructure leads to self-control and fraud prevention. For this reason, quality culture topics are being formed based on ISO 10010 requirements in quality management systems. Therefore, it is suggested to keep the part placed in	Iran

COMMENT	MEMBER / OBSERVER
brackets to emphasize the anti-food fraud culture acknowledging the importance of human behaviors in protecting integrity of the food supply chain	
[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 behaviours in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.] In principle, the incorporation of the concept of "culture against fraud" is agreed upon, which aligns with the concept of "food safety culture" as a general principle established in the General Principles of Food Hygiene (CXC 1-1969). It conveys the idea that combating fraud should be an ongoing effort. We suggest, instead of incorporating it as a separate item, to include the concept within item 5. It is proposed: "5. The establishment and maintenance of a culture against food fraud for its prevention and control is a shared responsibility: food business operators (FBOs) are responsible for producing safe and suitable food and presenting it in a way that does not mislead the consumer, while competent authorities are in charge of regulatory oversight and play a crucial role in raising awareness about food fraud through the creation of partnerships and collaboration with relevant stakeholders to prevent, detect, mitigate, and control food fraud."	Argentina
[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 behaviours in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.] See Canada's response to Q1 for rationale.	Canada
[6 bis. Fundamental para el buen funcionamiento de cualquier estrategia de lucha contra el fraude alimentario es el establecimiento y mantenimiento de una cultura contra el fraude alimentario que reconozca la importancia del comportamiento humano a la hora de proteger la integridad de la cadena alimentaria y de presentar los alimentos/piensos de manera que no se engañe a los consumidores]. Respuesta a pregunta 1: Se sugiere la eliminación del párrafo. Aunque el Codex utiliza la palabra cultura, el CCFICS propiamente tal no la ha usado en sus directrices, por tratarse de un ámbito técnico.	Chile
[6 bis. Fundamental para el buen funcionamiento de cualquier estrategia de lucha contra el fraude alimentario es el establecimiento y mantenimiento de una cultura contra el fraude alimentario que reconozca la importancia del comportamiento humano a la hora de proteger la integridad de la cadena alimentaria y de presentar los alimentos/piensos de manera que no se engañe a los consumidores]. Costa Rica le preocupa la inclusión del término "piensos" en todo el documento. Justificación: En el contexto del fraude alimentario, el Codex se preocupa por el engaño y la falsificación que pueden afectar la inocuidad y la integridad de los alimentos que consumen las personas. Aunque los piensos para animales pueden influir en la inocuidad y calidad de los productos alimentarios finales (como carne, leche, huevos), su regulación y supervisión están bajo la jurisdicción de otros organismos y normativas específicas a nivel nacional o regional. El enfoque del Codex en el fraude alimentario se centra directamente en los productos alimentarios que consumen las personas, ya que el fraude en estos productos tiene un impacto directo e inmediato en la salud y la confianza del consumidor. Por otro lado, si bien el Codex ha emitido textos que contemplan los piensos, es importante considerar que es porque el mandato del Órgano subsidiario así lo establece, es el caso del CCCF y CCPR.	Costa Rica
SECTION 2: PURPOSE / SCOPE	
Section 2: Purpose / Scope	Iran

COMMENT	MEMBER / OBSERVER
Considering that feed affects the quality and safety of food produced from animals and this item is included in the PRPS, it is suggested to remain in the text.	
Question 2:	
Question 2: Uganda suggests the deletion of the words in square brackets and be rearranged to read: The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud including Feed for Food producing animals to help protect the health of consumers and to ensure fair practices in food trade. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS3. Justification: The deleted wording in square brackets is already covered in the first part of the para	Uganda
Question 2: Japan would like to propose deletion of feed because it leads confusion as if fair trade of animal feed falls within the scope. If the part regarding feed retained, Japan would like to propose adding footnote “feed for food producing animals falls within the scope of this guideline only when that may impact human food safety.	Japan
Question 2: Position: Burundi proposes the deletion of the words in square brackets and be rearranged to read: The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud including Feed for Food producing animals to help protect the health of consumers and to ensure fair practices in food trade., including feed for food-producing animals[that may impact human food safety]. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS3. Rationale: The deleted wording in square brackets is already covered in the first part of the para.	Burundi
In paragraph 7, should the addition of “that may impact human food safety” be retained? Australia does not support the inclusion of feed for food producing animals. We consider feed to be outside the scope of the document, which focuses on the prevention and detection of fraud in food. Australia acknowledges that feed safety is a key consideration in the production of safe and quality products of animal origin. However, as per the project document (REP21/FICS Appendix IV), the committee agreed to focus on prevention and control of fraud in food/guidance on how countries can address food fraud within their national food control systems – not in feed or feed systems. If the scope is to include feed there would need to be further consultation with relevant experts and international organisations such as the World Organisation for Animal Health.	Australia
In paragraph 7, should the addition of “that may impact human food safety” be retained? Singapore would like to retain these words as it is important to recognise that human food safety can be impacted by the safety of the feed fed to food producing animals.	Singapore
In paragraph 7, should the addition of “that may impact human food safety” be retained?	ICBA

COMMENT	MEMBER / OBSERVER
ICBA supports and agrees with the addition of “that may impact human food safety” within the definition.	
In paragraph 7, should the addition of “that may impact human food safety” be retained? There is no need to retain the addition of “that may impact human food safety” But Brazil believes that the scope section should have another redaction, as only subjects within the scope of Codex should be addressed. In fact we suggest to delete the phrase “including feed for food producing animals”	Brazil
In paragraph 7, should the addition of “that may impact human food safety” be retained? The EUMS do not agree with the addition of “that may impact human food safety.” Rationale: Finishing the sentence with those words could be misinterpreted e.g., that fraud that does not impact food safety is acceptable. As stated in paragraph 3, ‘fraud’ does not only touch on safety but also on authenticity, integrity, suitability, and quality of food. Section 1, para 2 states: “Food fraud incidents can present risk to public health and can result in economic loss for consumers and other stakeholders, disruption in trade, reputational damage, and unfair economic advantages.” Further, it would be redundant as the idea has been previously captured in the text of the same paragraph: “to help protect the health of consumers”, and to ensure fair practices in food trade.	European Union
In paragraph 7, should the addition of “that may impact human food safety” be retained? yes	THIE – Tea & Herbal Infusions Europe
In paragraph 7, should the addition of “that may impact human food safety” be retained? Kenya proposes the deletion of what is in square brackets Justification: In the statement, there are indications for protecting the health of consumers it appears repetitive and superfluous.	Kenya
In paragraph 7, should the addition of “that may impact human food safety” be retained? New Zealand remains unclear on the relevance of including ‘feed for food producing animals’ in this guideline. However, should it be the view of the Committee that it is relevant then the retention of the square bracket text is necessary to clarify why ‘feed’ is included.	New Zealand
In paragraph 7, should the addition of “that may impact human food safety” be retained? Morocco does not endorse the inclusion of the statement between brackets. Morocco believes that removing the bracketed sentence broadens the scope of the guidance, highlighting the importance of considering the impact of animal feed on human food safety and the quality of these feeds. This approach establishes a more comprehensive and protective framework for consumer health, food and feed quality, feed suitability and authenticity, and fair-trade practices	Morocco
In paragraph 7, should the addition of “that may impact human food safety” be retained? The clarification is valid because it specifies that feed subject to any form of fraud can eventually affect the safety of the animal product that reaches the final consumer.	Argentina

COMMENT	MEMBER / OBSERVER
In any case, the concept within the brackets is agreed upon, resulting in the following wording: The aim is to provide guidance to competent authorities and food business operators (FBOs) on the prevention, detection, mitigation, and control of food fraud in the food trade, including animal feed intended for food production that may impact human food safety.	
In paragraph 7, should the addition of “that may impact human food safety” be retained? ROK supports to delete the phrase (i.e. “that may impact human food safety”) in the square bracket.	Republic of Korea
In paragraph 7, should the addition of “that may impact human food safety” be retained? Canada is of the view that feed is only in scope of this guidance when it impacts food safety or claims on food that are related to animal feeding (for example, an organic claim on a meat product from animals fed non-organic feed). We therefore suggest, as indicated in the body of the text, to either: 1- remove the reference to feed (simpler option) or, 2- instead of deleting the reference to food safety, add “or result in misrepresentation of the food”.	Canada
In paragraph 7, should the addition of “that may impact human food safety” be retained? Yes this should be retained to ensure that users of the document understand this is relative to human food safety. If human and animal food safety regulations are harmonised to the same extent to be equivalent, a reference to the animal food safety standard would suffice.	ICUMSA
En el párrafo 7, ¿debería mantenerse el agregado de “que puedan afectar a la inocuidad alimentaria humana”? Colombia responde con un sí a la pregunta 2. Se respalda que se mantenga en el documento el agregado de “que puedan afectar a la inocuidad alimentaria humana” Este enfoque es fundamental para asegurar que la orientación proporcionada a las autoridades competentes y a los Operadores de las Empresas de Alimentos se centre en la protección de la salud del consumidor. Al incluir esta especificación, se subraya la importancia de abordar no solo el fraude alimentario en términos generales, sino también su impacto directo en la inocuidad de los alimentos	Colombia
En el párrafo 7, ¿debería mantenerse el agregado de “que puedan afectar a la inocuidad alimentaria humana”? Perú está de acuerdo en mantener el agregado.	Peru
En el párrafo 7, ¿debería mantenerse el agregado de “que puedan afectar a la inocuidad alimentaria humana”? Costa Rica propone eliminar la frase” incluidos los piensos para los animales destinados a la producción de alimentos [que puedan afectar a la inocuidad alimentaria humana].” Justificación: Costa Rica ratifica su preocupación con respecto a la inclusión el término piensos en el documento. No obstante, en caso de no lograrse un consenso con respecto a dicha inclusión, Costa Rica propone eliminar el término “humana” Justificación: las referencias indican “inocuidad de alimentos”.	Costa Rica
En el párrafo 7, ¿debería mantenerse el agregado de “que puedan afectar a la inocuidad alimentaria humana”? Pregunta 2: Uruguay está de acuerdo en mantener la frase “que puede afectar la inocuidad alimentaria humana” ya que enfatiza que la orientación busca proteger la salud	Uruguay

COMMENT	MEMBER / OBSERVER
del consumidor y se focaliza, por lo tanto, en la inocuidad de aquellos piensos destinados a animales productores de alimentos	
PARAGRAPH 7	
7.The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud to help protect the health of consumers, and to ensure fair practices in food trade, including feed for food producing animals [that may impact human food safety]. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS². The United States does not think that specifically calling out feed for food producing animals in the document is necessary or germane. However, if 'feed for food producing animals' is retained, the bracketed text 'that may impact human food safety' must be included to stay with the Codex mandate.	USA
7. The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud to help protect the health of consumers, and to ensure fair practices in food trade, including feed for food producing animals [that may impact human food safety]animals. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS².	European Union
7. The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud to help protect the health of consumers, and to ensure fair practices in food trade, including feed for food producing animals [that may impact human food safety]. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS^[2]. Position: Somalia recommends removing the words in square brackets and restructuring the text to read: "The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud including feed for food producing animals to help protect the health of consumers, and to ensure fair practices in food trade, including feed for food producing animals. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS²." Justification: The content within the square brackets is redundant, as it is already addressed earlier in the paragraph.	Somalia
7. The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud to help protect the health of consumers, and to ensure fair practices in food trade, including feed for food producing animals [that may impact human food safety]. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS². It could be omitted	Iran
The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud to help protect the health of consumers, and to ensure fair practices in food trade, including feed for food producing animals [that may impact human food safety]. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS².	Canada

COMMENT	MEMBER / OBSERVER
See Canada's response to Q2. We suggest to either 1. delete "including feed for food producing animals [that may impact human food safety]" or 2. to keep the text but also cover non-food safety by adding "or result in misrepresentation of the food" after "including feed for food producing animals that may impact human food safety".	
7. La finalidad es proporcionar orientación a las autoridades competentes y a los OEA en materia de prevención, detección, mitigación y control del fraude alimentario a fin de proteger la salud del consumidor, y garantizar prácticas equitativas en el comercio de alimentos, incluidos los piensos para los animales destinados a la producción de alimentos [que puedan afectar a la inocuidad alimentaria humana]. Muchos textos existentes del Codex abordan aspectos relacionados al fraude alimentario. Esta orientación tiene el objetivo de respaldar o complementar los textos actuales del Codex proporcionando una orientación adicional y específica al fraude alimentario y que puede considerarse en los SNCA². Respuesta a pregunta 2: Se sugiere mantener el párrafo que figura entre corchetes. Fundamento respuesta 2: El texto es complemento fundamental para acotar el ámbito de usos de los piensos y, además, mantener la coherencia con las directrices del CCFICS.	Chile
Question 3:	
Question 3: Tea & Herbal Infusions Europe (THIE) agrees issues such as GI's are beyond the scope of this guideline where they do not represent a risk to public health. THIE's only slight caveat to this is the footnote should reference the fact as Geographical Indications link to directly to the origin of a product (and its provenance) it is the responsibility of FBO's to ensure they have the relevant information / documentation to support this	THIE – Tea & Herbal Infusions Europe
Question 3: Uganda proposes the retention of footnote 3 without any amendments on intellectual property. Justification: Intellectual properties are covered by different Competent authorities' jurisdictions within the country and are beyond the scope of this guideline	Uganda
Question 3: Geographic indicators may not affect the health of the consumer, but it definitely affects fair trade in the case of some agricultural raw materials or food products (especially those that are famous in a certain geography). Therefore, it is strongly suggested to keep this part as a footnote in this guideline.	Iran
Question 3: Position: Burundi proposes the retention of footnote 3 as is without any amendments on intellectual property. Rationale: Intellectual properties are covered by different Competent authorities' jurisdictions within the region and are beyond the scope of this guideline.	Burundi
Question 3: The response from the CAC Chairperson and the Codex secretariat on this question has not been provided to the committee members yet. Canada would like to review this information before answering this question.	Canada
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. Singapore agrees with the bracketed text in footnote 2 (there is a typo in the text which refers to footnote 3), that issues of intellectual property, such as geographical indicators	Singapore

COMMENT	MEMBER / OBSERVER
and related labelling restrictions which do not represent risk to public health are beyond the scope of Codex, and should not be addressed within this guideline.	
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. IP issues, and GIs specifically, are beyond the scope of these guidelines, as was discussed at the initiation of this work. In order to provide clarity on this, and to ensure this is understood in the future, the guidelines should explicitly state that IP generally and GIs specifically are not within the scope of this document. The US thinks this is a very important clarification of the scope and strongly prefers the language to be in the body of the scope section.	USA
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. The EUMS are against the inclusion of this footnote. Nothing should be stated in this respect. Rationale: - The scope of the Codex Alimentarius Commission should not be defined within or spread across its various standards. - Any Codex standard should be standalone text and only relate to the scope of the standard in question and not that of Codex i.e. the statutes of the Codex Alimentarius Commission. - The aim of section 2 is to explain what is within the scope of the document; therefore, there is no need to state what is not within the scope. Such an approach could result in an endless accumulation of topics and might dilute the effectiveness of the standard, making it harder to understand its main purpose. - GIs are a polarising issue amongst Codex Members, with varying perspectives on the matter. Consequently, it is up to each country to determine its stance on GIs based on its status of recognition. This is reflected in the comments received in the EWG. Codex Members with different perspectives on GIs agreed to remove the footnote. - The draft guidance clearly states that its purpose is to support the application of other Codex texts. Consequently, there is no need to exclude aspects that would allegedly be outside the scope of Codex. - Whilst food safety is of the upmost importance, this is not the only concern when it comes to food fraud prevention. Other issues, as described in the preamble, are also part of it.	European Union
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. Position: Somalia recommends keeping footnote 3 unchanged, without any modifications related to intellectual property. Justification: Intellectual property issues fall under the authority and are outside the scope of this guideline.	Somalia
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. Kenya proposes the retention of footnote 3 as is without any amendments. Justification: The exclusion is beyond the scope of Codex.	Kenya
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. Morocco supports to exclude the GIs issues out of the scope of the draft proposed. In this regards Morocco proposes opening the text in square brackets in footnote : "Issues of intellectual property, such as geographic indicators and related labeling restrictions which	Morocco

COMMENT	MEMBER / OBSERVER
do not represent a risk to public health and are beyond the scope of Codex are not addressed within this guideline” Rationale: Geographical Indications (GIs) are primarily related to intellectual property rights (IPR) rather than direct public health concerns. According to the World Intellectual Property Organization (WIPO), GIs serve to protect the reputation of a product tied to a specific region (WIPO, 2021). They ensure that producers in certain regions can maintain their unique market identity, often linked to traditional practices. However, GIs typically do not pose a direct risk to food safety or public health and fair trade linked to this type of agricultural products is directly linked to the domestic law of the country producing these products and detaining their GIs. This is by no means a global fair-trade affair From a Codex Alimentarius perspective, the organization’s mandate focuses on consumer health protection and ensuring fair trade practices in food (FAO/WHO Codex Alimentarius Commission, 2022). These GIs issues are also out of the mandate of CCFICS. Intellectual property issues like GIs do not inherently involve health risks and are usually governed by international trade agreements and IP law. Codex guidelines on food fraud are intended to prevent fraud that could endanger public health or compromise food safety and fair in international trade, whereas GIs are more about economic deception and branding of a specific agricultural products. Therefore, the argument to exclude GIs from Codex guidance on food fraud centers on the idea that they fall outside the scope of Codex’s primary health and safety focus and can be managed through multilateral or bilateral agreement between countries. Their regulation should be left to IP laws and agreements like the TRIPS Agreement under the World Trade Organization (WTO), which already provides a robust framework for handling such matters.	
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. IDF strongly supports retaining footnote 2 as drafted or incorporating the text of footnote 2 into the body of Section 2, Purpose / Scope. It is critically important a clear delineation of what is considered food fraud versus intellectual property, and the text clarifies that geographical indicators are out of scope. The purpose of the food fraud guidelines should be to prevent food fraud committed intentionally for economic gain and/or that could result in significant public health consequences, not to prevent for instance the use of generic or commonly traded cheese names (e.g. gruyere, parmesan, feta).	IDF/FIL
What, if anything, should be explicitly stated with respect to Geographical Indications (GIs)? This issue is currently in Footnote 3 as bracketed text. I don't have the required knowledge to comment on this.	ICUMSA
¿Qué debe indicarse explícitamente en relación con las indicaciones geográficas (IG), en caso de que haya? Esta cuestión está actualmente en la nota 3 a pie de página entre corchetes. Debido a que las indicaciones geográficas (IG) están fuera del ámbito del Codex Alimentarius se sugiere no incluirlas. Se respalda que se no se incluyan las indicaciones geográficas.	Colombia
¿Qué debe indicarse explícitamente en relación con las indicaciones geográficas (IG), en caso de que haya? Esta cuestión está actualmente en la nota 3 a pie de página entre corchetes. Respuesta a pregunta 3: Se sugiere eliminar la nota 3. Fundamento respuesta 3:	Chile

COMMENT	MEMBER / OBSERVER
No se debe incluir referencia a las IGs en este documento, dado que su objetivo de protección no se corresponde con los objetivos del Codex Alimentarius. Para los efectos de los ADPIC1, las indicaciones geográficas son las que identifiquen un producto como originario del territorio de un Miembro o de una región o localidad de ese territorio, cuando determinada calidad, reputación, u otra característica del producto sea imputable fundamentalmente a su origen geográfico.	
¿Qué debe indicarse explícitamente en relación con las indicaciones geográficas (IG), en caso de que haya? Esta cuestión está actualmente en la nota 3 a pie de página entre corchetes. Costa Rica propone eliminar la notga al pie No. 3. Justificación: La norma CXS 1- 1985 hace referencia al “país de origen” en la etiqueta. “4.5.1 Deberá indicarse el país de origen del alimento cuando su omisión pueda resultar engañosa o equívoca para el consumidor. 4.5.2 Cuando un alimento se someta en un segundo país a una elaboración que cambie su naturaleza, el país en el que se efectúe la elaboración deberá considerarse como país de origen para los fines del etiquetado”. En ese sentido Costa Rica considera ue el tema ya esta cubierto y que este documento debe ajustarse a los objetivos del Codex y no incluir referencia a aspectos que están fuera de su mandato lo que puede crear a futuro interpretaciones subjetivas.	Costa Rica
Exchanges on this question should be supported by information from the CAC Chairperson and the Codex secretariat. Australia agrees that intellectual property considerations such as GIs are not consistently regulated or supported globally or may be addressed through more appropriate mechanisms, and so this guideline should not address them.	Australia
Exchanges on this question should be supported by information from the CAC Chairperson and the Codex secretariat. Purpose/Scope: “The purpose of this document is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud that falls within the scope of the Codex Alimentarius in order to help protect the health of consumers and ensure fair practices in the food trade. Aspects related to food fraud that have already been addressed by existing Codex texts should not be addressed in this document, as well as issues outside the Codex mandate; this guidance is intended to support or complement existing Codex texts by providing additional guidance specific to food fraud that could be considered within the NFCS” Rationale: Some actions to prevent, detect, mitigate, and control food fraud are not within the Codex mandate, so the scope of the guideline has to make it clear that all actions addressed in this text are within the Codex mandate. This document is intended to work with existing Codex texts, such as texts that address labeling. Given the new proposed scope text, there is no need for language that includes animal feed or a footnote that excludes geographical indicators since the scope is clear enough only to address issues within the Codex mandate. If an issue relates to a subject outside the Codex mandate but is considered to have an impact on human food safety, it may be addressed specifically in terms of the above-mentioned impact, thus respecting the mandate of the Organization.	Brazil
Exchanges on this question should be supported by information from the CAC Chairperson and the Codex secretariat. Japan suggest that we should wait responses and take responses into consideration.	Japan
Exchanges on this question should be supported by information from the CAC Chairperson and the Codex secretariat.	New Zealand

COMMENT	MEMBER / OBSERVER
New Zealand recommends that a clear statement that GI are NOT included within the scope of these guidelines should be included in this guideline. We are comfortable for Footnote 3 to be retained OR for the text of the footnote to be included in the main body of the text.	
Exchanges on this question should be supported by information from the CAC Chairperson and the Codex secretariat. It is considered that no mention of this should be included. When referring to Geographical Indications, we are addressing a chapter of Intellectual Property that is not within the remit of this body but rather the WIPO. Moreover, the document does not specify particular cases of fraud but refers to them generally. Therefore, it is suggested to remove the text from the footnote, and if it is deemed necessary to retain some text, we would include an additional bullet point in the introduction stating the following: “Issues outside the Codex mandate, such as intellectual property, are not addressed in these guidelines.”	Argentina
Los intercambios de información sobre esta cuestión deberían respaldarse con la información facilitada por el Presidente de la CAC y la Secretaría del Codex. Perú considera que no es necesario la adición de alguna otra información, ya que la nota es suficientemente clara.	Peru
Los intercambios de información sobre esta cuestión deberían respaldarse con la información facilitada por el Presidente de la CAC y la Secretaría del Codex. Pregunta 3: Uruguay entiende que tanto los aspectos de propiedad intelectual como las indicaciones geográficas no están directamente relacionados con la salud pública, por lo tanto sugiere mantener nota 2 versión en español.	Uruguay
Question 4:	
Question 4: Position: Uganda supports that 7bis be retained and the square brackets remove. Justification: This is outside the scope of Codex. Investigation and prosecution are handled differently depending on the country's legal system	Uganda
Question 4: Position: Burundi supports that 7bis be retained and remove the square brackets. Rationale: This is outside the scope of Codex. Investigation and prosecution are handled differently depending on the country's legal system.	Burundi
Question 4: Yes, it is important to state this clearly in this document.	ICUMSA
Should 7bis be retained? Australia supports the inclusion of 7bis. Food fraud activity can include deliberate intention to cause harm that may be considered a criminal matter, which is beyond the remit of Codex to provide guidance on. Countries will treat food crime on a case-by-case basis as per the individual country's enforcement arrangements.	Australia
Should 7bis be retained? ICBA supports and agrees 7bis should be retained.	ICBA
Should 7bis be retained? No. There is no need to retain 7bis paragraph	Brazil

COMMENT	MEMBER / OBSERVER
Should 7bis be retained? The EUMS do not agree with the inclusion of 7bis. Rationale: The aim is to explain what is in the scope of the document; therefore, there is no need to state what is not in the scope.	European Union
Should 7bis be retained? Yes. It helps readers to understand the investigation and prosecution of food fraud offenses are outside the scope of this guideline. We prefer to retain in the text or keep in the footnote.	Japan
Should 7bis be retained? yes	THIE – Tea & Herbal Infusions Europe
Should 7bis be retained? Kenya does not support the inclusion of 7bis. Justification: This is outside the scope of Codex. Investigation and prosecution need not be outlined in a codex guideline.	Kenya
Should 7bis be retained? New Zealand supports the retention of para 7 bis. It is important that a clear statement is included within these guidelines. However, consistent with Principle 2 New Zealand considers the statement in 7biz could be improved if it was started with 'Excepting necessary cooperation and coordination associated with transboundary events of food fraud ...'.	New Zealand
Should 7bis be retained? Morocco proposes to maintain the parag. 7bis. Maintaining the parag.7bis in the main text in the draft is essential to preserve the role of Codex as a standard-setting body focused on prevention and guidance. It respects national legal systems, avoids overreach, and ensures that Codex remains focused on its core scope. Maintaining this statement promotes flexibility for members, jurisdictional clarity, respect for domestic Legal Systems, avoiding overreach and maintaining Codex's neutrality, and continued global cooperation while avoiding legal complexities that could hinder the implementation of its standards	Morocco
Should 7bis be retained? It is suggested to keep this paragraph for more clarity.	Iran
Should 7bis be retained? We are not certain whether it is necessary to exclude from the scope of this guideline the guidance that this document could provide regarding investigations. In principle, many violations or fraud offenses are handled administratively, and the investigations are conducted by official health agencies. The same applies to prosecution, although some cases clearly exceed administrative proceedings and lead to judicial processes. For this reason, we believe that it is not for Codex but for national governments to define their own procedures according to their practices and legal frameworks.	Argentina
Should 7bis be retained? The investigation and prosecution of food fraud is nation's own legal right, and thus each country has their own legal system to deal with such action. Therefore para 7bis does not do much in the guideline proposed.	Republic of Korea
Should 7bis be retained?	Canada

COMMENT	MEMBER / OBSERVER
Canada is of the opinion that paragraph 7bis is not needed as enforcement activities, including investigation and prosecution of offenses (for food fraud or other food-related contraventions), are outside of the scope of Codex texts, and are handled under each country's respective authorities. Instead, Codex provides guidance on food safety and fair trade for competent authorities to use in their jurisdictions.	
Should 7bis be retained? IDF supports retaining 7bis. Food fraud may be dealt with under criminal law anywhere it occurs. The value of 7bis is the establishment of a clear scoping statement in which the matters of law enforcement are beyond the scope of this guideline and codex itself.	IDF/FIL
¿Se debería mantener el párrafo 7bis? Sí, se debería mantener el párrafo 7 bis. Se presenta acuerdo en que la investigación y el procesamiento de los delitos de fraude alimentario deban ser tratados por las respectivas legislaciones y por tanto no se deberían incluir en el ámbito de las presentes directrices sobre fraude alimentario.	Colombia
¿Se debería mantener el párrafo 7bis? Respuesta a pregunta 4: Se sugiere eliminar el párrafo 7bis. No corresponde por no ser pertinente al documento ni al ámbito del Codex.	Chile
¿Se debería mantener el párrafo 7bis? Perú está de acuerdo en mantener el párrafo 7bis.	Peru
¿Se debería mantener el párrafo 7bis? Costa Rica no apoya la inclusión del párrafo 7bis Justificación: El documento debe ajustarse a los objetivos del Codex y no incluir referencia a aspectos que están fuera de su mandato lo que puede crear a futuro interpretaciones subjetivas.	Costa Rica
¿Se debería mantener el párrafo 7bis? Pregunta 4: Uruguay considera que la investigación y el enjuiciamiento de los delitos de fraude alimentario están fuera del alcance de esta directriz y deben ser manejados por los países bajo sus respectivas leyes. Por lo tanto sugiere mantener el párrafo 7bis.	Uruguay
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.] 7bis should be retained. Clearly excluding the investigation and prosecution of food fraud will be beneficial	USA
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.]	European Union
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.] Position: Somalia supports retention of section 7bis and removing the square brackets. Justification: Matters related to investigation and prosecution fall outside the scope of Codex and vary based on each country's legal system.	Somalia
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.] To delete 7bis sentence. See Canada's rationale for deleting para 7bis in response to Q4.	Canada
SECTION 3: DEFINITIONS	

COMMENT	MEMBER / OBSERVER
Section 3: Definitions General comment: In the iTeh prEN 17972:2023 standard definitions are given for “food fraud”, “authentic”, “addition”, “substitution” and “dilution”.	European Union
Food Fraud: Any deliberate practice intended to deceive others (<u>consumers, FBOs</u>) in regard to the prescribed specifications or expected characteristics of food (<u>including e.g. expected compliance with food law and trade specifications</u>) to gain an unfair economic advantage. Rationale: • The addition of “(consumers, FBOs)” is more concrete and facilitates the understanding of the definition. • The wording “prescribed specifications” is unclear. The wording “prescribed specifications or expected characteristics of food” is not correct, since the compliance with specifications is part of the expected characteristics of food. • The wording “food law” (including compositional and other requirements) and further trade specifications is clearer. The wording “including e.g.” allows further standards to be considered.	European Union
<u>Fraude alimentario</u>: Toda acción deliberada para engañar a otros con respecto a las especificaciones prescritas o características previstas de un alimento, con ánimo de lucro indebido. Se sugiere eliminar la expresión “a otros”. Se sugiere eliminar la expresión “a otros”.. Parece redundante, pues la definición de “engañar” supone una acción a alguien, hacerlo creer que algo falso es verdadero.	Chile
<u>Food Integrity</u>: The status of a food product in which it is not altered or modified from its expected characteristics, including food safety, quality, composition and composition, nutritional properties<u>properties and authenticity</u>. Rationale: Food authenticity is part of Food Integrity. To understand the difference between food integrity and food authenticity the following example could be included in the guideline: “A fruit juice concentrate was mixed with contaminated water. The product is correctly labelled (“from concentrate”). It is therefore authentic, but does not fulfil food integrity, as it is not safe.”	European Union
Food Integrity: The status of a food product in which it is not altered or modified from its expected characteristics, including food safety, quality, composition and nutritional properties. Canada recommends deleting this definition. The concept of “Food integrity” is very broad and goes beyond food safety and authenticity. The word “integrity” is used a few times in the text but only twice in reference to “food” and is self-explanatory in the context of these sentences.	Canada
<u>Food authenticity</u>: Conformity between the food product characteristics and the corresponding information provided through food product labelling or other information associated with food trade. The US questions whether this definition is necessary as it is not used often in the document and is captured by the concept of food fraud.	USA
<u>Addition</u>: Intentionally adding an undeclared substance to a food product that would not ordinarily be present, or present in that quantity, in the food. The deliberate action is crucial for food fraud. This wording (“intentionally adding”) is also in line with prEN 1792:2023. Unintentional addition (contamination) may happen during the manufacturing process and is not considered food fraud.	European Union

COMMENT	MEMBER / OBSERVER
<u>Substitution</u>: Replacing an ingredient, in whole or in part of a food product with another ingredient, in whole or in part of a product of lower value without declaring it. Singapore would like to remove the words "of lower value" in square brackets, as the replacement ingredient may not necessarily be of lower value. There are instances where specific ingredients could be substituted with something else that might not be of lower value. It could be done because the original ingredient is not available or it's just convenient from a manufacturing perspective (e.g., gula melaka might be used instead of gula apong as it is more widely available). Such substitution might not be of lower value. The fraud lies in the fact that the substitution was not declared.	Singapore
<u>Substitution</u>: Replacing an ingredient, in whole or in part of a food product with another ingredient, in whole or in part of a product <u>product</u>, of lower value without declaring it.	USA
<u>Substitution</u>:— Intentionally r<u>Replacing</u> replacing an ingredient, in whole or in part of a food product with another ingredient, in whole or in part of a product of lower value without declaring it. The deliberate action is crucial for food fraud. This wording ("intentionally replacing") is also in line with prEN 1792:2023. Unintentional substitution (e.g. oxidation of a compound) may happen during the manufacturing process and is not considered as food fraud.	European Union
<u>Substitution</u>: Replacing<u>Replacing a food or</u> an ingredient<u>ingredient of a food product</u>, in whole or in part of a food product with another<u>another food or</u> ingredient, in <u>without declaring it</u>. whole or in part of a product of lower value without declaring it. The substitution could be of the whole food (for example, species substitution in fish). Also, for consistency with the wording used for the other types of food fraud in section 4, the terms "high value" and "low value" should be removed from the definition of "substitution". The opening statement already covers the aspect of economic value by stating "The following section provides examples, when done intentionally for economic gain, of types of food fraud,(...)"	Canada
<u>Dilution</u>:— Intentionally a<u>Adding</u> adding a material<u>liquid ingredient of lower value</u> —to make another ingredient present at a lower concentration than represented<u>represented without declaring it, e.g. addition of water to milk.</u> The deliberate action is crucial for food fraud. Dilution refers to liquids, otherwise it falls under the category of addition.	European Union
QUESTION 5:	
Question 5: a. Australia agrees with the two principles in Section 5. b. Australia prefers the text 'fair trade practices' but would suggest amending to align with the language at Section 2 Purpose/ (para 7) 'fair practices in food trade'. This also aligns with the Codex Procedural Manual.	Australia
Question 5: a. agree with two principles b. suggest to revise as "in order to protect health of consumers and fair practices in food trade" to align with the Para 7.	Japan
Question 5: Agrees both principles drafted and retain both text in the square bracket.	Republic of Korea
5 (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? Singapore has no further comments at this juncture.	Singapore

COMMENT	MEMBER / OBSERVER
5 (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? ICBA supports the text in Section 5 as written with the two principles.	ICBA
5 (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? Paragraph 8 seems to be redundant with principle 1. In essence, it says that “prevention and control of food fraud should be based on control and prevention of food fraud”. Since the concepts listed on paragraph 8 are already captured in principles 1 and 2, the content does not really change if paragraph 8 is deleted.	European Union
5 (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? Position: Somalia recommends retention of the two broad-based principles and suggests rearranging the heading of the first principle to read "Control and Prevention of Food Fraud." Justification: This change ensures alignment with the flow of the text in the introduction of paragraph 8.	Somalia
5 (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? Uganda suggests the retention of the two broad-based principles and further suggests that the principle 1 heading should be rephrased as "Control and Prevention and Control of Food Fraud". Justification: To align with the flow of the text in the chapeau of para 8.	Uganda
5 (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? Yes, THIE feels the current wording is appropriate and fit for purpose.	THIE – Tea & Herbal Infusions Europe
5 (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? Kenya proposes the retention of the two broad-based principles. Kenya further proposes that the principle one heading should be arranged to read Prevention and Control of Food Fraud. Justification: To align with the flow of the text in the chapeau of para 8.	Kenya
5 (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	New Zealand

COMMENT	MEMBER / OBSERVER
revision. Is the Committee in agreement with the two principles currently articulated in Section 5? a) New Zealand suggests it is appropriate that principles deal with one concept at a time and notes that the current Principle 1 is trying to span several concepts at once. Accordingly New Zealand suggests there should be an additional opening principle establishing why and when it is appropriate to have controls against food fraud. This would allow the last line in the current Principle 1 'in order to protect consumers and [the integrity of the food supply chain] [fair trade practices]' to be deleted.	
5 (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? Morocco agrees with the two principles proposed by the EWG	Morocco
5 (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? In general, we agree with Principles 1 and 2, but we believe that, as indicated in paragraph 1.5, the responsibility for fraud is shared between the National Food Control System (NFCS) and food business operators (FBOs). It is necessary to reflect in the Principles section the vital role that FBOs play in the prevention, detection, mitigation, and control of food fraud, in line with their responsibility to provide consumers with safe and quality food and to avoid engaging in fraud.	Argentina
5 (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? Position: Burundi proposes the retention of the two broad-based principles. Burundi further proposes that the principle one heading should be arranged to read Control and Prevention and Control of Food Fraud. Rationale: To align with the flow of the text in the chapeau of para 8.	Burundi
5 (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? Canada agrees with the content of the two principles as drafted so far and only has suggestions on the heading and some of the wording at the end of principle 1 as indicated in the text below. Canada would like to suggest using the text from paragraph 12 as a new principle, which would read as "Principle 2: transparency and risk-based oversight - Policies, procedures, and regulatory requirements related to food fraud prevention and control should be transparent and risk-based"	Canada
5 (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? Revision of the text would be helpful and the two principles should be retained.	ICUMSA

COMMENT	MEMBER / OBSERVER
5 (a) - En cuanto a la Sección 5 "Principios", ¿podría revisarse el texto de esta sección para mejorar la fluidez y la armonización del documento en su conjunto? Durante el proceso del GTE, un miembro preguntó qué aspecto tenían los principios después de la última revisión. ¿El Comité está de acuerdo con los dos principios enunciados actualmente en la Sección 5? Para la pregunta 5 – literal a se indica: Estamos de acuerdo con que el documento contenga los dos principios enunciados actualmente en la sección 5. Se respalda que el documento contenga los dos (2) principios, a saber: 1. Control y prevención del fraude alimentario 2. Coordinación, cooperación y colaboración entre las autoridades competentes	Colombia
5 (a) - En cuanto a la Sección 5 "Principios", ¿podría revisarse el texto de esta sección para mejorar la fluidez y la armonización del documento en su conjunto? Durante el proceso del GTE, un miembro preguntó qué aspecto tenían los principios después de la última revisión. ¿El Comité está de acuerdo con los dos principios enunciados actualmente en la Sección 5? Perú está de acuerdo con los dos principios enunciados actualmente en la Sección 5. ya que describen lo que queremos alcanzar con el control del fraude alimentario.	Peru
5 (a) - En cuanto a la Sección 5 "Principios", ¿podría revisarse el texto de esta sección para mejorar la fluidez y la armonización del documento en su conjunto? Durante el proceso del GTE, un miembro preguntó qué aspecto tenían los principios después de la última revisión. ¿El Comité está de acuerdo con los dos principios enunciados actualmente en la Sección 5? Costa Rica apoya la inclusión de los dos principios planteados.	Costa Rica
5 (a) - En cuanto a la Sección 5 "Principios", ¿podría revisarse el texto de esta sección para mejorar la fluidez y la armonización del documento en su conjunto? Durante el proceso del GTE, un miembro preguntó qué aspecto tenían los principios después de la última revisión. ¿El Comité está de acuerdo con los dos principios enunciados actualmente en la Sección 5? Pregunta 5: Uruguay considera que la frase "[la integridad de la cadena de suministro de alimentos]" aborda la necesidad de asegurar que todos los eslabones de la cadena alimentaria, se mantengan libres de fraude, garantizando la producción de alimentos inocuos, auténticos y no adulterados. Entendemos que esta frase sería la más relevante. Sin embargo, la inclusión de la frase "[las prácticas comerciales justas]" proporcionaría un enfoque global al tema, integrando tanto la inocuidad alimentaria como la equidad en el comercio. Por otra parte, considerando que éste último no es objetivo principal del NFCS sugiere integrar ambos corchetes bajo la siguiente redacción: Los Sistemas Nacionales de Control de los Alimentos (NFCS) pueden reducir el riesgo de fraude alimentario mediante la implementación de medidas, proporcionales al nivel de riesgo, para prevenir, detectar, mitigar y controlar el fraude alimentario, incluyendo actividades de vigilancia y monitoreo con el fin de proteger a los consumidores y colaborar en mantener [la integridad de la cadena de suministro de alimentos] y [las prácticas comerciales justas]	Uruguay
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? Singapore prefers "protect the integrity of food supply chain" as the core issue of food fraud is traders intentionally deceiving consumers on the contents of the products, as opposed to "protect fair trade practices" which is focused on the economic outcomes, and that food fraud can occur anywhere along the food supply chain.	Singapore
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained?	ICBA

COMMENT	MEMBER / OBSERVER
ICBA agrees with retaining only “the integrity of the food supply chain”. It should be understood about fair trade practices this is a pillar of Codex standards overall.	
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? answers to items (a) and (b): a. No need to be revised b. Both phrases should be retained	Brazil
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? The EUMS favor that both expressions are kept. Rationale: The expression "integrity of the food chain" includes the dimension of disruption to the food chain that fraud involves and its harmful impact on all actors, such as FBOs. This is not fully reflected by the single expression “fair trade practices”.	European Union
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? Position: Somalia recommends retention of the phrase "fair trade practices." Justification: This aligns with the Codex mandate, as integrity is already addressed through measures that protect consumers.	Somalia
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? Uganda proposes to retain ‘fair trade practices’ Justification: To align with the Codex mandate and since integrity is covered in measures to protect consumers.	Uganda
5(b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? THIE feels the bracket which states “the integrity of the food supply chain” should be retained and the other one should be removed.	THIE – Tea & Herbal Infusions Europe
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? Kenya proposes to ‘retain fair trade practices’ Justification: To align with the Codex mandate	Kenya
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? b) New Zealand suggests the opening principle could be. Principle x: Impact of Food Fraud ‘Food fraud may negatively impact the health of consumers and fair practices in the food trade in situations where there are significant economic motivations for it to occur and it is not appropriately controlled.’ c) In response to question b., consistent with our proposal above New Zealand suggests deletion of both language currently in square brackets and ‘and in order to protect consumers and’, noting proposed first Principle would adequately cover these concepts.	New Zealand

COMMENT	MEMBER / OBSERVER
d) New Zealand supports the current Principle 2 and considers it appropriate and relevant for this guideline.	
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? Morocco suggests keeping both phrases in square brackets. Additionally, Morocco proposes adding the objective of food authenticity to Principle 1, which would then read as follows: “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 protect consumers and the integrity of the food supply chain and upholding fair practices and authenticity in food trade” Rationale: The principle emphasizes a multi-faceted approach—prevention, detection, mitigation, and control. This comprehensive principle is crucial for managing food fraud, which can take many forms, including adulteration (by addition, substitution and dilution), counterfeiting, misrepresentation and concealment of food products. By noting that measures should be "proportionate to the level of risk," the statement acknowledges the need for a tailored response rather than a one-size-fits-all solution. This reflects a pragmatic approach, recognizing that different sectors of the food supply chain may present varying levels of fraud risk, and that resources should be allocated accordingly. Additionally, to protecting consumers, the inclusion of "the integrity of the food supply chain" and "fair trade practices" as key outcomes of the control system demonstrates an awareness that food fraud is not just a consumer issue, but also an economic one. Fraud undermines market fairness and can have ripple effects on international trade. Finally, the Moroccan proposition of the addition of “food authenticity” to this principle is justified that food authenticity which was defined in the draft has been little used in the text (Section 7: Relevant Activities for Competent Authorities). We believe that the ideal place for its use is in this principle like food integrity. □ Proposition of addition of a new principle: Morocco proposes to add a new principle: Principle 3: Adaptability and Technological Integration Incorporate adaptable, state-of-the-art technological solutions in the NFCS can help to continuously prevent, detect, mitigate, and control food fraud. It can help the NFCS to be dynamic, regularly updated, and capable of integrating emerging technologies. Rationale: The draft does not mention anywhere the importance of incorporating modern technologies (Traceability technologies, analytical innovations, AI for detecting patterns of fraud...etc.) into the NFCS. With food fraud becoming increasingly sophisticated, adaptability of analytical methods and technological innovation should be a core aspect of a robust system. This principle aims to make the NFCS resilient, proactive, and technologically advanced, ensuring it stays ahead of sophisticated food fraud schemes.	Morocco
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? Position: Burundi proposes to retain “fair trade practices” Rationale: To align with the Codex mandate and since integrity is covered in measures to protect consumers.	Burundi
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained?	Canada

COMMENT	MEMBER / OBSERVER
Canada recommends deleting both phrases as well as the text after “monitoring activities” in the third line of principle 1. Section 2 (Purpose) already indicates that the objective is to protect the health of consumers and ensure fair practices in the food trade. If the committee feels strongly about keeping this text, Canada would prefer “fair trades practices”. It has a clearer meaning than “integrity of supply chains” and it aligns with the terminology used to explain the dual mandate of Codex (food safety and fair trade). Further, “integrity of the food supply chain” is broader than the mandate of Codex so it should be deleted.	
5 (b) - Under Principle 1, specifically, which phrase in square brackets should be retained? Or should both be retained? It would be best to retain the first statement (integrity) but reference to fair trade practices could be made elsewhere or referred to (via a footnote).	ICUMSA
5 (b) - En el Principio 1, ¿qué frase entre corchetes debería mantenerse específicamente? ¿O se deberían mantener ambas frases? Se sugiere que se mantenga en el principio 1 la frase entre corchetes: [la integridad de la cadena de distribución de alimentos]. Se considera que la frase relacionada con la integridad de la cadena de distribución de los alimentos es la adecuada para mantenerse en el texto del principio 1. Las prácticas equitativas de comercio constituyen uno de los objetivos legítimos del Codex Alimentarius y por tanto no se requiere hacer referencia a ello en el principio que se está revisando	Colombia
5 (b) - En el Principio 1, ¿qué frase entre corchetes debería mantenerse específicamente? ¿O se deberían mantener ambas frases? Perú está de acuerdo en mantener ambas frases.	Peru
5 (b) - En el Principio 1, ¿qué frase entre corchetes debería mantenerse específicamente? ¿O se deberían mantener ambas frases? Costa Rica considera que, deben mantenerse las dos frases entre corchetes, con la siguiente modificación: [la integridad de la cadena de alimentaría], es decir eliminar la frase "de distribución" Justificación: La propuesta de modificación del párrafo es concordante con la redacción del párrafo 6 bis el cual, hace referencia a la “proteger la integridad de la cadena alimentaria”	Costa Rica
SECTION 5: PRINCIPLES	
Section 5: Principles The United States, in general, supports the existing principles. For clarity, however, we suggest rewording Principle 1 to the following to better link it to the definitions: 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.	USA
Section 5: Principles Sections 5-8: Sections 5-8 should be replaced by the following Sections: Section 5: Principles Section 6: Responsibilities and Activities of Competent Authorities Section 7: Responsibilities and Activities of FBOs Rationale: The structure is not clear and shows redundancies. Section 8 “Cooperation, collaboration and exchange of information between competent authorities” and parts of Section 6 “Roles	European Union

COMMENT	MEMBER / OBSERVER
and Responsibilities” belong to Section 7 “Relevant Activities for Competent Authorities”. The tasks of competent authorities and FBOs should be divided in separate Sections.	
Sección 5. Principios Respuesta a pregunta 5ª: Estamos de acuerdo con estos dos principios, aunque el “a” requiere mejorar texto. Respuesta a pregunta 5b: Se hace propuesta de modificación a principio 1.	Chile
Principle 1: <u>Proportionality of</u> Control and Prevention of Food Fraud <u>Measures</u>	European Union
Principle 1: <u>NFCS' role in the</u> Control and Prevention of Food Fraud We propose to add a few words to the title of principle 1 to be more specific on its intent. The way it is currently written is redundant with the chapeau statement in paragraph 8 (all the stated principles relate to the control and prevention of food fraud.).	Canada
Principle 1 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 <u>in</u> order to protect consumers and [the integrity of the food supply chain] [fair trade practices <u>practices</u>]].	USA
Principle 1 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 protect consumers and [the integrity of the food supply chain] [fair trade practices]. <u>Also, FBOs can reduce the risk of food fraud by having measures in place (alternative: “by taking reasonable precautions”) to prevent, detect, mitigate, and control food fraud*. * Cases with only a suspected intentional action, in which the deliberate action has not yet been proven, should also be taken into account.</u> Rationale: - Inclusion of FBOs: The principles should not only refer to NFCS but also to FBOs. According to Section 6, paragraph10, FBOs also have responsibilities to prevent food fraud. - Inclusion of the footnote: - The deliberate action is difficult to proof and often takes a long time, especially if the case is decided in court. - The proposed wording “suspected” is in line with EU Regulation.	European Union
Principle 1 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 protect consumers and [the integrity of the food supply chain] [fair trade practices]. Principle 1: Control and Prevention of Food Fraud Can or should have? It is suggested that "should have" seems more appropriate in the case of developing guidelines.	Iran
Principle 1 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	Argentina

COMMENT	MEMBER / OBSERVER
monitoring activities in order throughout the food chain, if necessary, to protect consumers and [the integrity of the food supply chain] [fair trade practices]. Regarding the text in brackets, we believe it should be reviewed. Through monitoring and surveillance, it may be necessary to oversee the entire chain to protect the consumer from fraud. Therefore, we suggest revising the sentence as follows: National Food Control Systems (NFCS) can reduce the risk of food fraud by implementing measures proportional to the level of risk to prevent, detect, mitigate, and control food fraud, which includes monitoring and surveillance activities throughout the food chain, if necessary, to protect the consumer.	
Principle 1 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 protect consumers and activities. [the integrity of the food supply chain] [fair trade practices]. See rationale for this deletion in Canada's response to Q5.b.	Canada
Principle 1 Los SNCA pueden reducir el riesgo de fraude alimentario disponiendo de medidas, proporcionales al nivel de riesgo, para prevenir, detectar, mitigar y controlar el fraude alimentario, lo que comprende actividades de monitoreo/seguimiento y vigilancia con el fin de proteger al consumidor y [la integridad de la cadena de distribución de alimentos] [las prácticas equitativas de comercio]. Se sugiere las siguientes modificaciones: “Los SNCA pueden reducir el riesgo de fraude alimentario disponiendo de medidas, proporcionales al nivel de riesgo, para prevenir, detectar, mitigar y controlar el fraude alimentario, con el fin de proteger al consumidor.[garantizando las prácticas equitativas de comercio]. Justificación: El primer párrafo entra en un detalle innecesario. El segundo párrafo, no corresponde a la autoridad proteger la integridad de la cadena de distribución de alimentos, eso lo hace protegiendo a los consumidores y garantizar las prácticas equitativas al comercio.	Chile
Principle 2: Coordination, Cooperation, and Collaboration Between of the –Competent Authorities	European Union
<u>Principle 2: Transparency and risk-based oversight Policies, procedures, and regulatory requirements related to food fraud prevention and control should be transparent and risk-based.</u> Principle– 32: Coordination, Cooperation, and Collaboration Between Competent Authorities Rationale from Canada for this addition is provided in response to Question 5.a.	Canada
Principle 2 Coordinated<u>Coordination</u>, cooperation, and collaboration between Competent Authorities within or between countries can help prevent, detect, mitigate, and control food fraud. Edit suggested to be consistent with the header.	USA
Principle 2 Coordinated cooperation and collaboration between Competent Authorities within or between countries <u>as well as with industry</u> can help prevent, detect, mitigate, and control food fraud.	European Union
SECTION 6: ROLES AND RESPONSIBILITIES	
PARAGRAPH 9	
9 (a) Establish or maintain controls in an NFCS' legal structures and requirements– <u>with an NFCS</u> to prevent, detect, mitigate, and control food fraud.	USA

COMMENT	MEMBER / OBSERVER
Changes suggested for clarity	
9 (a) Establish or maintain controls in an NFCS' legal structures and requirements to prevent, detect, mitigate, and control food fraud. Could the EWG chairs confirm if "legal structures and requirements" is the same as "regulatory and legal framework" used in paragraph 11.a. and if so we suggest to use consistent terminology.	Canada
9 (c) <u>Communicate, coordinate and collaborate with other competent authorities, industry, academia and other government authorities and stakeholders, as needed.</u> Build partnerships and collaborations with other competent authorities, industry, academia, and other stakeholders to prevent and control food fraud. 9 c. and d. should be merged into only one sub-item. Rationale: Overlapping contents, the difference is not clear.	European Union
9 (c) Build partnerships and collaborations with other relevant competent authorities, <u>nationally and internationally,</u> industry, academia, and other stakeholders to prevent and control food fraud. Edits made to clarify the intent of the paragraph.	Canada
9 (d) Communicate, coordinate and collaborate with stakeholders and other government authorities, as needed.	USA
9 (d) Communicate, coordinate and collaborate with stakeholders and other government authorities, as needed.	European Union
9 (e) Notify any countries thought to be impacted when incidents of food fraud are identified or suspected. It is suggested to add "f " as follows: f: Create and establish infrastructure and cultural incentives necessary to create and maintain an anti-food fraud culture and promote appropriate human behavior to prevent fraud with self-control and other preventive mechanisms	Iran
PARAGRAPH 10	
10. FBOs have the role and responsibility to, as appropriate: New Zealand suggests there is a level of duplication using both words 'analyze' and 'understand'. Accordingly New Zealand recommends that 'analyze and' is deleted from 10 (b) it is not necessary as analysis is a component of understanding, retaining this as a separate action implies a formal process is required in all circumstances which could impose unnecessary procedures and costs on FBOs. Those FBO with complex supply chains will undertake more formal processes to achieve the level of understanding necessary for their business. ALTERNATIVE b) could be reword to 'Achieve an understanding of the relevant vulnerabilities in their supply and products/ingredients/packaging there that may be susceptible to food fraud. This retains a clear statement on the role and responsibility without imposing a procedure is not necessary for all FBO when risk and the context are taken into consideration.	New Zealand
10. FBOs have the role and responsibility to, as appropriate: We suggest removing "as appropriate" as it implies that it is "optional". Note also that the content of the sub-paragraphs already indicates where this may be "as appropriate", in other words "as applicable".	Canada
a. Comply with all regulations relevant to prevent, detect, mitigate and control food fraud. Point 10 (a) to be deleted. Rationale:	European Union

COMMENT	MEMBER / OBSERVER
This is a matter of course that does not need to be mentioned in the guideline. Furthermore, the preceding expression “as appropriate” limits this requirement. It is not acceptable.	
a. Comply with all regulations relevant applicable to prevent <u>their food products, detect, mitigate including those that pertain to the prevention</u> and control <u>of</u> food fraud. We reworded paragraph 10a. to clarify that FBOs are required to comply with ALL regulations that apply to their products and to simplify the text.	Canada
b. Analyze and understand the vulnerabilities in their supply chain and products/ingredients/packaging there that may be susceptible to food fraud.	USA
QUESTION 6: COMMENTERS POINTED OUT REDUNDANCIES BETWEEN SUB-PARAGRAPHS ‘B. BIS’ AND ‘E’. SHOULD ONE OF THE SUB-PARAGRAPHS BE DELETED?	
Question 6: Australia suggests deleting 10b.bis in square brackets as the responsibility may already be covered in 10e.	Australia
Question 6: We prefer to keep e which contains the contents of removal affected items from market.	Japan
Question 6: Position: Burundi supports the deletion of “b. bis” and the retention of “e” Rationale: This is because clause 10 “e” is clear and broad enough to cover “b. bis”.	Burundi
Commenters pointed out redundancies between sub-paragraphs ‘b. bis’ and ‘e’. Should one of the sub-paragraphs be deleted? Singapore is of the view that b.bis could be removed, and keep to b and e, as point e seems to cover point b.bis and further includes removal of affected product from market.	Singapore
Commenters pointed out redundancies between sub-paragraphs ‘b. bis’ and ‘e’. Should one of the sub-paragraphs be deleted? ICBA recommends removing “b bis” due to redundancy. Sub-paragraph “e” is preferred as provides more detail.	ICBA
Commenters pointed out redundancies between sub-paragraphs ‘b. bis’ and ‘e’. Should one of the sub-paragraphs be deleted? a. To group b. bis and e, reformulating the language b. To retain both separately, withdrawing the word mitigate from e. sub-paragraph	Brazil
Commenters pointed out redundancies between sub-paragraphs ‘b. bis’ and ‘e’. Should one of the sub-paragraphs be deleted? The United States does not think both “b. bis” and “e” are necessary and prefer retaining ‘e’.	USA
Commenters pointed out redundancies between sub-paragraphs ‘b. bis’ and ‘e’. Should one of the sub-paragraphs be deleted? The EUMS recommend deletion Rationale: There is no added value as b. bis is already covered by b, c and e. For completeness, paragraph e could be amended as follows: Take the reasonable precautions to prevent, detect, mitigate, and control food fraud to secure the safety and quality of food products, including processes in place for rapid removal of affected product from the market.	European Union

COMMENT	MEMBER / OBSERVER
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? Position: Somalia supports the removal of the "b. bis" clause and the retention of the "e" clause. Justification: Somalia believes that the "e" clause is comprehensive enough to encompass the content of the "b. bis" clause, making the latter redundant.	Somalia
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? THIE feels that "b" should be REMOVED AND "e" RETAINED. "b" does not add any value as the core elements it refers to are considered as part of "e".	THIE – Tea & Herbal Infusions Europe
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? Kenya proposes the deletion of b. bis. Justification: This is because the first part is covered across clause 10 as e is retained.	Kenya
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? New Zealand recommends that b. bis is deleted and e) is retained as it covers the point sufficiently.	New Zealand
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? Morocco proposes to merge the two paragraphs in one as follow: "Take reasonable precautions to ensure that food products and ingredients are authentic and accurately represented in terms of their nature, safety, quality, and substance. Additionally, implement measures to prevent, detect, and mitigate food fraud, including processes for the rapid removal of affected products from the market." Since the two statements share a similar underlying meaning focused on preventing food fraud but differ in scope and emphasis, Morocco proposes new wording to capture the core intent of both paragraphs.	Morocco
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? Iran strongly recommends that this paragraph remain because every FBO must have Supplier Quality Assurance (SQA) and ensure the authenticity and quality of its raw materials as the first point of process flow diagram as CCP.1.	Iran
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? Canada agrees that these two sub-paragraphs have some redundancies and would like to suggest using wording from both to replace b-bis as suggested in the body of the text.	Canada
Commenters pointed out redundancies between sub-paragraphs 'b. bis' and 'e'. Should one of the sub-paragraphs be deleted? Yes, only sub-paragraph 'e' should be retained.	ICUMSA
En las observaciones se señalan redundancias entre los subpárrafos "b. bis" y "e". ¿Debería suprimirse alguno de ellos? Se sugiere dejar el literal e. El literal e trae implícito el texto contenido en el literal b bis y por tanto no es necesario incluir este apartado en el documento	Colombia
En las observaciones se señalan redundancias entre los subpárrafos "b. bis" y "e". ¿Debería suprimirse alguno de ellos? Respuesta pregunta 6:	Chile

COMMENT	MEMBER / OBSERVER
Se sugiere eliminar letra "b bis". La letra "b bis" está contenido en la letra "e".	
En las observaciones se señalan redundancias entre los subpárrafos "b. bis" y "e". ¿Debería suprimirse alguno de ellos? Perú está de acuerdo en que se mantenga ambos literales, ya que no se identifica redundancia.	Peru
En las observaciones se señalan redundancias entre los subpárrafos "b. bis" y "e". ¿Debería suprimirse alguno de ellos? Costa Rica apoya la inclusión del texto (e). Justificación: El texto es más claro y facilita la comprensión de las acciones necesarias para abordar el fraude alimentario.	Costa Rica
En las observaciones se señalan redundancias entre los subpárrafos "b. bis" y "e". ¿Debería suprimirse alguno de ellos? Pregunta 6: Uruguay considera que, aunque se centran en aspectos distintos, ambos párrafos abordan la gestión del fraude alimentario, por lo que para evitar que sean redundantes sugiere se considere su combinación o ajuste para que cubran ambos aspectos de manera complementaria y sin superposición. Considerando lo anterior, y por no comprender a que refiere el texto "sustancia estén representadas con precisión" sugiere la siguiente redacción: "Tomar precauciones razonables para prevenir, detectar, mitigar y controlar el fraude alimentario, asegurando la autenticidad de los productos e ingredientes, y garantizando su naturaleza, inocuidad, calidad, incluyendo la implementación de medidas para la eliminación rápida del producto afectado del mercado".	Uruguay
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.]	European Union
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.] Uganda supports the deletion of 'b. bis' and the retention of 'e' Justification: This is because clause 10 'e' is clear and broad enough to cover 'b. bis'.	Uganda
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.] We agree that maintaining both items would be redundant and propose eliminating item b.bis. However, it might be worthwhile to retain the substantive content of both paragraphs, as one addresses the nature of fraud and the other procedures for withdrawing products from the market. If this is the case, the text could be revised as follows: "Take appropriate precautions to prevent, detect, mitigate, and control the risk posed by non-authentic food products or ingredients, and ensure that the nature, safety, quality, and substance are accurately represented. When this is not the case, have processes in place for the prompt removal of affected products from the market."	Argentina
b. bis [HaveHave measures in place to – prevent and control food fraud, including processes for rapid removal of affected product from the market, mitigate the risk that the food products and ingredients are not authentic and ensure that the nature, safety, quality, and substance are accurately represented.] Rationale provided in Canada's response to Question 6.	Canada

COMMENT	MEMBER / OBSERVER
Take reasonable precautions to prevent, detect, mitigate, and control food fraud <u>fraud to secure the safety and quality of food products</u> , including having processes in place for rapid removal of affected product from the market.	European Union
Take <u>Take appropriate</u> reasonable precautions to prevent, detect, mitigate, and control the risk posed by non-authentic food products or ingredients, and ensure that the nature, safety, quality, and substance are accurately represented. When this is not the case, have processes in place for the prompt food fraud, including having processes in place for rapid _ removal of affected product from the market.	Argentina
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 provided in Canada's response to Question 6.	Canada
<u>e. Create awareness and understanding of food fraud throughout the FBO and build an anti-food fraud culture in all elements of the organization.</u> Create awareness and understanding of food fraud throughout the FBO and build an anti-food fraud culture in all elements of the organization. Replace f. with e. to follow sequence.	Canada
SECTION 7: RELEVANT ACTIVITIES FOR COMPETENT AUTHORITIES	
PARAGRAPH 11	
11 Measures to prevent, detect, mitigate, and control food fraud incorporate aspects of food safety and quality, consumer protection, and ensuring fair practices in food trade, and so <u>may therefore</u> be addressed within the structure of a NFCS. Competent authorities should consider conducting a range of activities to mitigate risks of food fraud, as appropriate for the level of risk, including, for example: Small edit to improve readability.	Canada
11 (a) Reviewing their NFCS and determine whether their system has an adequate regulatory and legislative framework (laws, regulations, guidance) and appropriate policies and procedures to monitor, prevent, detect, control, and respond to food fraud incidents and strengthen fair trade <u>incidents</u> . Such policies could include legal requirements, including sanctions, and responsibilities of the FBOs related to food integrity and authenticity <u>fraud</u> . The extra is not necessary in this sentence and US suggests deleting to help focus on the relevant activities for competent authorities, as the section is titled. The US prefers to focus this para on food fraud, which is the overall topic of this guidance.	USA
11 (a) Reviewing their NFCS and determine whether their system has an adequate regulatory and legislative framework (laws, regulations, guidance) and appropriate policies and procedures to monitor, prevent, detect, control, and respond to food fraud incidents and strengthen fair trade. Such policies could include legal requirements, including sanctions, and responsibilities of the FBOs related to food integrity and authenticity <u>integrity</u> . Rationale: As per definitions in section 3, food integrity also covers food authenticity.	European Union
11 (a) Reviewing their NFCS and determine whether their system if it <u>whether their system</u> has an adequate regulatory and legislative framework (laws, regulations, guidance <u>regulations</u>) and appropriate policies <u>policies</u> and procedures <u>and guidance</u> to monitor, prevent, detect, control, and respond to food fraud incidents and strengthen fair trade. Such policies could include legal requirements, including sanctions, and responsibilities of the FBOs related to food integrity and authenticity. Edits made to simplify the text. We also find that the last sentence of this sub-paragraph is not clear and seems redundant, as policies and legal requirements are already mentioned in the preceding sentence. We suggest deleting it.	Canada

COMMENT	MEMBER / OBSERVER
11 (d) Establishing surveillance activities to detect food fraud. These activities could be conducted on a routine basis or in response to <u>a</u> specific risk that has been identified. Missing word	USA
11 (d) Establishing surveillance activities to detect food fraud. These activities could be conducted on a routine basis or <u>and, as appropriate</u>, in response to specific risk that has been identified. Rationale: Controls on a routine basis are required in any case. Also, competent authorities shall perform official controls regularly, with appropriate frequencies determined on a risk basis, to identify possible intentional violations of the rules.	European Union
11 (e) Providing practical guidance to FBOs and other stakeholders on how to address food fraud. Such guidance could include resources and access to tools on how to develop procedures to prevent, detect, mitigate, and control food fraud. Paragraph 11 (e) should be deleted. Rationale: It is not the task of the Competent Authorities to provide this guidance, this is up to the FBOs themselves. Certain standards already include a chapter “food fraud” and can be of help – like for example the IFS standard that is used for the audits of companies.	European Union
11 (e) Providing practical guidance to FBOs and other stakeholders on how to address food fraud. Such guidance could include resources <u>and access to such as</u> tools on how to develop procedures to prevent, detect, mitigate, and control food fraud. To clarify that these tools are an example of resources from CAs for FBOs.	Canada
11 (g) Communicating in a <u>Establishing communication mechanisms for</u> timely reporting to manner with stakeholders about incidents involving food fraud, as appropriate. As written, point g implies that new or separate communication “mechanisms” are needed for food fraud situations. Canada is of the view that communication on food fraud relies on the same mechanism as any communication to stakeholders. We propose simplifying the sentence to reflect this comment.	Canada
PARAGRAPH 12	
Policies, procedures, and regulatory requirements related to food fraud prevention and control should be transparent and risk-based. 12. Canada finds that this paragraph reads more like a principle and suggests moving this text under the principle section (as explained in Canada’s response to Question 5.a)	Canada
PARAGRAPH 13	
<u>12. If a food fraud incident might impact food safety and threaten public health, the competent authority should immediately alert all other relevant competent authorities.</u> If a food fraud incident might impact food safety and threaten public health, the competent authority should immediately alert all other relevant competent authorities. Reset paragraph numbering to follow sequence from 12 - 15.	Canada
SECTION 8: COOPERATION, COLLABORATION AND EXCHANGE OF INFORMATION BETWEEN COMPETENT AUTHORITIES	
PARAGRAPH 14	
14. Competent authorities should cooperate, collaborate and exchange information with the relevant competent authorities in situations where food fraud is suspected or identified, as appropriate and in accordance with national law and information sharing agreements. This exchange of information could be expanded when there is awareness that fraudulent product poses a food safety risk and has been distributed to other countries.	Canada

COMMENT	MEMBER / OBSERVER
Reset paragraph numbering to follow sequence.	
PARAGRAPH 15	
15. The exchange of information should be made as early and rapidly as possible, recognizing that the initial information may often be incomplete and more detailed information will should be provided as it becomes available. Identification Information that should be exchanged between competent authorities of key elements, including relevant information both exporting and importing countries involved in a food fraud incident can be found on the Annex of CXG 19-1995. CXG 19-1995 Annex, that contribute to international harmonization and collaboration on the prevention and control of food fraud are essential. Termed as a recommendation. Modified for clarity and to make it a recommendation rather than requirement.	USA
15. The exchange of information should be made as early and rapidly as possible, recognizing that the initial information may often be incomplete and more detailed information will be provided as it becomes available. Identification of key elements, including relevant information in CXG 19-1995 Annex, that contribute to international harmonization and collaboration on the prevention and control of food fraud are essential. New Zealand considers the second sentence of paragraph 15 'Identification of key elements, including relevant information in CXG 19-1995 Annex, that contribute to international harmonization and collaboration on the prevention and control of food fraud are essential.' to be confusing in the context of this section and suggests that it is either deleted or rewritten. New Zealand further notes that the word 'essential' in Codex documents is normally reserved for those situations where there is a serious and urgent public health risk.	New Zealand
15. The exchange of information should be made as early and rapidly as possible, recognizing that the initial information may often be incomplete and more detailed information will be provided as it becomes available. Identification of key elements, including relevant information in CXG 19-1995 Annex, that contribute to international harmonization and collaboration on the prevention and control of food fraud are essential. Reset paragraph numbering to follow sequence.	Canada
<u>Question 7: A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included?</u>	
Question 7: Uganda supports the retention of 15 ter Justification: Considering the impact of food fraud as an emerging risk in food safety, it is recommended to leverage on new technologies in-order to devise mitigative measures that are important in the prevention and control of food fraud	Uganda
Question 7: Position: Burundi supports the retention of 15 ter Rationale: Considering the impact of food fraud as an emerging risk in food safety, it is recommended to leverage on new technologies in-order to devise mitigativemeasures that are important in the prevention and control of food fraud.	Burundi
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Australia does not support the addition of 15 ter. It is unnecessary to specify types of technology to be used for information exchange. Collaboration is already mentioned in para 14.	Australia

COMMENT	MEMBER / OBSERVER
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? While machine learning and data mining have potential, it's important to note that the effectiveness of these techniques is closely tied to the quality and reliability of the data being utilised. At this stage, ICBA is unable to support this approach.	ICBA
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Brazil does not see the need to include paragraph 15 ter.	Brazil
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? The EUMS recommend that 15 ter is not included. Rationale: These ideas have already been covered. In addition, the guidance does not have to suggest what technologies or tools are to be used. For the purpose of collaboration, it is for the different competent authorities to decide about the most appropriate approach on a case-by-case basis. Collaboration on AI tools and the like is not really related to Cooperation, collaboration, and exchange of information between competent authorities. Rather, it is a development of NFCS for early warning system and fraud response.	European Union
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Position: Somalia supports the retention of 15 ter. Justification: Given the increasing threat of food fraud, it is advisable to adopt modern technologies to develop strategies that can prevent and address this issue effectively.	Somalia
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? THIE strongly believes this paragraph should NOT be included as it is unclear as not only is it unclear exactly what this relates to, it is also unclear what this would mean in practice and how it would be applied. Furthermore, this terminology is something THIE is NOT familiar with (ie. "data mining" and "machine learning technologies") so greater clarity as to where this has come from and the intention behind it is required.	THIE – Tea & Herbal Infusions Europe
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Need more clarification and explanation of the contents. Example in footnote may help understanding.	Japan
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Kenya proposes not to include 15 ter in the guideline Justification: the contents are covered in para 14 and para 15, especially on collaboration. Further, the sharing of information as captured in 15ter is prescriptive.	Kenya
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? New Zealand does not fully understand what 15 ter. is trying to achieve and suggests it is going into far too much unnecessary detail for a Codex document on food fraud. Accordingly, New Zealand does not support the inclusion of 15 ter.	New Zealand
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included?	Morocco

COMMENT	MEMBER / OBSERVER
Morocco reiterate maintaining the above-mentioned paragraph . which reinforces the new principle 3 proposed by Morocco. Relating to the question raised by the EWG regarding the term "technology neutral»: This term in legislation refers to the principle that laws and regulations should not favor or prescribe specific technologies. Instead, they should be flexible enough to apply across various technologies, allowing for innovation and adaptability. This principle is especially important in digital trade, as it ensures that legal frameworks can accommodate new and emerging technologies without requiring constant updates or amendments (Buckley, R. P., & Hunter, T. (2011). Technology neutrality in e-commerce legislation: Law, policy and reform. Journal of Law and Information Technology, 19(2), 200-234)	
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Initially, we would like clarifications on the meaning of the expression "neutral technologies."	Argentina
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? ROK opposes to include para 15ter in the document. It is too technical and digitally advanced term to be included in the general guideline. It is not appropriate for digitally-neutral & technically unbiased text.	Republic of Korea
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? Canada does not support the inclusion of paragraph 15 ter. It does not align with the rest of the section as it relates more to how to carry out certain activities by using new technologies, as opposed to the activities themselves. We note that the use of new technologies in NFCS was brought forward as a proposal for new work (digitization of NFCS) for CCFICS and we suggest that this topic be discussed when this proposal is reviewed.	Canada
A member of the EWG suggested the inclusion of Para. 15 ter. Should this new para. be included? The information in Para. 15 ter is useful but needs better explanation before it is included, as data mining/machine learning/AI are not yet well-defined but are currently very open to subjective interpretation.	ICUMSA
Un miembro del GTE sugirió incluir el párrafo 15 ter. ¿Se debería incluir este nuevo párrafo? Sí, estamos de acuerdo en que se debería incluir el nuevo párrafo 15 ter en el documento. Se considera que el párrafo 15 ter complementa a los párrafos 15, 15 bis y 16. Debido a que es una debilidad de los países, se requiere integrar mejor las tecnologías neutras y el uso de tecnologías de extracción de datos en la cadena alimentaria En el párrafo 15 ter se sugiere reemplazar la expresión aumentar por incentivar	Colombia
Un miembro del GTE sugirió incluir el párrafo 15 ter. ¿Se debería incluir este nuevo párrafo? Respuesta a pregunta 7: Se sugiere no incluir el texto 15 ter. Los párrafos 15 y 15bis parecen suficientes.	Chile
Un miembro del GTE sugirió incluir el párrafo 15 ter. ¿Se debería incluir este nuevo párrafo? Perú esta de acuerdo con la inclusión del nuevo párrafo.	Peru
Un miembro del GTE sugirió incluir el párrafo 15 ter. ¿Se debería incluir este nuevo párrafo?	Costa Rica

COMMENT	MEMBER / OBSERVER
Costa Rica no tiene comentarios.	
Un miembro del GTE sugirió incluir el párrafo 15 ter. ¿Se debería incluir este nuevo párrafo? Pregunta 7: Uruguay entiende que existen beneficios de integrar tecnologías de análisis de datos por lo que sugiere añadir el párrafo 15 debido a que aporta una perspectiva moderna e innovadora al debate sobre la prevención del fraude alimentario	Uruguay
<u>15 ter.</u> Enhance collaboration to better integrate neutral technologies and use of data mining and machine learning technologies in the food chain which can aid in more effectively preventing food fraud. Singapore prefers to delete as the para. Not necessary as this is also about how CA can collaborate with each other, and the para is overly prescriptive of the technologies to be used in preventing food fraud.	Singapore
15 ter. Enhance collaboration to better integrate neutral technologies and use of data mining and machine learning technologies in the food chain which can aid in more effectively preventing food fraud. The United States prefers to not include 15ter. Given that there are several proposals around digital technologies this language seems unnecessary here. It also could lead future readers of the document to conclude that advanced IT systems are needed to prevent food fraud.	USA
15 ter. Enhance collaboration to better integrate neutral technologies and use of data mining and machine learning technologies in the food chain which can aid in more effectively preventing food fraud.	Canada
15 ter. Aumentar la colaboración para integrar mejor las tecnologías neutras y el uso de tecnologías de extracción de datos y aprendizaje automático en la cadena alimentaria, que pueden ayudar a prevenir más eficazmente el fraude alimentario. 15 ter. Incentivar la colaboración para integrar mejor las tecnologías neutras y el uso de tecnologías de extracción de datos y aprendizaje automático en la cadena alimentaria, que pueden ayudar a prevenir más eficazmente el fraude alimentario. En el párrafo 15 ter se sugiere reemplazar la expresión aumentar por incentivar	Colombia
Paragraph 16	
Competent authorities may benefit from establishing appropriate information exchange routes with relevant enforcement bodies and agencies, including those responsible for dealing with criminality. In establishing such routes, competent authorities should give due consideration to information security around personal data, operationally sensitive material and also have in place systems to assure the integrity of any evidence gathered and/or shared. Reset paragraph numbering to follow sequence.	Canada
Las autoridades competentes podrán beneficiarse del establecimiento de canales adecuados de intercambio de información con organismos y agencias encargadas del cumplimiento de la ley, incluidas las entidades responsables en materia penal. Al establecer dichos canales, las autoridades competentes deben dar debida consideración a la seguridad de la información en torno a los datos personales y al material sensible de carácter operativo. Asimismo, deben contar con sistemas que garanticen la integridad de todas las pruebas recabadas y/o compartidas. Se sugiere eliminar el párrafo 16. El párrafo 14 parece lo suficientemente general para hacer participar a todas las autoridades competentes pertinentes. El texto del 16 involucra a la autoridad competente (autoridad sanitaria), en ámbitos que no le son propios.	Chile

ANNEX II

Rwanda

Rwanda thanks the EWG for extensive work undertaken and the level of support for progressing this guideline.

Question 1: Should sub paragraph “6 bis” be retained?

[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 behaviours in protecting integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers.]

Rwanda supports to retain the sub paragraph “6 bis. The paragraph is informative and useful to the users of the guideline.

Question 4: Should 7bis be retained?

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.]

Rwanda supports that 7bis be retained. The 7bis provides more and guidance on how matters related to food fraud should be handled. Therefore, it is very informative.

Question 6: Commenters pointed out redundancies between sub paragraphs ‘b. bis’ and ‘e’. Should one of the sub paragraphs be deleted?

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.

Rwanda supports the deletion of b.bis and the retention of e. e is more clear.

United Republic of Tanzania

General Comment: TANZANIA appreciates the EWG for the work well done and notes the progress made in developing these guidelines. TANZANIA recommends advancing the Draft Guidelines on the Prevention and Control of Food Fraud to the next Codex standard elaboration process.

Question 1.

Position: TANZANIA supports to retain Para 6 bis with inclusion of stakeholder collaborations considering their critical role that stakeholders play in an effective anti-food fraud strategy.

Justification: Para 6 bis. provides additional information on the role of behavior of people and their culture.

TANZANIA further proposes the text in the square brackets to be amended to read: Fundamental to the successful functioning of any food fraud combatting strategy is stakeholder collaboration in the establishment and maintenance of an anti-food fraud culture acknowledging the importance of human behaviors in protecting the integrity of the food supply chain and presenting food/feed in a manner so as not to deceive consumers

Justification: stakeholder involvement is important in ownership in the implementation of strategic actions

Question 2:

Position: TANZANIA Proposes the deletion of the words in square brackets and be rearranged to read:

The purpose is to provide guidance to competent authorities and FBOs on the prevention, detection, mitigation, and control of food fraud including Feed for Food producing animals to help protect the health of consumers and to ensure fair practices in food trade., including feed for food-producing animals [that may impact human food safety]. Aspects related to food fraud are already addressed through many existing Codex texts; this guidance is intended to support or supplement existing Codex texts by providing additional guidance specific to food fraud that can be considered within NFCS3.

Justification: The deleted wording in square brackets is already covered in the first part of the para.

Question 3.

Position: TANZANIA proposes the retention of footnote 3 as is without any amendments on intellectual property.

Justification: Intellectual properties are covered by different Competent authorities' jurisdictions within the region and are beyond the scope of this guideline.

Question 4.

Position: TANZANIA supports that 7bis be retained and remove the square brackets.

Justification: This is outside the scope of Codex. Investigation and prosecution are handled differently depending on the country's legal system.

Question 5a:

Position: TANZANIA proposes the retention of the two broad-based principles. TANZANIA further proposes that the principle one heading should be arranged to read Control and Prevention and Control of Food Fraud.

Justification: To align with the flow of the text in the chapeau of para 8.

Question 5b:

Position: TANZANIA Proposes to retain 'fair trade practices'

Justification: To align with the Codex mandate and since integrity is covered in measures to protect consumers.

Question 6.

Position: TANZANIA supports the deletion of 'b. bis' and the retention of 'e'

Justification: This is because clause 10 'e' is clear and broad enough to cover 'b. bis'.

Question 7.

Position: TANZANIA Supports the retention of 15 ter

Justification: Considering the impact of food fraud as an emerging risk in food safety, it is recommended to leverage on new technologies in-order to devise mitigative measures that are important in the prevention and control of food fraud.