

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
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World Health
Organization

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CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS (CCFICS)

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DRAFT GUIDELINES ON THE PREVENTION AND CONTROL OF FOOD FRAUD

(STEP 6/7)

(Prepared by an Electronic Working Group¹ chaired by the United States of America and co-chaired by China, European Union, Islamic Republic of Iran, Panama, and United Kingdom)

Codex Members and Observers wishing to submit comments, at Step 6/7, on this draft (Appendix I) should do so as instructed in CL 2026/77-FICS available on the Codex webpage/Circular Letters 2026: <https://www.fao.org/fao-who-codexalimentarius/resources/circular-letters/en>

INTRODUCTION AND BACKGROUND

1. At its 24th Session (2018), the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) considered a discussion paper introduced by the European Union (EU) addressing matters related to food fraud. CCFICS24 recognized the cross-cutting nature of food fraud and established an electronic working group (EWG) to analyze relevant Codex texts and propose new work within the terms of reference (ToR) for CCFICS.
2. Based on feedback received, the EWG developed a discussion paper which streamlined the scope of potential new work. Furthermore, a comprehensive review of the Codex texts related to food fraud was also undertaken, and it was recognized that food fraud was already covered in various Codex texts.
3. CCFICS25 (2021) considered the discussion paper and related project document², noting strong interest in advancing this work while ensuring it remained within the dual mandate of Codex and did not duplicate existing guidance or create trade barriers.
4. CAC44 (2021) approved the new work for CCFICS³.
5. CCFICS26 (2023) discussed the draft document⁴ and discussed several issues, including the use of definitions, the level of risk appropriate to the recommendations, the inclusion of feed for food producing animals, references to criminal offenses, and whether matters related to intellectual property (IP), including geographical indications (GIs) should be excluded.
6. Divergent views were expressed at CCFICS26 regarding the relevance of GIs to the mandate of CCFICS. The Chairperson had sought advice from the CAC/CCEXEC Chairperson, and CCFICS26 agreed to maintain all bracketed text pending further consideration in the EWG.

¹ Argentina, Australia, Belgium, Brazil, Brunei Darussalam, Canada, Chile, China, Costa Rica, European Union, Finland, France, Germany, Guatemala, Honduras, India, Indonesia, Ireland, Japan, Lebanon, Malawi, Malaysia, Mexico, Morocco, New Zealand, Nigeria, Norway, Panama, Republic of Korea, Saudi Arabia, Singapore, Spain, Switzerland, Thailand, United States of America, Uruguay, Entidad Nacional de Acreditación/International Accreditation Forum (ENAC/IAF), Fédération internationale des vins et spiritueux (FIVS), FoodDrinkEurope, Food Industry Asia (FIA), Institute of Food Technologists (IFT), Instituto Interamericano de Cooperación para la Agricultura (IICA), International Association of Fish Inspectors (IAFI), International Chewing Gum Association (ICGA), International Confectionary Association (ICA), International Council of Beverages Associations (ICBA), International Dairy Federation (IDF), International Feed Industry Federation (IFIF), International Fruit and Vegetable Juice Association (IFU), Tea & Herbal Infusions Europe (THIE), and the United States Pharmacopeial Convention (USP)

² CX/FICS 21/25/8

³ REP21/CAC paragraph 58

⁴ CX/FICS 23/26/6

7. CCFICS27 (2024) made significant progress on the draft guidelines and agreed to exclude matters related to IP from the scope of the document. Remaining unresolved issues were referred to a newly established EWG chaired by the US and co-chaired by China, EU, Iran, Panama, and the United Kingdom. The draft guidance was forwarded to CAC47 for adoption at Step 5.
8. CAC47 (2025) adopted the draft guidelines for prevention and control of food fraud at Step 5.⁵

TERMS OF REFERENCE

9. CCFICS27⁶ (2024) established an EWG open to all Members and Observers, chaired by the United States of America, co-chaired by China, EU, Iran, Panama, and the United Kingdom, with the following ToR:
 - To consider comments received at Step 6, and all outstanding issues, including text in square brackets and comments made at CCFICS27 on sections 3, 6, 7, and 8.
 - To consider how feed for food producing animals was reflected and referenced throughout the guideline, taking into account other relevant Codex guidance.
 - To undertake multiple rounds of comments as necessary.
 - To submit the report of the EWG at least three months before CCFICS28.
 - To keep open the option to hold virtual intersessional meetings to address outstanding issues, and if needed, a physical working group immediately prior to CCFICS28.

EWG PARTICIPATION AND METHODOLOGY POST CCFICS27

10. Codex Members and Observers were invited to register (by 15 January 2025) to participate in the EWG. Thirty-seven (37) Members and fifteen (15) Observer organisations registered for the EWG.
11. The revised draft guideline was circulated by the chair and co-chairs to the EWG on 31 January 2025, highlighting changes agreed to during CCFICS27 and outstanding issues tasked to the EWG by CCFICS27. Responses and comments were requested by 5 March 2025.
12. Twenty-five (25) Codex Members and Observer organisations submitted comments on the first round of consultations.
13. The EWG comments provided improved language and pointed toward consensus for parts of the draft guidelines, whereas a lack of consensus remained for other parts. In response to the EWG comments, the chair and co-chairs identified three major areas of work to be completed and for the EWG to focus on.
 - Consider if feed for food producing animals should be included in the guidelines and if so, how, while taking into consideration other Codex guidance;
 - Consider if the three bracketed definitions should remain in the guideline; and
 - Work on the consolidation of Sections 6, 7, and 8.
14. A virtual working group (VWG) focusing on whether feed for food producing animals should be included in the guideline was held 21 May 2026. In preparation for this meeting, documents were prepared and shared with the EWG for comments and consideration.
15. The VWG led to a productive conversation that highlighted the interest in moving this work forward through compromise and dialogue. Attendees expressed interest in retaining a reference to feed for food producing animals within the guidelines. However, some Members expressed a need to clarify the extent to which these guidelines would apply to feed for food producing animals.
16. A physical working group (PWG) is scheduled immediately prior to CCFICS28 in Perth, Australia to discuss remaining unresolved issues. In preparation for the PWG, a third round of consultations was held from 29 May through 19 June 2026. The focus of the PWG will be the definitions and the consolidation of sections 6, 7, and 8.
17. Seventeen (17) Codex Members and Observers submitted comments in response to the third EWG consultation.
18. The EWG comments pointed toward consensus on multiple parts of the draft guidelines. There was unanimous support for retaining the definition of food fraud and consolidation of sections 6, 7, and 8. However, there is still a lack of consensus on the definitions section of the draft guidelines.

⁵ REP25/CAC paragraph 89(i)

⁶ REP24/FICS paragraph 62(ii)

19. The EWG has prepared a revised draft document (**Appendix 1**) reflecting the areas for which there is no consensus currently.

CONCLUSIONS

20. The EWG chair and co-chairs acknowledge and thank Codex Members and Observer organizations for their continued engagement during the intersessional EWG process.
21. Consensus was achieved in the EWG on including feed for food producing animals within the guideline, retaining the definition of food fraud, and consolidating sections 6, 7, and 8 into two sections. The EWG responses did not demonstrate consensus on certain issues related to the specific language used when referring to feed for food producing animals, and the definitions of 'food integrity' and 'food authenticity'.
22. Further discussion of the guidelines by CCFICS28 is needed, particularly concerning the following:
- whether further clarification is needed on the extent to which feed for food producing animals is included within the guidelines;
 - whether the definitions of 'food integrity' and 'food authenticity' should be retained in the guidelines; and
 - finalizing the text within the new sections 6 and 7.

RECOMMENDATIONS

23. CCFICS28 is invited to:
- note the extensive work undertaken by the EWG and the level of support for progressing this guideline;
 - discuss the text of the guideline, focusing on the specific questions highlighted in paragraph 22 above; and
 - consider advancing the proposed draft guidelines on the prevention and control of food fraud as finalized during CCFICS28 for final adoption by CAC50.

APPENDIX I**DRAFT GUIDELINES ON THE PREVENTION AND CONTROL OF FOOD FRAUD****(at Step 6/7)****1. PREAMBLE / INTRODUCTION**

1. The increasing complexity of food systems and global trade in food makes food supply chains more vulnerable to food fraud. Protecting the global food supply from intentional actions that undermine protection of public health and upholding fair practices in food trade are common goals for all stakeholders.
2. Food fraud incidents can present a risk to public health and can result in economic loss for consumers and other stakeholders, disruption in trade, reputational damage, and unfair economic advantages.
3. Regulatory frameworks, 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.
4. Food fraud can be prevented or minimized using the existing controls and mitigation measures available to countries through their National Food Control Systems (NFCS) or by adopting new measures, if necessary.
5. The prevention and control of food fraud is a shared responsibility, with FBOs 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.
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.
7. Fundamental to the successful functioning of any food fraud combating strategy is the collaboration of the stakeholders and establishment and maintenance of preventative measures.

2. PURPOSE / SCOPE

8. 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, as appropriate, feed for food producing animals [where it impacts food safety or leads to food fraud]. 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. Issues related to intellectual property are not included in this document.

3. DEFINITIONS

9. For the purposes of this document, the following definitions apply:

[Food Fraud: Any deliberate practice intended to deceive others in regard to the characteristics of food to gain an unfair economic advantage.]

[Food Integrity: The status of food in which it is not altered or modified with respect to characteristics expected by the consumer, including food safety, quality, composition, nutritional properties and authenticity.]

[Food Authenticity: Conformity between the food product characteristics and the corresponding information provided through food product labeling or other information associated with food trade.]

4. TYPES OF FOOD FRAUD

10. The following section provides examples, when done intentionally for economic gain, of types of food fraud:

Addition: Adding an undeclared substance to a food product that would not ordinarily be present, or present in that quantity, in the food.

Substitution: Replacing a food or a food ingredient, in whole or in part with another ingredient, in whole or in part (most often of lower value) without declaring it.

Dilution: Adding a material to make another ingredient present at a lower concentration than represented.

Counterfeiting: Making an imitation of a food product with the intention to deceive or defraud.

Misrepresentation: Labelling or marketing a food product in a manner that is false, misleading, or deceptive.

Concealment: Hiding or not disclosing information on the safety, suitability, or quality of food ingredients or food products.

5. PRINCIPLES

Competent Authorities and FBOs should be guided by the following principles to prevent, detect, mitigate, and control food fraud:

11. Principle 1: The occurrence of food fraud can be reduced by having measures in place, proportionate to the level of risk.
12. Principle 2: Cooperation among Competent Authorities, within or between countries, as well as with FBOs, can help reduce food fraud.

6. RESPONSIBILITIES AND ACTIVITIES OF COMPETENT AUTHORITIES

13. 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 may be addressed within the structure of a NFCS.
14. The relevant competent authorities [have the role and responsibility to] [should], as appropriate to the risk and the circumstances existing in their territories or associated with imports:
 - a. Have an adequate legislative framework (laws and regulations), and relevant policies, procedures, and requirements to prevent, detect, mitigate, and control food fraud, which could include:
 - Responsibilities of FBOs with regard to managing risks of food fraud;
 - Providing practical guidance to FBOs and other stakeholders on how to address food fraud. Such guidance could include resources such as tools on how to develop procedures to prevent, detect, mitigate, and control food fraud;
 - Having measures to protect the identity of persons acting as “whistle blowers” reporting incidents of food fraud.
 - b. Establish or maintain oversight programs and controls to prevent, detect, mitigate, and control food fraud, including for example:
 - Surveillance activities to detect food fraud. These could be conducted on a routine basis or in response to specific risks that have been identified;
 - Procedures to receive and evaluate reports of food fraud and determine appropriate follow-up.
 - c. Communicate, coordinate and collaborate with other competent authorities within and between countries, and with industry, academia and stakeholders:
 - to share relevant knowledge, experience, and tools for combatting food fraud, such as food standards and analytical methods;
 - 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.
 - d. Notify relevant competent authorities at the domestic level in a timely manner and, in the case of imported or exported food, notify the importing or exporting countries, when incidents of food fraud are identified or suspected:
 - If the fraud might impact food safety and threaten public health, the competent authority should immediately alert relevant competent authorities and INFOSAN in accordance with the *Principles and guidelines for the exchange of information in food safety emergency situations* (CXG 19-1995);
 - At the national level, cooperate, collaborate and exchange information with relevant competent authorities in accordance with national law and information sharing agreements;
 - Communications and 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 would be provided as it becomes available;
 - Information exchanged should be sufficient to allow competent authorities to evaluate the food fraud incident and mitigate its impact, especially with regard to risk to consumers, without jeopardizing ongoing investigations.

15. Policies, procedures, and regulatory requirements related to food fraud prevention and control should be transparent and risk-based.
16. Consider establishing appropriate information exchange routes with relevant enforcement bodies and agencies [at the domestic level], 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.

7. ROLES AND RESPONSIBILITIES OF FBOs

17. FBOs have the role and responsibility to, as appropriate:
 - a. Analyze and understand the vulnerabilities in their supply chain and products/ingredients/packaging that may be susceptible to food fraud.
[a.bis - Have measures in place to prevent, detect, mitigate and control the risk that the food products and ingredients are not authentic, and ensure that the nature, safety, quality, and substance are accurately represented. Have processes in place for rapid removal of affected product from the market.]
 - b. Represent food for sale in a manner that does not deceive or mislead consumers.
 - c. Inform the competent authority when they detect or suspect food fraud.
 - d. Take reasonable precautions to prevent, detect, mitigate, and control food fraud, including having processes in place for rapid removal of affected products from the market.
 - e. Create awareness and understanding of food fraud throughout the FBO [and build an anti-food fraud culture in all elements of the organization].