## CODEX ALIMENTARIUS COMMISSION $oldsymbol{\mathsf{E}}$





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Agenda item 9

CX/FICS 23/26/9 April 2023

# JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Twenty-Sixth Session
Hobart, Tasmania, Australia
1 – 5 May 2023

#### REVIEW AND UPDATE OF APPENDIX A - THE LIST OF EMERGING GLOBAL ISSUES

Prepared by Australia and Kenya

#### **INTRODUCTION & BACKGROUND**

- 1. At its 20<sup>th</sup> Session in 2013, the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS20) recognised that emerging global challenges were impacting both approaches and technologies relating to food safety controls, and these trends were likely to continue.
- 2. As a result, CCFICS20 requested a discussion paper be prepared to enable CCFICS to take a strategic approach to its area of work. At CCFICS21 (2014), the Committee considered the discussion paper (CX/FICS 14/21/7) and agreed that it be retained as a standing item and updated ahead of each CCFICS meeting.
- 3. CCFICS22 (2016) considered the updated discussion paper (CX/FICS 16/22/9). The paper included a horizon scan of issues that could impact food control systems and the work of CCFICS as well as a list of potential areas of work. The Committee agreed to further work to develop the discussion paper including development of a framework for the preliminary assessment and identification of priority areas for CCFICS<sup>1</sup>.
- 4. CCFICS22 also considered the request from the 70<sup>th</sup> Session of the Executive Committee, which recommended to all Committees to consider the need to develop an approach for the management of their work similar to that used by the Codex Committee on Food Hygiene (CCFH). CCFICS22 agreed that the criteria in the Codex Procedural Manual (PM) and practices in other Codex committees would be examined in the context of the updated discussion paper (CX/FICS 16/22/9) and that a prioritization framework be developed.
- 5. CCFICS23(2017) considered the updated discussion paper (CX/FICS 17/23/9) comprising two distinct components: Appendix A, presenting emerging global issues relevant to the work of CCFICS; and Appendix B, outlining a framework for the preliminary assessment and identification of priority areas for CCFICS. The Committee agreed to further work to update Appendix A to take into account Members' comments for consideration at CCFICS24. Regarding Appendix B, the Committee agreed to further work to revise the framework for the preliminary assessment and identification of priority areas for CCFICS for consideration at its next session<sup>2</sup>.
- 6. CCFICS24 in 2018 reviewed the discussion paper and agreed to retain Appendix A (Emerging global issues) as a standing document under the agenda item on emerging issues and future direction of CCFICS, recognizing the need for analysis and periodic updates. The Committee also agreed to rotate custodianship through Members and review the list included at Appendix A at CCFICS25 (2020). It was also agreed to:
  - i. pilot the application of the prioritization tool (Appendix B), and the tool assisting Members drafting a proposal for new work for consideration by CCFICS (Appendix C), on a trial basis, and revisit these Appendices at CCFICS25; and
  - ii. await the outcome of CCFH50 (2018) discussion on guidance on the management of (micro) biological foodborne crises/outbreaks before embarking upon a discussion on this topic within CCFICS.

<sup>&</sup>lt;sup>1</sup> REP16/FICS.

<sup>&</sup>lt;sup>2</sup> REP17/FICS.

7. CCFICS25 was postponed as a result of the coronavirus pandemic (COVID-19) from 2020, to virtually take place from 31 May 2021 to 6 June 2021. CCFICS25 considered a paper (CX/FICS 21/25/9) prepared by Australia and Canada on emerging issues and the future direction of CCFICS.

8. CCFICS25 provided broad support for keeping Appendix A as a standing agenda item for CCFICS, but that it should be limited to the CCFICS mandate. Members should provide input into Appendix A in the lead up to CCFICS26 and that it should better emphasise CCFICS relevance. The Committee also noted that the criterion 'Impact on trade facilitation' could be deleted from Section 7 of Appendix B as this is adequately addressed by the criterion 'Impact on fair trade practices'. The Committee also agreed that Australia and Kenya (as the new custodians) would prepare an updated Appendix A of the paper on "Emerging issues and future direction of CCFICS, taking into account discussions at CCFICS25, as well as comments solicited through a Circular Letter, and submit an updated list of emerging issues to CCFICS26 for consideration".

#### **PURPOSE**

- 9. The purpose of this standing agenda item is to facilitate a strategic, outward-looking discussion by the committee, by routinely undertaking a global scan, identifying potential future issues, challenges and advancements. This will ensure the Committee is strongly positioned to consider new work or revision of Codex standards and ensure Members and observers are well prepared to contribute to these discussions.
- 10. In identifying and prioritising potential areas of future work, CCFICS will need to take into account the differing needs and capabilities of Members and the need for future guidance to encompass the fundamental components of food control systems as well as the inclusion of newer approaches and technologies.
- 11. **Appendix A** is not a prescriptive list of proposals for new work, rather it is a list of issues that may be of relevance to CCFICS. Appendix A should continue to be reviewed and updated each session to ensure ongoing relevance of items, including removal of items when they are approved as new work or no longer deemed relevant.
- 12. **Appendix B** continues to provide a framework for the preliminary assessment and identification of priority areas for CCFICS, as well as a proposed process for considering new work proposals and work prioritisation. The Framework was developed in recognition of other Codex Committees. It provides criteria specific to CCFICS and a subjective self-rating scale to be used by the Member proposing new work to undertaken from **Appendix A**.
  - i. New work proposals should be assessed against criteria specific to CCFICS in addition to addressing the requirements for the criteria for the establishment of new work priorities (criteria applicable to general subjects) outlined in the PM.
- 13. **Appendix C** provides the template for new work proposals, combining the PM requirements for new work and the additional CCFICS specific criteria.

#### **APPROACH**

- 14. In February 2022, Australia and Kenya via Circular Letter sought comments from Members and Observers on **Appendix A**, which requested additional detail on currently listed proposals in the table (including better defining how it relates to CCFICS) and/or striking proposals that may no longer be relevant to the work of CCFICS/not within CCFICS' mandate. Comments were received from 11 Members and the majority of recommendations to remove items from **Appendix A** made by Australia and Kenya, were supported. This has resulted in a consolidation of emerging issues from 11 to 5 items under CCFICS' remit. Other key changes include:
  - i. Amending the title of **Appendix A** to 'Potential New Work for CCFICS: List of new emerging global issues for consideration'.
  - ii. Amending the column titled 'Emerging Global Issues' to 'Potential Emerging Global Issue for consideration'.
  - iii. Amending the column titled 'Priority' to 'Issue No', as **Appendix B** will be applied at the time the new work proposals are considered along with the project document, and to number proposals for ease of reference (similar to the process under CCFL).
  - iv. Editorial amendments throughout the 'Related Impact on CCFICS/Codex' column across the remaining identified emerging issues.
  - v. Providing input into column 'Comment / Status / Reason for Priority', to consolidate feedback from the Circular Letter and provide up to date status comment on the relevant item.
- 15. In line with comments at CCFICS25, Australia and Kenya have also removed the criterion 'Impact on trade facilitation' from Section 7 of **Appendix B**.

16. Australia and Kenya would recommend that ahead of CCFICS27, an out of session working group of CCFICS Members be held to conduct horizon scanning and have a robust discussion on the issues in Appendix A and to ensure CCFICS continues to have a strategic, proactive outlook on potential emerging issues.

#### **RECOMMENDATIONS**

- 17. It is recommended that CCFICS26:
  - i. acknowledge the current list of emerging issues identified in Appendix A;
  - ii. agree for the list of emerging issues to continue as a standing Agenda Item for future CCFICS meetings, and custodianship continues to be rotated through Members on a meeting-by-meeting basis to ensure ongoing relevance; and
  - iii. agree to hold an out of session workshop ahead of CCFICS27 to further discuss the emerging issues under **Appendix A**.

Appendix A

#### Potential New Work for CCFICS: List of new emerging global issues for consideration

(March 2023)

#### Introduction

1. The table below identifies significant emerging global issues that may impact the work of CCFICS and recognises any existing texts or new work proposals relevant to each issue. These items have been drawn from previous discussions at CCFICS sessions and other available material, including multilateral food safety and trade discussions.

2. It may be the case that existing texts touch on, but do not fully address, an identified global issue. In this case, additional or clarifying guidance may be warranted. This may present an opportunity for CCFICS to consider the appropriateness and priority of potential new work, using the proposed framework outlined in Appendix B. It may also present an opportunity to review existing text in light of new data, or new trading environments.

#### New emerging global issues for consideration

Issue No.	Potential Emerging Global Issue for consideration (not in priority order)	Related Impact on CCFICS / Codex	Related CCFICS text	Comment / Status / Reason for priority
1	Appeals mechanism in the context of rejections.	Develop guidance on an appeals mechanism in the context of rejections of imported foods.	• CXG 25-1997	Chairperson Note: India noted a proposal would be provided for consideration at CCFICS26. General support from CCFICS Members to consider the need for guidance however further information on the scope of the proposed guidance would need to be reviewed.
2	New and evolving food production, processing, transport and distributing systems and technologies.	Impact on the Competent Authority with regard to national food control systems (e.g., effectiveness, traceability, recalls) related to new food sources and production systems. Impact on trade through equivalence and systems recognitions. Potential need to update existing Codex text to address	<ul> <li>CXG 19-1995</li> <li>CXG 20-1995</li> <li>CXG 25-1997</li> <li>CXG 26-1997</li> <li>CXG 34-1999</li> <li>CXG 38-2001</li> <li>CXG 47-2003</li> <li>CXG 53-2003</li> <li>CXG 60-2006</li> <li>CXG 82-2013</li> </ul>	Chairperson Note: CCFICS Members supported this issue however noted the ongoing discussions in the CCEXEC subcommittee on New Food Sources and Production Systems (NFPS). It was noted that future work on this issue should be deferred until CCEXEC had concluded discussions.  CCEXEC83 concluded that work on NFPS did not preclude Codex committees from undertaking new

Issue No.	Potential Emerging Global Issue for consideration (not in priority order)	Related Impact on CCFICS / Codex	Related CCFICS text	Comment / Status / Reason for priority
		production of new foods subject to new regulation.	<ul> <li>CXG 89-2016</li> <li>CXG 91-2017</li> <li>Proposed Guidance on Recognition and Maintenance of Equivalence of NFCS</li> </ul>	work on such emerging issues that fall within their respective mandates, that existing Codex procedures can adequately address new emerging issues under NFPS and that cross-committee coordination may be required by CCEXEC.
3	Improved analytics, testing technologies, and surveillance.	The tools and methods used to measure performance of food control systems and how and when they are applied.	<ul> <li>CXG 47-2003</li> <li>CXG 53-2003</li> <li>CXG 25-1997</li> <li>CXG 34-1999</li> <li>CXG 82-2013</li> <li>CXG 89-2016</li> <li>CXG 91-2017</li> </ul>	Chairperson Note: CCFICS Members recognised the importance of the issue, however sought further clarity on what is needed in addition to current CCFICS texts. It is suggested that more information be put forward on the issue.
-4	New approaches to food safety, including preventative and outcomes-based systems.	Current and anticipated changes to the suite of tools used to provide assurances, and how and when they are applied.	<ul> <li>CXG 20-1995</li> <li>CXG 19-1995</li> <li>CXG 25-1997</li> <li>CXG 26-1997</li> <li>CXG 34-1999</li> <li>CXG 38-2001</li> <li>CXG 53-2003</li> <li>CXG 47-2003</li> <li>CXG 60-2006</li> <li>CXG 82-2013</li> <li>CXG 89-2016</li> <li>CXG 91-2017</li> <li>Proposed Guidance on Recognition and</li> </ul>	Chairperson Note: CCFICS Members recognised the importance of the issue, however sought further clarity on what is needed in addition to current CCFICS texts. It is suggested that more information be put forward on the issue.

Issue No.	Potential Emerging Global Issue for consideration (not in priority order)	Related Impact on CCFICS / Codex	Related CCFICS text	Comment / Status / Reason for priority
			Maintenance of Equivalence of NFCS	
5	Evolving role of competent authority and interactions between various government entities.	Interaction among various governmental entities involved in food trade, in particular between food control authorities and customs/border protection agencies, and the ability to better leverage information from these interactions.	<ul> <li>CXG19-1995</li> <li>CXG 34-1999</li> <li>CXG 47-2003</li> <li>CXG 82-2013</li> <li>CXG 89-2016</li> <li>CXG 91-2017</li> <li>Proposed Draft Guidance on Recognition and Maintenance of Equivalence of NFCS</li> </ul>	Chairperson Note: CCFICS Members recognised the importance of the issue, however sought further clarity on what is needed in addition to current CCFICS texts. It is suggested that more information be put forward on the issue.

#### **APPENDIX B**

### Framework for the preliminary assessment and identification of priority areas for CCFICS – prioritisation tool

1. The following guidelines are established to assist the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) to prioritise its work.

#### **Proposals for New Work**

- 2. Proposals for new work will typically address issues associated with food safety and fair practices in the food trade, within the mandate of CCFICS, including to establish new Codex texts or revise existing Codex texts.
- Appendix A containing a list of emerging global issues may be used as a basis for a new work
  proposal, however proposals can be brought forward to CCFICS at any time, regardless of
  whether it is on the list or not.
- 4. Proposals for new work to be undertaken should follow the process below, that includes requirements outlined in the Procedural Manual for Criteria for the Establishment of Work Priorities (criteria applicable to general subjects)<sup>3</sup>, in addition to the criteria below.
- 5. Members proposing new work may also refer to the document prepared at **Appendix C** that may assist in development of the new work proposal.

#### Criteria for Evaluating and Prioritising New Work

- 6. In addition to the provisions applying to new work proposals in the Codex *Procedural Manual*, the following criteria and associated ratings will be used in evaluating and prioritising new work proposals undertaken by CCFICS:
  - a. the justification for new work, including how the area of work may fill a gap in the current CCFICS suite of texts, or provide clarity to them;
  - b. whether the work will amend existing CCFICS texts or develop a new CCFICS text; and
  - c. the scope of the work and the extent to which the issue impacts on CCFICS Members and international trade.
- 7. To assist in quantifying (c) above, the criteria below should be used by the Member proposing new work as part of the self-assessment and include a rationale to justify the rating.

Criterion	Rating
Relevance to CCFICS mandate	Yes / No*
mandate	* If no, work should not proceed through CCFICS.
Immediate Urgency	High
	Medium
	Low
Impact on Food Safety	High
	Medium
	Low
Impact on fair trade practices	High
	Medium
	Low

<sup>&</sup>lt;sup>3</sup> Codex Procedural Manual, 27<sup>th</sup> Edition, Section II.

#### **Process for considering Proposals for New Work**

8. The Committee will, normally, employ the following process with regard to the revision of existing Codex texts or development of new Codex texts:

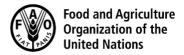
- As with normal procedure, new work proposals should be provided in the format of a project document and include requirements for the Criteria for the Establishment of Work Priorities (criteria applicable to general subjects) outlined in the *Procedural Manual*;
- b. Additionally, the project document should include a self-assessment against the additional criteria specific to CCFICS, as found in this prioritisation tool. Appendix C, a template combining the project document and the proposed prioritisation criteria, can also be used to assist members drafting new work proposals;
- c. It may be appropriate for CCFICS to establish an *ad hoc* working group, particularly in cases where multiple proposals are under consideration, chaired by the custodian of Appendix A, that could be tasked to evaluate and prioritise new work proposals and make recommendations to CCFICS; and
- d. CCFICS will consider new work proposals and recommendations of the *ad hoc* working group, if established.

#### Identification of priority areas

- 9. The Committee may reassess the priority of each item where new data or other information is available relating to an item. Such data may be submitted for consideration and the priority for the new work proposal reconsidered.
- 10. CCFICS will continue to utilise all available resources, including the list of Emerging Global Issues relevant to CCFICS, to identify emerging or imminent issues of relevance to the Committee.

#### APPENDIX C

### CODEX ALIMENTARIUS COMMISSION





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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

#### **CCFICS Session**

#### **NEW WORK PROPOSAL – [insert subject]**

## ON CONSIDERATION OF EMERGING ISSUES AND FUTURE DIRECTIONS FOR THE WORK OF THE CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Prepared by [insert member country or countries]

Purpose and Scope of the Standard

Relevance and Timeliness

Main aspects to be covered

An assessment against the Criteria for the Establishment of Work Priorities

Relevance to the Codex strategic objectives.

Information on the relation between the proposal and other existing Codex documents as well as other ongoing work.

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

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

Proposed timeline for completion of the new work, including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years.

CCFICS criteria to assist the Committee prioritise the development of new work.

Justification for new work, including how the area of work may fill a gap in the current CCFICS suite of texts, or provide clarity to them.

Whether the work will amend existing CCFICS texts or develop new CCFICS text.

The scope of the work and the extent to which the issue impacts on CCFICS members and international trade.

The results, including rationale, from the self-assessment against the Criteria for Evaluating and Prioritising New Work in Appendix B.