

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda item 5

CX/FICS 18/24/5 Add.2
ORIGINAL LANGUAGE

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

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PROPOSED DRAFT GUIDANCE ON PAPERLESS USE OF ELECTRONIC CERTIFICATES (REVISION OF THE GUIDELINES FOR DESIGN, PRODUCTION, ISSUANCE AND USE OF GENERIC OFFICIAL CERTIFICATES – CXG 38-2001)

(Comments from European Union and African Union)

EUROPEAN UNION

*Mixed Competence
European Union Vote*

The European Union and its Member States (EUMS) would like to thank the Netherlands and Australia for leading the work on electronic certification.

The EUMS generally agree with the proposed revisions of CXG 38-2001 with the following comments:

Paragraph 30, 2nd indent:

“confidence in the reliability and security of all components involved in the electronic exchange of official certificates including **non-repudiation** the integrity of the messages and overall security of the applied data exchange mechanism”

Paragraph 43, 3rd indent:

“ensure **non-repudiation (to guarantee authenticity and integrity)** authenticity and integrity and security of the electronically exchanged official certificates by the use of international standards and recommendations (see annex) with regards to:

- the exchange mechanism
- the connection protocol responsible for the end-to-end communication
- the message language, structure and exchange protocol **non-repudiation**”

Annex II, section 4, point 5

“**Non-repudiation** Integrity and/or authenticity and/or security protocols (including electronic signature **and signer-identity**)”

Rationale: Non-repudiation¹ of the electronic certificate is essential for a trustworthy replacement of the present paper based certificate. The more comprehensive way of fulfilling such a requirement is to use electronic signature on the certificate that is electronically exchanged. A full replacement of the present paper based certificate should only take place when the electronic signature secures the link to the identity of the signer and the integrity of the document in a reliable manner.

¹ ISO/CEI 13888 Information technology - Security techniques - Non-repudiation: "the goal of the non-repudiation service is to generate, collect, maintain, make available and validate evidence concerning a claimed event or action in order to resolve disputes about the occurrence or non-occurrence of the event or action."

AFRICAN UNION

Issue

The Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS), at its 23rd session, in 2017, agreed to submit a proposal to commence new work on the revision of the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates (CAC/GL 38-2001). According to the proposal, the existing CAC/GL 38-2001 would be revised to develop guidance on the use of electronic certificates by competent authorities and the migration to paperless certification.

This annex provides guidance for use by competent authorities of both importing and exporting countries to ensure an effective, efficient, transparent, and consistent approach for paperless exchange of official certificates by applying an electronic certification mechanism based on international standards and recommendations, like UN/CEFACT14 SPS standardized language, structure and exchange protocols.

Position

African Union supports the revised text in appendix 1 for the guidelines for design, production, issuance and use of generic official certificates to accommodate issuance of paperless/electronic certificates.

Rationale

The proposed guidance document for implementation of paperless electronic certification are not intended to mandate the compulsory use of electronic certificates for food presented for international trade or to diminish the trade facilitating role of commercial or other types of certificates, including third party certificates that are not issued by, or under the authority of, the government of the exporting country.

Also, the data model is an example of the generic model official certificate and does not limit or restrict the ability to include additional fields, using a wider capability of the UN/CEFACT SPS standardized language, structure and exchange protocols, when bilaterally agreed between the competent authorities of the importing and exporting country.