

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 7 and 8

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Twenty-Sixth Session

(Comments of Thailand)

Agenda item 7

Thailand wishes to express our appreciation to an electronic working group (led by Australia with Singapore, Canada and China) for the continuation of the effort in preparing the Draft Principles and Guidelines on the Use of Remote Audit and Inspection in Regulatory Frameworks (CX/FICS 23/26/7, Appendix I).

Our comments on this matter are as follows;

Section 2: Purpose / Scope

1. For the reason of clarity and being in line with Codex format, we suggest addressing "Purpose" and "Scope" in separate sections.
2. The guidance should be used as alternate and supplemental mechanisms, where necessary or when onsite audits are not practical. Importantly, the guidance however cannot replace the onsite audits.

Section 3: Definition

1. For the reason of clarity, we propose to revise as follows:

"6. Remote audit / inspection: An audit/ inspection when the auditor / inspector is not physically present at the site to be audited/inspected."

2. The definitions "audit" and "inspection" taken from CXG 26 should be added:

"Audit is a systematic and functionally independent examination to determine whether activities and related results comply with planned objectives."

"Inspection is the examination of food or systems for control of food, raw materials, processing and distribution, including in-process and finished product testing, in order to verify that they conform to requirements."

Section 4: Types of remote audit or inspection

We suggest adding the phrase "one or combination of following" in order to improve clarity that one or more types of remote audit or inspection can be used as follow:

"7. Remote audit and inspection activities can be considered as either "partial", when only some parts are conducted remotely, or "full", when all parts are completed remotely. Audit or inspection activities which can be conducted remotely, may include, but would not be restricted to one or combination of following:"

Section 5: Principles

We propose adding “inspecting” to be clear that CA could be either auditing or inspecting bodies. Moreover, the word “consider” should be replaced with “based on” for the reason of clarity as follow:

“8. In deciding whether and when to use remote audit and inspection tools, competent authorities and auditing / inspecting bodies should ~~consider~~ base on the following principles.”

Principle 1: Remote audit and inspection activities complement and do not replace physical/in-person audits or inspections

This paragraph should be revised to clearly address that remote audit/inspection only be used when physical audit/inspection are not possible, or in combination with physical audit/inspection where necessary. However, remote audit/inspection cannot substitute on-site audit/inspection.

Principle 2: Remote audit and inspection activity best practice aligned to physical audits and inspections

1. We propose removing “best practice” since it provides no substantial meaning to this bullet as follow:

“Principle 2: Remote audit and inspection activity ~~best practice~~ aligned to physical audits and inspections

2. In connection to the above, the phrase “best practice and” should be deleted and the phrase “standard and guideline” should be added to improve clarity. Moreover, we propose adding the new footnote referring to IAF ID12:2015 and CAC/GL26-1997 as follow:

10. Relevant processes for conducting a physical audit or inspection will similarly apply to the remote process, such as notification of the need for an activity, explaining the audit criteria, the scope, standards being applied, assessment preparations, entry and exit meetings, the provision of feedback and draft reports for comment, and other activities as per ~~best practice~~ and international standard and guideline guidance.

footnote

- IAF ID 12:2015: Principles on Remote Assessment

- CAC/GL 26-1997: Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems”

Principle 4: Remote audit and inspection activities must be planned and conducted in a cooperative manner

We propose replacing “must” with “should” as follows:

“Principle 4: Remote audit and inspection activities should ~~must~~ be planned and conducted in a cooperative manner”

Principle 5: Protection of confidential information

Paragraph 13

We propose deleting the phrases “can be captured and shared” in the first sentence and “can be distributed or copied, all” in the second sentence. This is in order to avoid misinterpretation regarding the right to privacy and protection of intellectual property.

Moreover, the term “must” in the sentence should be replaced with “shall”

The proposed revised paragraph 13 to read:

“13. Information sharing during a remote audit or inspection is different to that during a physical audit or inspection and brings additional challenges. Video-streaming ~~can be captured and shared~~, and documents presented or sent ~~can be distributed or copied, all~~ increasing the risk to the auditee’s right to privacy and protection of intellectual property. Competent authorities should ensure the confidentiality of information/data in line with the relevant legal requirements in their countries. Parties shall ~~must~~ agree to handle personal and commercially sensitive material in a manner that provides

protections and assurances to the auditee regarding confidentiality, including security of ICT access and information collection, storage and handling processes.”

Section 6: Roles and Responsibilities

We propose replacing the word “must” with “should”, noting that this is the guideline document in nature. The proposed revised para 14 can be read as follows:

“14. The roles and responsibilities of the competent authorities and entities to be audited or inspected are similar in remote and physical audit and inspection activities. However, stakeholders may face some additional responsibilities in facilitating these activities to be undertaken remotely, notably the competent authority should ~~must~~.”

Paragraph 15

We propose using the term “communicate”, instead of “indicate”, as it provides more flexibility as follow:

“15. Entities to be audited or inspected have the role and responsibility to:

a. Ensure they understand the availability of and have access to necessary technologies to facilitate remote audit and inspection activities when there is a stipulated reasonable requirement from a competent authority. They should clearly communicate ~~indicate~~ their ability to engage in remote auditing or inspection, otherwise physical audit or inspection would be the preferred option.”

Section 7: Planning and Implementation

Paragraph 18

We proposed replacing “should” with “shall” as this context is relating to the personal or commercially sensitive information that requires data storage and destruction in a secure manner as follow:

“18. The following should be considered during conduct of remote audit and inspection activities:

a. Protection of information: Parties conducting remote audit and inspection activities should strive to gather information that can be shared freely without the need for secure channels of transmission. When it is necessary to gather information that is personal or commercially sensitive, the parties who conduct remote audit and inspection activities should arrange for secure lines of transmission of that data. Personal or commercially sensitive information shall ~~should~~ not be shared with any third party without the consent of the original owner and shall ~~should~~ be stored and destroyed in a secure manner when no longer required.”

Agenda Item 8

Thailand wishes to express our appreciation to an electronic working group (led by the United States with the United Kingdom) for the continuation of the effort in preparing the Discussion paper on review and update of the Principles for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification System (CXG 60-2006) (CX/FICS 23/26/8, Appendix I).

Our comments on this matter are as follows;

We have no objection to the document. This document is intended to facilitate food safety and global fair trade practice in food, as well as, promote the establishment of traceability.

In addition, we are of the view that CCFISC should consider the current issues/challenges and revise the document by emphasizing the outcome base. In order to make this document flexible, the content should be broad, not too detailing on technology and methods which have been changed dynamically. Moreover, differences in capability and capacity, especially for small FBOs should be taken into account.