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COMMITTEE ON FISHERIES

SUB-COMMITTEE ON FISH TRADE

Thirteenth Session

Hyderabad, India, 20-24 February 2012

Review of market access requirements

Executive Summary

FAO has been working to develop science-based Codex standards on food safety and quality and on topics not covered by Codex such as sustainability, environmental and social issues. The FAO Code of Conduct for Responsible Fisheries provides a broad framework for countries to implement good practices and improve fish utilization and trade. FAO has also been working to develop Guidelines, like the recently approved Guidelines for Aquaculture Certification, and to assist member countries in implementing the eco-labelling guidelines and other market-based requirements such as the European Union's (EU) illegal, unreported and unregulated (IUU) regulations. The objectives of this paper are to i) report on recent developments in market access requirements related to consumer protection, labelling and certification; ii) describe FAO activities in this field; and iii) seek the guidance of the Sub-Committee on how to strengthen FAO's work in this area.

The Sub-Committee is invited to:

1. Comment on FAO's work in reference to:

- scientific support to Codex in standard setting process;
- technical assistance to member countries to implement standards, guidelines, good practices in aquaculture, fish handling and processing to improve market access; and
- dissemination of information related to standards, guidelines, certification and harmonization of systems.

2. Recommend future areas of work, with particular attention to small-scale fisheries and aquaculture.

INTRODUCTION

1. During its Twelfth Session the COFI Sub-Committee on Fish Trade¹ (COFI:FT) reviewed developments and issues in international fish market access, particularly those relevant to fish and seafood safety, quality, traceability, certification, private standards and market access barriers. COFI:FT appreciated FAO's work in providing scientific support for Codex standard setting activities and for its technical assistance to developing countries in capacity building to implement Codex Codes of Practices and Standards. Further, the Sub-Committee highlighted the complexity of market access requirements for fish trade at the international level, and the special needs of small-scale fisheries and aquaculture. COFI:FT requested FAO to strengthen efforts for effective harmonization and promotion of equivalence of certification schemes, using the best available scientific information for standard setting and certification.
2. The Twenty-ninth Session of COFI² endorsed the COFI:FT recommendations and emphasized the need to look at issues related to small-scale fisheries and aquaculture.
3. The objectives of this paper are to i) report on recent developments in market access requirements related to consumer protection, labelling and certification; ii) describe FAO activities in this field; and iii) seek the guidance of the Sub-Committee on how to strengthen FAO's work in this area.

RECENT DEVELOPMENTS IN FISH SAFETY AND QUALITY

4. Fish safety and quality management regimes involve the entire supply chain, from primary production (aquaculture or capture fisheries) to the consumer, and implementation of measures based on science to prevent problems. Recurring episodes of food safety problems with various food categories have led to media and political focus and rapidly evolving food safety management systems, including for fisheries and aquaculture.
5. The European Union (EU), the United States of America (USA) and Japan continue to be the major international markets (accounting for about 68 percent of international fish trade) for fish and fishery products. New food safety regimes in these markets should be of great interest for exporting countries. The USA is in the process of implementing the recently passed Food Safety Modernization Act (FSMA)³ and the mandatory catfish inspection programmes. FSMA requires food facilities to implement a written preventive controls plan including: 1) evaluation of the hazards that could affect food safety; 2) specifying the preventive steps, or controls, that will be put in place to significantly minimize or prevent the hazards; 3) specifying how the facility will monitor these controls to ensure they are effectively working; 4) maintaining routine records of the monitoring; and 5) specifying what actions the facility will take to correct problems that arise. Food testing laboratories should be accredited. The importers have an explicit responsibility to verify that their foreign suppliers have adequate preventive controls in place to ensure that the food they produce is safe. The FSMA establishes a program through which qualified third parties can certify that foreign food facilities comply with USA's food safety standards and this certification may be used to facilitate the entry of imports. The third party certification bodies should be accredited and recognized by the Food and Drugs Administration (FDA).
6. The EU fish import system is based on listing of countries eligible to export based on the certification by a national Competent Authority. The Competent Authority is empowered, structured and resourced to implement effective inspection and provide credible guarantee for fishery products that are destined for this market. The EU Food and Veterinary Office (FVO) missions to exporting third countries to evaluate the functioning of their Competent Authority. As an example, during the period 2010- 2011, the EU FVO undertook 22 such missions for fishery products. The European Food Safety Authority (EFSA) provides scientific advice for development of EU regulations related to food

¹ FAO. 2010. Report of the Twelfth Session of the COFI Sub-Committee on Fish Trade. Rome, Italy.

² FAO. 2011. Report of the Twenty-ninth Session of the Committee on Fisheries COFI. Rome, Italy.

³ <http://www.fda.gov/food/foodsafety/fsma/default.htm>

safety. Recently, based on EFSA advice, the EU reduced the acceptable limits for polycyclic aromatic hydrocarbons in smoked fish⁴. The new levels will be implemented from 2012.

7. The Japanese food safety management system is based on a preventive approach using Good Hygienic Practice and Hazard Analysis and Critical Control Points (HACCP) during processing. For certain products such as fish products to be consumed raw, specific criteria must be met. The Japanese Ministry of Health, Labour and Welfare has a webpage⁵ in English that provides information on import procedures under the Food Sanitation Law, the annual plan for imported food monitoring and data on violations.

8. Apart from food safety, consumers in major markets are becoming increasingly aware of sustainability, environmental and social issues associated with fish production, processing and marketing. Supermarket chains and large retailers are emerging as important players in setting requirements for the products they buy, often certified by private or non governmental third parties. The issue of how to deal with private standards was introduced at the Thirty-fourth Session of Codex Alimentarius Commission (CAC) in July 2011 by the observer from the World Trade Organization (WTO) who informed the CAC that the matter is under discussion at the Sanitary and Phytosanitary (SPS) Committee. The SPS Committee has recommended that national governments sensitize private sector bodies in their countries regarding the importance of international standards of CAC, World Organisation of Animal Health (OIE) and International Plant Protection Convention (IPPC)⁶.

FAO ACTIVITIES

9. The FAO Fisheries and Aquaculture Department has continued its scientific and technical support to FAO's normative work by:

- Providing advice to the Thirty-first Session of the Codex Committee on Fish and Fishery Products (CCFFP). The Thirty-first Session made progress on several sections of the Code of Practice for Fish and Fishery Products and standards, including final endorsement for some sections⁷.
- Providing advice to the Forty-second Session of the Codex Committee on Food Hygiene (CCFH), which endorsed hygiene provisions of some of the draft standards related to fishery products⁸.
- Continuing work on the development of risk analysis tools for use by national governments based on FAO/World Health Organization (WHO) risk assessment for *Vibrio* spp in seafood.
- Providing support to the CCFH Electronic and Physical Working Group on the development of a Code of Hygienic Practice for Control of Viruses in bivalve molluscs.
- Organizing an Expert Consultation on *Salmonella* in bivalve molluscs and updating available information on biotoxins in the form of a Fisheries Technical Paper (FTP 551) to provide advice to CCFFP on standards for live and raw bivalve molluscs.
- Reviewing the current practices and emerging issues related to private standards and certification in fisheries and aquaculture in the form of a Fisheries Technical Paper (FTP 553).
- Supporting a Regional Workshop attended by fish producing countries in East Asia along with other agencies such as the OIE, International Standards Organisation (ISO) and Global Food Safety Initiative (GFSI).

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:215:0004:0008:EN:PDF>

⁵ <http://www.mhlw.go.jp/english/topics/importedfoods/index.html>

⁶ http://www.codexalimentarius.net/download/report/767/REP11_CACe.pdf

⁷ http://www.codexalimentarius.net/download/report/764/REP11_FFPe.pdf

⁸ http://www.codexalimentarius.net/download/report/753/REP11_FHe.pdf

- Disseminating updated information on assessment and management of fish safety and quality, including for bivalve molluscs, and developments in fish processing technology through FAO Fisheries Technical papers.
- Supporting the development of appropriate fish processing methodologies to meet process-related standards established by major import markets, ex: the polycyclic aromatic hydrocarbons (PAH) level in smoked fish.
- Developing an FAO evaluation framework to assess the conformity of public and private ecolabelling schemes with the FAO Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries.
- Providing support to countries to implement aquaculture certification programmes and to organize small-scale fish farmers into clusters to comply with the requirements of international markets.

10. FAO continued its capacity building activities in developing countries for:

- Implementing Codex guidelines, codes of practice and standards, assessment and management of national seafood safety and quality regimes to meet major market requirements and comply with the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and the Agreement on Technical Barriers to Trade (TBT) requirements, traceability and certification programmes.
- Implementing programmes to enable small-scale fish farmers and fishers to meet certification and other market requirements.
- Providing technical assistance to developing countries to improve their capacity to meet SPS requirements, in partnership with the Standards and Trade Development Facility (STDF). There are several examples of FAO providing such assistance, e.g. a regional project in North Africa, which assisted five countries to meet SPS requirements in international fish markets. Member countries in need of such assistance are encouraged to contact FAO.
- Implementing regional training programmes that would help member countries to handle SPS and TBT issues in WTO.
- Supporting sustainable seafood business models in cooperation with Allfish (a partnership composed of FAO, the International Coalition of Fisheries Associations, the World Bank and the Global Environmental Facility).

11. FAO has been working to develop science-based Codex standards on food safety and quality and on issues not covered by Codex such as sustainability, environmental and social issues. The FAO Code of Conduct for Responsible Fisheries (CCRF) provides a broad framework for countries to implement good practices and improve fish utilization and trade. FAO has also been working to develop Guidelines, like the recently approved Technical Guidelines for Aquaculture Certification, and to assist member countries in implementing the eco-labelling guidelines and other market-based requirements such as the EU's illegal, unreported and unregulated regulations.