



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Twenty-fifth Session

Virtual, 31 May – 8 June 2021

INFORMATION ON ACTIVITIES OF FAO AND WHO AND OTHER INTERNATIONAL ORGANISATIONS RELEVANT TO THE WORK OF CCFICS

(Information from WCO, WTO and STDF)

A. ACTIVITIES OF THE WORLD CUSTOMS ORGANIZATION (WCO)

World Customs Organization (WCO) initiatives on paperless processes, interoperability and facilitation of safe and legitimate trade

1. Taking into account ever-growing developments in the area of information and communication technology (ICT), the Customs community believes that the utilization of ICT could provide an unprecedented opportunity to increase the efficiency of Customs' work. Paperless processing, dematerialization of documents and risk-based non-intrusive inspection are examples of WCO initiatives in the context of digitalization. The use of advanced electronic data, in a harmonized manner, could support Customs in providing greater facilitation for safe and legitimate trade by, inter alia, enabling the implementation of modern data-driven risk management and less intrusive clearance control.

2. The Customs community considers cross-border movements as complex procedures involving many stakeholders, including government agencies. The approach followed by the WCO is that of cross-sectorial coordination and collaboration, addressing all stakeholders at the border, given that silo and uncoordinated approaches would not lead to significant progress in the facilitation of cross-border procedures.

3. The WCO applies a Digital Customs concept that serves as a conceptual framework to support Members in understanding and implementing the ICT-related tools, instruments and guidelines already developed by the WCO. The WCO Digital Customs concept supports trade facilitation and security, fair and efficient revenue collection, protection of society and institutional and human resource development. Drawing on its expertise, the WCO is carrying out further work from three perspectives in particular:

- Standards development/enhancement;
- Cooperation/coordination between and among Customs and its strategic partners;
- Development of capacity and core competence within Customs.

4. To this end, the WCO has developed a range of guidance, instruments and tools to support Members in implementing digitalization and paperless processing, digital collaboration, interconnectivity and seamless data exchange. Examples of the instruments and tools include the WCO Data Model and Single Window Compendium, explained in greater detail below.

WCO Mercator Programme in support for TFA implementation

5. The WCO, as the only intergovernmental organization dealing with Customs matters which is at the heart of the WTO Trade Facilitation Agreement (TFA), provides TFA support to its Members through its Mercator Programme launched in June 2014. The Mercator Programme follows a dual-track approach that comprises of overall and tailor-made tracks, allowing the WCO to respond to important cross-cutting, as well as country-specific challenges to TFA implementation. The Mercator Programme is a unique initiative that allows for uniform implementation by applying WCO instruments and tools and is supported by the practical experiences of the global Customs community. It has been evolving to address the needs and requirements of the Membership, including those arising from the most recent challenges faced by the COVID-19 pandemic.

WCO Annual Theme

6. Last year (2020), the WCO and Customs community dedicated themselves to taking forward a particular theme under the slogan: "Customs fostering Sustainability for People, Prosperity and the Planet". Under this

theme, the Customs community was focusing on the contribution of Customs towards a sustainable future where social, economic, health and environmental needs were at the heart of its actions. As a government agency that has a unique and strategic function at the border, Customs has a prominent role across the international supply chain to ensure a sustainable, secure, and inclusive future for all. One of the concrete actions developed by the WCO is the enlargement of the “Digital Customs” agenda with greater emphasis on the use of modern technologies, including a high-performance, paperless Single Window environment and a solid IT infrastructure. The use of ICT will make the supply chain more efficient, and therefore contribute to reducing the environmental footprint from supply chain activities. In addition, the WCO was exploring potential cooperation with relevant international organizations to develop a paperless process for transboundary movement of waste, in particular plastic and e-waste, and to encourage closer engagement between Customs and competent authorities at a National and International level to move forward with the proposal to develop a collaborative paperless processes in this area.

7. Continuing these activities, the WCO announced the slogan for this year (2021): “Customs bolstering Recovery, Renewal and Resilience for a sustainable supply chain”. As we all move resolutely towards a post-pandemic future in 2021, the Customs community, in collaboration with its partners and stakeholders, will be focusing on recovering from the pandemic and providing support to people and businesses by promoting Renewal efforts along the global supply chain, with the top priority to support the distribution of COVID-19 vaccines for now. These efforts are geared towards building Resilience and seeking ways to drive the Recovery process through enhanced collaboration and embracing the digital transformation, along with other advanced technologies, to enable Renewal. This will all be achieved by putting “people” at the centre of change for a Resilient and sustainable supply chain. The COVID-19 pandemic has shown the importance of major concepts which we have been promoting for years, including all-digital and paperless clearance methods, the use of technology to indicate which imports might merit a more detailed inspection, and the implementation of automated, fast and effective controls.

WCO Data Model

8. Being an international standard, the WCO Data Model (DM) is a compilation of clearly structured, harmonized, standardized and reusable sets of data definitions and electronic messages designed to meet the operational and legal requirements of cross-border regulatory agencies (CBRAs), including Customs, which are responsible for border management. The content of the electronic data messages includes goods declarations, cargo declarations, cargo movements and goods inspections and permits, as well as licensing requirements.

9. The WCO DM promotes collaboration between Customs administrations, government regulators and the business community to manage reporting and compliance with government border requirements. Version 3.0.0 of the WCO DM onwards has been developed to support the implementation of a Single Window. In this context, the WCO DM includes the “Derived Information Package (DIP)¹ on the Codex – General Model Official Certificate”. Bearing in mind national requirements on the clearance of consignments, and as authorities in the importing country may require importers to present certification issued by, or with the authority of, authorities in the exporting country, the DIP describes the subset of the WCO DM structure of certificates containing essential information relating to food safety.

10. In January 2020, the Chair of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) Electronic Working Group updated the WCO Data Model Projects Team (DMPT), the WCO Working Body responsible for the maintaining the WCO Data Model, on the ongoing project to develop paperless solution for food related electronic certification. DMPT members were of the view that the use of WCO DM DIP for supporting such an initiative could enhance cooperation between Customs and the competent authority digitally in electronic and automated environment, such as a Single Window environment with a view to augment efficient trade facilitation and effective control in the area of biosecurity.

WCO Single Window Guidelines²

11. The WCO has developed a Compendium on “Building a Single Window Environment”, providing comprehensive guidance in this respect. Account was taken of UN/CEFACT Recommendation 33 on Single Window when developing the Compendium. The latter contains, inter alia, “Guidelines on Data Harmonization,” which suggest using the WCO DM as the foundation for undertaking data harmonization work as one of the basic building blocks for the development of a Single Window environment.

12. Considering that Codex is an important strategic partner of the WCO, the WCO is interested in aligning its tools on paperless processing with Codex’s initiatives, with the objective of harmonizing approaches to

¹ DIP is a subset of the WCO Data Model for a specific purpose.

² <http://www.wcoomd.org/en/topics/facilitation/instrument-and-tools/tools/single-window-guidelines.aspx>

facilitate collaboration, coordination and seamless interoperability between the WCO and CODEX Members and to achieve more efficient border management.

13. The WCO welcomes and supports the initiative by Codex to move towards paperless certification processing. The draft Guidance on Paperless use of Electronic Certificates will certainly play a key role in supporting the implementation of the initiative by Codex Members. The WCO is pleased to take part in the work on the draft under Agenda item 5 for this session.

B. ACTIVITIES OF THE WORLD TRADE ORGANIZATION (WTO) AND THE STANDARDS AND TRADE DEVELOPMENT FACILITY (STDF)

Report by the WTO/SPS Committee and STDF Secretariats³

❖ ACTIVITIES OF THE WTO COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES

This report to the 25th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) provides a summary of the activities of the WTO Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") since November 2018. It highlights the work of most relevance to CCFICS and complements the WTO Secretariat's yearly activity report submitted to the Codex Alimentarius Commission that discusses SPS Committee meetings⁴ and cross-cutting issues of relevance to Codex more broadly. In addition, section 4 of this report includes information about relevant activities by the Standards and Trade Development Facility (STDF).

Since the 24th Session of the CCFICS in October 2018, the SPS Committee held one regular meeting in November 2018,⁵ three regular meetings in 2019,⁶ and two regular meetings in 2020.⁷ The first meeting in 2021 was held on 25-26 March. Mr Gregory MacDonald, from Canada, was appointed Chairperson for the period 2020-2021 in June 2020, taking over from Mr Daniel Arboleda of Colombia (2019-2020). Prior to that, Ms Noncedo Vutula of South Africa served as Chairperson for the period 2018-2019.

1. Fifth review of the operation and implementation of the SPS Agreement

1.1. The SPS Committee is mandated to review the operation and implementation of the SPS Agreement every four years. The Fifth Review of the SPS Agreement was launched in March 2018 and concluded in June 2020 with the adoption of the Fifth Review Report which includes several recommendations. Several proposals and activities, as well as recommendations, within the Review relate to CCFICS' work, as detailed below.⁸

1.2. In October 2018 and March 2019, the SPS Committee held a two-part thematic session on equivalence, building on proposals by Canada,⁹ Australia¹⁰ and Brazil.¹¹ The first part allowed the Committee to discuss the concept of equivalence, the relevant provisions of the SPS Agreement and guidance by the SPS Committee and by Codex, IPPC and OIE in the implementation of equivalence arrangements.¹² The second part was dedicated to WTO Members' approaches to the recognition and implementation of equivalence, as well as regional experiences in APEC, COMESA and CPTPP.¹³

1.3. In November 2019, the SPS Committee held a thematic session on approval procedures, based on a proposal by Canada.¹⁴ The thematic session built on an SPS Committee workshop on control, inspection and approval procedures held in July 2018,¹⁵ and it explored concepts within Article 8 and Annex C of the SPS Agreement, as they relate to approval procedures, including undue delays, transparency and information requirements. The session focused on a broad array of themes, including pre-market approvals, approval of biotech products, domestic regulations and international guidance. Various perspectives from WTO members, international standard-setting bodies and private sector representatives (International Grain Trade Coalition

³ This report has been prepared under the WTO Secretariat's own responsibility and is without prejudice to the positions of WTO Members or to their rights or obligations under the WTO. The same applies for the section on STDF.

⁴ These more comprehensive reports to the CAC generally follow the structure of SPS Committee meetings. They include detailed information of relevance to Codex on specific trade concerns, the operation and implementation of the SPS Agreement (equivalence, transparency, special and differential treatment, monitoring the use of international standards, and periodic reviews of the SPS Agreement), cross-cutting issues, and technical assistance and cooperation.

⁵ The report of the November 2018 meeting is contained in document G/SPS/R/93.

⁶ The report of the March 2019 meeting is contained in document G/SPS/R/94 plus corrigendum G/SPS/R/94/Corr.1, that of the July meeting in G/SPS/R/95 plus corrigendum G/SPS/R/95/Corr.1, and that of the October meeting in G/SPS/R/97/Rev.1.

⁷ The report of the June 2020 meeting is contained in document G/SPS/R/99 plus corrigendum G/SPS/R/99/Corr.1, and that of the November meeting in G/SPS/R/100 plus corrigenda (G/SPS/R/100/Corr.1, G/SPS/R/100/Corr.2 and G/SPS/R/100/Corr.3). The March 2020 meeting, initially scheduled to take place on 19-20 March, was cancelled due to the COVID-19 pandemic.

⁸ All the documents cited in this report can be searched by their symbols in the [WTO Documents Online](http://docsonline.wto.org) system (<http://docsonline.wto.org>). The SPS Information Management System (SPS-IMS) (<http://spsims.wto.org/>) allows easy access to specific trade concerns, notifications and other SPS documents.

⁹ G/SPS/W/302/Rev.1

¹⁰ G/SPS/W/299

¹¹ G/SPS/W/301

¹² The presentations of part 1 of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/workshop301018_e.htm.

¹³ Acronyms: APEC – Asia-Pacific Economic Cooperation; COMESA – Common Market for Eastern and Southern Africa; CPTPP – Comprehensive and Progressive Agreement for Trans-Pacific Partnership. The presentations of part 2 of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/workshop18032019_e.htm.

¹⁴ G/SPS/W/310

¹⁵ The presentations of the workshop are available at https://www.wto.org/english/tratop_e/sps_e/workshop910718_e.htm.

and the International Maize Alliance) were presented and possible opportunities for cooperation amongst these players were explored.¹⁶

1.4. Following the thematic session, Canada proposed in December 2019 that the Committee establish a working group to continue to examine the topic of approval procedures, including pre-market product approvals, and further consider the Committee's role in this respect.¹⁷ This suggestion was subsequently included as one of the recommendations in the Fifth Review Report. Further to the adoption of the Report, a Working Group on Approval Procedures was established in November 2020. The Group, led by co-stewards Canada and Paraguay, met twice on the margins of the November 2020 and March 2021 Committee meetings, and provided reports on its activities to the SPS Committee. In particular, the Working Group has had exchanges on suggested themes to be explored in its work, such as: 1) a common understanding of "approval procedures"; (2) key challenges of approval procedures; (3) principles of approval procedures that facilitate international trade while meeting the importing Member's ALOP; and (4) tools available and best practices to enhance the implementation of the obligations of the SPS Agreement as they apply to approval procedures.

1.5. In July 2019, the SPS Committee agreed to organize a thematic session on voluntary third-party assurance schemes, based on a proposal by Belize.¹⁸ The thematic session was held in November 2020 and covered voluntary third-party assurance as part of national SPS control systems, with the main objectives to: receive updates from the international standard-setting bodies on their work in the area, facilitate an exchange of information among Members on their use of voluntary third party assurance as part of national SPS control systems, obtain the perspectives and experiences of the private sector, and learn about capacity-building initiatives in this area.¹⁹

1.6. The Committee also agreed to hold a workshop on risk assessment, risk management and risk communication,²⁰ based on a suggestion by Canada. This workshop will be held in July 2021. The Codex Secretariat will be invited to present relevant Codex work.

1.7. Besides the subjects above, the Fifth Review also touched upon other areas of relevance to CCFICS' work. These include, among others, the trade effects of pesticide MRLs and the role of Codex, IPPC and OIE in the SPS Committee's discussions on specific trade concerns.²¹ The Report of the review contains specific recommendations on these and other subjects.²²

2 Specific trade concerns

2.1. The SPS Committee devotes a large portion of each regular meeting to the consideration of specific trade concerns (STCs). Any WTO Member can raise specific concerns about the food safety, plant or animal health requirements imposed by another WTO Member. Issues raised in this context are usually related to the notification of a new or changed measure or based on the experience of exporters. Often other countries will share the same concerns. At SPS Committee meetings, Members usually commit themselves to exchange information and hold bilateral consultations to resolve the identified concern.

2.2. A summary of the STCs raised in meetings of the SPS Committee is compiled on an annual basis by the WTO Secretariat.²³ Altogether, Members have raised 505 STCs since the establishment of the WTO in 1995 to the end of 2020. Thirty-four per cent of these – 171 in total – were primarily related to food safety, and 46 of these 171 concerns dealt with certification or control, inspection and approval procedures.²⁴

2.3. During the November 2018 Committee meeting, as well as the meetings held in 2019 and 2020, twenty-five new STCs of relevance to Codex were raised in the SPS Committee.²⁵ These mostly concerned MRLs for pesticides and contaminants, and five were explicitly related to control, inspection and approval procedures:

¹⁶ The presentations of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/workshop05112019_e.htm.

¹⁷ G/SPS/W/321, G/SPS/W/328/Rev.1

¹⁸ G/SPS/W/316

¹⁹ The final programme is available in document G/SPS/GEN/1754/Rev.3. The presentations of the thematic session are available at https://www.wto.org/english/tratop_e/sps_e/sps_thematic_session_31120_e.htm.

²⁰ A draft programme is available in G/SPS/GEN/1769/Rev.1.

²¹ All proposals submitted within the fifth review are available in document G/SPS/GEN/1625/Rev.6. Please consult the [WTO Documents Online](http://docsonline.wto.org) (<http://docsonline.wto.org>) for further revisions.

²² The report is available in document G/SPS/64 (and addendum G/SPS/64/Add.1).

²³ The latest version of this summary can be found in document G/SPS/GEN/204/Rev.21.

²⁴ The WTO's publicly available database [SPS Information Management System \(SPS-IMS\)](http://spsims.wto.org/) (<http://spsims.wto.org/>) allows easy access to specific trade concerns, notifications and other SPS documents.

²⁵ STCs 448, 450, 453, 454, 455, 457, 458, 459, 468, 473, 474, 475, 476, 477, 478, 479, 483, 486, 487, 488, 498, 499, 500, 501 and 503.

- Brazil's concerns regarding Indonesia's undue delay in authorization procedures for beef (STC # 455);
- Mexico's concerns regarding Costa Rica's import restriction on dairy and dairy products (STC # 483);
- Peru's concerns regarding Ecuador's import restrictions on grapes and onion (STC # 498);
- Australia's concerns regarding the EU proposal requiring residue testing of casings (STC # 500); and
- The United States' concerns regarding India's requirement for certificate for non-GM origin and GM-free status (STC # 501).

2.4. Eighteen issues relating to food safety that had been previously raised were discussed again between October 2018 and the end of 2020.²⁶ Again, many of these concerned MRLs for pesticides and contaminants, and five were explicitly related to certification or control, inspection and approval procedures:

- The European Union's concerns regarding the Russian Federation's import restrictions on processed fishery products from Estonia and Latvia (STC # 390);
- Paraguay and the United States' concerns regarding China's proposed amendments to the implementation regulations on safety assessment of agricultural GMOs (STC # 395);
- The European Union's concerns regarding the Russian Federation's import restrictions on certain animal products from Germany (STC # 411) (reported as resolved in July 2019);
- Brazil's concerns regarding EU restrictions on poultry meat due to *Salmonella* detection (STC # 432); and
- China's concerns regarding the new EU definition of the fungicide folpet (STC # 447).

3 Transparency

3.1. The legal obligation of WTO Members is to notify new or modified SPS measures when these deviate from the relevant international standards. The Committee's recommended procedures for transparency,²⁷ however, encourage the notification of all new or modified measures even when these conform to international standards. Although this recommendation does not change the legal obligations of WTO Members, it enhances transparency regarding the application of standards, guidelines and recommendations adopted by Codex.

3.2. Please see table 1 for more information about notifications submitted to the WTO in: November to December 2018, 2019 and 2020.

| | All notifications: Regular and emergency | Notifications: Objective food safety | Indication of relevant Codex standard | Indication of conformity with relevant Codex standard |
|-----------------------|---|---|--|--|
| Nov – Dec 2018 | 261 | 184 <i>* None of these were assigned the keyword "certification, control and inspection" by the WTO's Central Registry of Notifications.</i> | 57 | 26 |
| Jan – Dec 2019 | 1,757 | 1,197 <i>* Five of these were assigned keyword "certification, control and inspection" by the WTO's Central Registry of Notifications.</i> | 337 | 177 |
| Jan – Dec 2020 | 2122 | 1429 <i>* Five of these were assigned keyword "certification, control and inspection" by the WTO's Central Registry of Notifications.</i> | 426 | 194 |

²⁶ STCs 382, 390, 395, 411, 413, 414, 422, 430, 432, 442, 446, 447, 448, 450, 454, 459, 479 and 486.

²⁷ G/SPS/7/Rev.4

3.3. Out of the 304 COVID-related WTO notifications submitted in 2020, 27 per cent were submitted under the SPS Agreement. At the onset of the COVID-19 pandemic, emergency trade restrictions on imports of animals and animal products from affected areas were the most common. But since April 2020, most notifications and communications relate to measures to facilitate trade such as the acceptance of electronic/scanned certificates and the identification of dedicated web sites to verify the validity of or to submit certificates.²⁸

❖ ACTIVITIES OF THE STANDARDS AND TRADE DEVELOPMENT FACILITY

STDF's partnership drives catalytic SPS improvements in developing countries. Through the global platform, knowledge work and funding to develop, implement and learn from innovative pilot projects, STDF stimulates and influences sustainable improvements in SPS capacity. In 2020, the STDF took steps to manage the risk of COVID-19 across all its workstreams.²⁹ Some examples of STDF's ongoing knowledge and project work related to CCFICS is provided below.

4.1 Voluntary third-party assurance programmes

4.1.1. The STDF Secretariat issued a survey in mid-February 2020, in cooperation with IICA and UNIDO, on existing and/or planned regulatory frameworks and practices related to the use of voluntary third-party assurance (vTPA) programmes in food and feed safety, based on Codex principles and guidelines. A link to the survey was distributed (in English, French and Spanish on SurveyMonkey) through the SPS and Codex Secretariat mailing lists. The STDF/UNIDO data story analyses the survey responses and provides initial insights on how some regulators are using – or considering the use of – reliable data from vTPA programmes.³⁰ A more detailed report shares the findings of the STDF/UNIDO/IICA survey.³¹

4.1.2. In March 2020, the STDF Working Group approved two regional projects to pilot the vTPA approach in West Africa³² (implemented by UNIDO) and Central America (implemented by IICA)³³. A third vTPA pilot is expected in the East Africa region.³⁴ UNIDO and IICA are setting up a Partnership Platform for the vTPA pilots to facilitate stakeholder engagement and resource mobilization.

4.2 Public Private partnerships (PPPs)

4.2.1. Building on previous STDF work on PPPs, the Secretariat continued to identify, collect and compile new examples of PPPs in the area of SPS capacity (across food safety, animal health and/or plant health) to facilitate safe trade. To help collect additional PPP examples, the Secretariat issued a call for case stories in English, French and Spanish.³⁵ The Secretariat encourages Codex Committee (including CCFICS) delegates to share PPP examples and further distribute this survey with their respective networks.

4.2.2. As part of the STDF's knowledge workstream, the STDF launched virtual Practitioner Groups in 2020 to promote an exchange of knowledge, experiences and learning among STDF Working Group members and other organizations on cross-cutting topics related to SPS capacity development. More information on Practitioner Groups on PPPs, electronic certification and other topics is available on the STDF website (<https://www.standardsfacility.org/>).

²⁸ During 2020, Members shared information on SPS issues pertaining to the COVID-19 pandemic in SPS Committee meetings and at a COVID-19 information-sharing session held in June 2020. At this information-sharing session, Members stressed the importance of providing a coordinated response to global crises and ensuring that trade in agricultural and food products is not unduly restricted. Trade facilitating measures were commended, in particular the increased use of electronic certification. The report of the session is available in document G/SPS/R/98; the presentations at: https://www.wto.org/english/tratop_e/sps_e/sps_covid_session_24620_e.htm; and a news item at: https://www.wto.org/english/news_e/news20_e/sps_24jun20_e.htm.

²⁹ See: <https://www.standardsfacility.org/updates-covid-19>

³⁰ See: <https://stdf-vtpa-survey.wto.org/>

³¹ See: https://stdf-vtpa-survey.wto.org/static/media/STDF_IICA_UNIDO_vTPA_Survey_Report.fc5ab651.pdf

³² See: <https://www.standardsfacility.org/PG-682>

³³ See: <https://www.standardsfacility.org/PG-665>

³⁴ See: <https://www.standardsfacility.org/PPG-665>

³⁵ See: <https://www.standardsfacility.org/public-private-partnerships>