

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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Agenda Item 3

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Eighth Session

Adelaide, Australia, 21 – 25 February 2000

PROPOSED DRAFT GUIDELINES/RECOMMENDATIONS FOR FOOD IMPORT CONTROL SYSTEMS

Government Comments at Step 3

Brazil

- ITEM 2 – SCOPE

- Paragraph 3 - In our point of view the second sentence is not complete, so in order to clarify the text, we suggest to add at the end of this sentence the following words: *...for both imported and domestic products.*

- ITEM 3 – DEFINITIONS

- Appropriate level of protection – according to the discussions held during the 14 meeting of CCGP, this definition should be developed in coordination with that Committee.
- Risk communication and Risk management – these definitions were recently revised and the revisions were approved by the 23 meeting of the Commission. So, we suggest that they should be updated to comply with the revised ones.

- ITEM 4 – ELEMENTS OF AN IMPORT FOOD CONTROL SYSTEM

- 4.1 – Aims and priorities

- Paragraph 5 - In our point of view a food inspection program is part of a food control system and not the contrary as is stated in the first sentence. So, we suggest to eliminate the sentence between commas, and the new sentence would read as follows: *“The imported food control*

system should ensure that imports are treated in neither a more nor a less favorable manner than domestic products.”

- Paragraph 6, 7 and 8 –These three items focus the same idea and give some examples which, in our opinion, are not needed, since the main idea be well stated. So, we suggest to unit these items, emphasizing that, despite the fact that the public health protection issues should be assigned a higher priority, those issues related to consumer protection (e.g., prevention of fraud) should be also considered.
- Paragraph 9 – The idea contained in this item has already been expressed in the Introduction. So, we don't know if it is necessary to maintain this item.
- **4.2 – Legal framework**
- Paragraph 10 – We suggest to add a new bullet to address the instruments for risk communication.
- **5.2 – Application of performance history to inspection**
- Paragraph 22 – We suggest to insert a bullet after the third one to read as follows: *“mechanisms to monitor the products after its distribution. (Traceability)”*
 - We suggest to add a sentence at the end of the last bullet, to read as follows: ‘Factors relating to the food inspection and certification system in the exporting country, *for example, the existence of equivalence agreements.*
- **5.5 – Data exchange**
- Paragraph 32 – In the second line, we suggest to make explicit mention to item 5 of the Guideline for the Exchange of Information between Countries on Rejections of Imported Food. Furthermore, the reference to this Guideline in the foot note is not correct.
- Paragraph 33, second bullet, we suggest to change *should by may*, since this refers to procedures which are of competence of each country. In our point of view the situation focused would be accepted when there is an equivalence agreement between the countries involved.
- Paragraph 36 - In the fourth bullet, we suggest to eliminate the words in parenthesis, since this information is important.
 - We suggest to add a new bullet to address the destination of the product and traceability.

India

Introduction - No comments

Scope - No comments

Definitions - it is proposed that the definition of Risk Analysis,

Risk Assessment, Risk Communication and Risk Management may be aligned with the decision being taken in the last meeting of Codex Committee on General Principles

Elements of an Import Food Control System

- **Aims and priorities** - Under para 7 since in developing countries sometimes it is not feasible to have shipment tracking system therefore the Committee proposed to replace the word “and” by “or” in fourth line of the above para after the word “laboratories”.

The Committee also expressed that when the past record of the importing country shows that the product supplied was of good quality then in such cases stringent controls as indicated in the para may not be required. In order to avoid use of clause “thus implements some initial controls” in the last line of para 7 as non tariff barrier the Committee suggested to include the following sentence in the last.

“provided that there are definite evidences of public health concerns to justify development of such controls”

- **Legal framework** - Under para 12 it is indicated in the last line that the importing countries may go for verification of controls implementing by the certifying authorities of the exporting country. Since the need of such a verification only arises when there is a doubt on the safety aspect of the food product. In view of this, the Committee proposed to include the following para in the last

“Provided that there are definite evidences of public health concerns to justify need for verification of such controls”

- **Regulations and standards** – In case a member country, is complying with the public health standard as indicated by the importing country there is no need to mention approach of monitoring process in importing country. In view of this the Committee suggested to delete the following para :

“however as the importing country has no jurisdiction over process controls applied to food manufactured in other countries, there may be a variation in approach to the compliance monitoring of domestic and imported foods”.

Define Roles and Function of Authorities involved - No comments

Administrative Requirements - No comments

Management of the Control System Elements

Under para 28 it is indicated to conduct the assessment of the exporting country system as a whole whereas in case of food product, region in which it is being produced is more crucial in deciding the quality of the same. In view of this it is proposed that after the word in line 5th i.e. “Exporting countries system”. The following sentence may also be included “In the region from where the product originates”.

Operation and Administration of Food Import Control Systems

Under para 38 the following words may be added in line 2nd after the word “created” i.e., provided in case of unknown sources there are justified evidences for high rate of frequency.

Republic of Korea

Regarding agenda 3, Republic of Korea would like to recommend as follows;

Agenda 3 ; Proposed Draft Guidelines/Recommendations for Food Import Control Systems

General comment

1. With respect to status of this document, we believe that it should be established by status of recommendation, with understanding that each member country has a specific import food control infrastructure.
2. We refer this document would rather be prepared with substantial approach as a whole and then be dealt adequately within the scope of entry point or borderline point.
3. As a whole the term of supplying country etc., should be used consistently as exporting country or importing country in order to indicate object accurately.
4. We suggest that in general this document would be better modified briefly in terms of delivering guide clearly to each country.

Introduction

5. Each member country has a specific and different circumstances of trade and an infrastructure of food import control system. We think that this point is reviewed and included in introduction as follows;

Basically this guideline (or recommendation) acknowledges different regulatory framework in terms of food control institutional structures and procedures for individual country.

4.1 Aims and priorities

6. In paragraph 7, the term of “certification agreement” is required to identify what it is. We adopted only equivalency agreement in Codex system. The term is deleted or replaced with equivalency agreement.

5.4 Recognition of foreign food export controls

7. The title of 5.4, ‘recognition of foreign food export controls’ should be changed into ‘recognition of food export controls in exporting country ’ so as to clarify.

8. We recognize that the import control program considering the availability of resource etc., can develop MOU or MRA. The agreement or arrangement between member countries might be facilitated to be finalized when each member country be implementing and applying the rule according to Guidelines for the development of equivalence agreements regarding food import and export inspection and certification systems(CAC/GL 34-1995). Regarding this point, paragraph 29 should be read as follows;

29. The development of the equivalence agreement should consider using as basis the ***According to CAC/GL 34-1995, exporting country should have and control through their own export food control system whether the exporters and producers comply with requirement of importing country, so that this measure may minimize to importing country's burden of verification and audit for exporting food products.***

6.1 Details of the food import program operation

9. In paragraph 50 the contract between importer and supplier is sort of commercial deals among them and doesn't relate with reference material of food import control system so that paragraph above is not necessary within this document.

Other

10. The phrase for 'Other relevant internationally recognized criteria' in paragraph 29 and 'standard, internationally accepted audit techniques' in paragraph 57 is required to specify the international texts in detail.