



Report of the U.S. Delegate, 22nd Session, Codex Committee on Food Import and Export Inspection and Certification Systems

*February 6-12, 2016
Melbourne, Australia*

The 22nd Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) convened February 6-12, 2016, in Melbourne, Australia. The session was chaired by Australia and attended by delegates from 51 Member countries, one Member Organization (the European Union) and nine international intergovernmental and non-governmental organizations, including FAO and WHO. The United States was represented by U.S. Delegate Mary Stanley, USDA Food Safety and Inspection Service; Camille Brewer, U.S. Food and Drug Administration; and six additional governmental advisors.

Highlights

The 22nd Session of CCFICS:

- Completed work on the *Exchange of information (including questionnaires) between Countries to Support Food Import and Export* (which has been re-titled as *Principles and Guidelines for the Exchange of Information Between Importing and Exporting countries for Support of the Trade of Food*) and forwarded the document for final adoption (at Step 5/8) by the 39th Session of the Codex Alimentarius Commission (CAC) in July 2016;
- Concluded work on the *Guidance for Monitoring the Performance of National food control systems*, forwarding the document to the CAC at Step 5, to allow for delegations to have further consultations at the national level prior to adopting the document.
- Completed work on the *Revision of the Codex Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations (CAC/GL 19-1995)* and forwarded the document for final adoption at Step 5/8 by the 39th Session of the CAC in July 2016.
- Completed work on the *Revision of the Codex Principles and Guidelines for the Exchange of Information between Countries on Rejections of Imported Food (CAC/GL 25-1997)* and forwarded the document for final adoption at Step 5/8 by the 39th Session of the CAC in July 2016.
- Established an electronic working group, led by New Zealand, Chile, and the United States, to revise the current *Discussion Paper on Systems Comparability/Equivalence* and project document by refining the scope, prerequisites, and procedures. .
- Established an electronic working group, led by the Netherlands and Australia, to revise the current discussion paper and develop a project document on *the Use of Electronic Certificates by Competent Authorities and Migration to Paperless Certification*. _
- Agreed that Australia will undertake the continued work on *Consideration of Emerging Issues and the Direction for the Work of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS)*.
- Agreed that Canada, with support from the United Kingdom, will prepare a discussion paper on *Third Party Certification*.
- Invited the Islamic Republic of Iran to develop a discussion paper on *Food Integrity/Food Authenticity as Emerging Issues*, with assistance from the Netherlands and Canada.
The Committee also supported updating of the discussion paper on [Consideration of Emerging Issues and Future Directions for the Work of CCFICS](#), to include this document as a standing agenda item, and to use the document as a tool to identify new work. The European Union will take responsibility for the document until the next session, including:
 - Maintaining the sections on the history of CCFICS and the horizon scan up-to-date;
 - Developing criteria to assist preliminary assessment and identification of priority areas that the Committee will work on in the future; and
 - Considering the effect of CCFICS work on sustainable access to safe food.In addition, the following discussion papers will be prepared for the next session:
 - System equivalence (led by New Zealand); and
 - Possible use of electronic certificates by competent authorities, including migration to paperless certification (led by the Netherlands).

A summary of the discussion of these items and other matters considered by the Committee is presented below. The official report of the 22nd Session of CCFICS can be found on the Codex website at <http://www.fao.org/fao-who-codexalimentarius/meetings-reports/en/>

Meeting Summary

Exchange of Information (including questionnaires) between Countries to Support Food Import and Export

During the last session, the Committee reaffirmed its support of the new work and agreed that the scope should not be limited to new trade, given the amount of existing trade that is subject to information exchanges between countries. Further, the draft document was to focus on the exchange and management of information between importing and exporting countries and its scope limited to relevant food categories, based on risk. New Zealand, Brazil and Mexico co-chaired an electronic working group, preparing a proposed draft guidance for circulation at Step 3 for comments and consideration by CCFICS at its 22nd Session. A physical working group, chaired by Australia and hosted by the United Kingdom in London, United Kingdom, was also held prior to CCFICS 22.

The document, introduced by New Zealand, was considered section by section during plenary. The Committee sought to balance a simplified process of information exchange with the information requirements necessary to establish or maintain trade in foods or groups of foods between two countries. Concern was expressed that while the aim of this work was to reduce the burden on exporting countries, questionnaires are still widely used by countries and that it would be useful to provide a standard template for questions to allow for swifter analysis, to harmonize the information exchanged, to avoid duplication and repetition and ultimately facilitate the initiation and maintenance of trade. However the Committee agreed not to pursue such a template as it would be difficult to design a single template suitable for all scenarios. The Committee also decided the scope of the document was sufficiently broad to include information requests with regards to elements such as organics or halal. Recognizing that while questionnaires are commonly used, there are other ways of exchanging information between countries, so the title of the document was modified.

The Committee agreed to forward the proposed draft *Principles and Guidelines for the Exchange of Information between Importing and Exporting Countries to Support the Trade in Food* to CAC39 for final adoption at Step 5/8 (with the omission of Steps 6 and 7).

Monitoring the Performance of National Food Control Systems (NFCS)

During the last session, Member countries expressed general support for new work in this area, recognizing that international guidance, including a consistent framework and understanding of the terminology used, would be helpful since several countries have already started working on monitoring their food control systems. The Committee agreed to undertake new work to develop guidance to assist the competent authority (ies) of a NFCS to develop appropriate tools (e.g., measurement mechanisms, indicators, analysis, and evaluations) which can help monitor, evaluate, and improve its own system. The United States chaired an electronic working group, preparing proposed draft guidance for circulation at Step 3 for comments and consideration by CCFICS at its next session. A physical working group, chaired by Australia and hosted by the United Kingdom in London, United Kingdom, was also held prior to CCFICS 22.

During CCFICS 22, the United States introduced the paper, which reflects the contributions from delegations that participated in these working groups. The Committee considered the paper section by section during plenary, which resulted in minor modification to text in several areas. The Committee discussed the proposed four principles of the performance monitoring framework, decided to modify the third principle, called "Efficiency and Reliability", and added corresponding text covering practicability and affordability. The figure and table presented in the appendices were seen as helpful, and were subsequently modified to include explanatory text underscoring that the simplified framework and its listed indicators (including both quantitative and qualitative) were to be seen only as illustrative examples. The Committee agreed the draft Appendix B (Additional Resources) contained several web references that would require continuous updating and would be suited published as a separate document on the Codex website, linked to the guidance.

While the United States supported this document moving forward for final adoption at Step 5/8, some delegations expressed the need to further consult at the national level on the text of the document. Therefore, the document will go through another round of comments and discussion (Steps 6 and 7). A possible need to develop additional text



for inclusion in the guidance regarding how to apply the performance monitoring framework using phased or targeted approaches was noted as potential new work in the future.

The Committee agreed to forward the proposed draft *Guidance* to CAC39 for adoption at Step 5 (for further review and comment).

Revision to the Codex Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations

During the previous CCFICS session, the Committee agreed to revise the existing Codex *Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations* (CAC/GL 19-1995) to include information relating to the roles of various parties (government, industry, consumers) involved in food safety emergency situations and to include guidance on the process of managing food safety emergency situations, as well as updating and/or expanding the existing guidance as necessary. The European Union and Chile chaired the electronic working group that developed proposed draft principles and guidance for circulation for comments at Step 3 and consideration at the next CCFICS session.

During the 22nd Session of CCFICS, the European Union introduced the paper and the Committee considered the paper section by section during plenary. The text concerning food safety emergency plans was amended to highlight the accountability of various parties in the exchange of information in a food safety emergency. Addressing some concerns that the INFOSAN Emergency Contact Point of a country was not always the designated primary official contact point for food safety emergencies, the Committee agreed on text stating that information regarding the primary official contact points should be provided to INFOSAN. The need for food business operators to provide practical and timely information in tracking and tracing their foods in emergency situations and through complex networks was amended to emphasize the value of having records that are searchable and that can be transmitted electronically. Finally, the Committee decided to retain the current longer format for information exchange, though to prevent any unnecessary delays arising from this longer format, text was added that the initial information exchange should occur as quickly as possible, even if it is not complete; further information can be exchanged as soon as it becomes available. New text was also added indicating that the list in the Annex of suggested information to provide in food safety emergencies was not exhaustive.

The Committee agreed to forward the proposed Principles and Guidelines to CAC 39 for final adoption at Step 5/8.

Amendments to Guidelines for the Exchange of Information between Countries on Rejection of Imported Food

At the last session, the United States introduced the report of the CCFICS electronic working group, recalling the specific proposals from an electronic working group on future work on animal feeding established by CAC to include feed in the scope of CAC/GL 25-1997. The Committee noted there were shortcomings in the guidelines that went beyond the mandate to include animal feed, including the lack of consideration of the importance of informing the competent authorities of the exporting country of the reasons for rejections of food, and agreed to revise the existing guidelines to ensure adequate guidance is provided to competent authorities of importing and exporting countries, as well as other relevant parties, on the exchange of information and subsequent interactions on rejections of imported food and, where relevant, feed. An electronic working group, led by Australia and Canada, prepared a proposal for circulation for comment and consideration at the 22nd Session.

Australia introduced the paper, highlighting that the revision of the guidelines had focused on adding appropriate references to animal feed and on improving the logical flow of the text, so as to make it more user-friendly. The Committee considered the paper, section by section, during plenary. While some delegations proposed adding text on suitable actions to decrease the number of rejections to the introduction of the guidelines, the Committee noted that such measures were dealt with in the *Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems* (CAC/GL 26-1997) and the *Guidelines for Food Import Control Systems* (CAC/GL 47-2003) and should therefore not be duplicated. Broad discussions took place around the issue of appeals. The Committee noted that the *Guidelines for Food Import Control Systems* (CAC/GL 47-2003) extensively covered the issue of appeals and it was eventually decided to exclude Paragraph 13 from the draft Guidelines, as well as the section referring to appeals in Annex 1. Nigeria proposed that the Committee develop a separate guideline on an appeals mechanism, which will be considered under potential new work.



The Committee agreed to forward the proposed Guidelines to CAC 39 for final adoption at Step 5/8.

Systems Comparability/Equivalence

New Zealand introduced the discussion paper and a proposed project document on the possible development of guidance on the use of systems equivalence/comparability. The Committee noted that while systems equivalence was a complex topic, it was important to expand the suite of tools that recognized the ability of a competent authority to provide assurances regarding the safety of food. This work would represent the next stage of evolution of existing CCFICS texts on equivalence. With regard to the scope of the document, the United States offered the following suggestions:

- To improve the consistency of the paper, the text should clearly distinguish between equivalence for a set of measures versus equivalence on a system-wide basis.
- There should be a thorough discussion involving both developing and developed countries on the reasons for new guidance, the gaps to be filled, to identify problems that required solutions, and the benefits of additional guidance.
- The Committee should attain a better understanding of some of the issues of the previous CCFICS work that attempted to cover technical barriers to trade in the context of equivalence as this could inform the Committee's thinking and ensure that past difficulties are avoided.

The Committee agreed to establish an electronic working group, led by New Zealand with the United States of America and Chile acting as co-chairs, to revise the discussion paper and the project document taking into account the need to further refine the scope, prerequisites and procedures introduced in this discussion paper. The Committee also noted that the development of guidance in this area of system equivalence should cover the dual mandate of Codex, the term "equivalence" should be used instead of "comparability," and that this work will assist trade facilitation.

The Use of Electronic Certificates by Competent Authorities and Migration to Paperless Certification

The Netherlands presented the discussion paper, recalling that last session of CCFICS had agreed to consider a discussion paper on the development of guidance on the use of electronic certificates by competent authorities and migration to paperless certification. There was wide support for work in this area, and while the paper summarized key areas for consideration in developing guidance, it was agreed that further discussion was needed before sending a project document for new work to the Commission for approval.

The Committee agreed to establish an electronic Working Group, to be chaired by the Netherlands and co-chaired by Australia, to revise the discussion paper and prepare a project document. This work should take into account the discussion outlined in the official report and in particular perform a gap analysis with current Codex texts and a technology review on this topic, as well as explore resource requirements for paperless electronic certification.

Consideration of Emerging Issues and Future Directions for the Work of CCFICS

During the last session, the United States introduced the strategic vision discussion paper, which included discussion of relationships to the Codex Strategic Plan, a history of CCFICS, a summary of the discussions held at the 20th Session of CCFICS (2013), a horizon scan of emerging issues and their potential impact on the work of CCFICS, as well as possible new work. During the current session, the European Union presented a revised discussion paper that captured potential future work of the CCFICS, focusing on the section entitled *Forward-looking: potential work of CCFICS* (para 23) of the discussion paper. The Committee discussed the formatting of this paper, as well as prioritization of new work taking into account how the area of work filled a gap in the current CCFICS suite of texts or provided clarity to them; whether the work was new work or revision; and the possible impact on CCFICS members. It was agreed that the Secretariat will include the introductory and background sections of on the CCFICS page on the Codex website so that these can be deleted from the paper.

The Committee welcomed the offer of Australia to take over work on this agenda item to develop a framework for the preliminary assessment and identification of priority areas that the Committee may need to work on in the future, as referenced in para 3(v) of the paper, and to identify issues from the possible areas for new work described in para 23 and match them against the criteria to be developed for prioritization.



The Committee agreed to the development of discussion paper on third party certification (to be led by Canada with support from the United Kingdom) and invited the Islamic Republic of Iran to develop a discussion paper on food integrity/food authenticity as emerging issues, with assistance from the Netherlands and Canada.

Next Session

The 23rd Session of CCFICs is tentatively scheduled to take place in approximately twelve to eighteen months at a time and place to be announced.