



## Delegate's Report, 18th Session, Codex Committee on Food Import and Export Inspection and Certification Systems

### Introduction

The United States is pleased with the outcome of the 18th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS). The Committee completed work on the *Principles and Guidelines for the Conduct of Assessments of Foreign Official Inspection and Certification Systems*. The Committee also made good progress in developing guidance on proposed draft *Principles and Guidelines for National Food Control Systems*. A detailed summary of the discussions on both of these items and on other matters considered by the Committee is presented below. The full report of the Session can be found in ALINORM 10/33/30 on the Codex website, [www.codexalimentarius.net](http://www.codexalimentarius.net).

The 18th Session of CCFICS was attended by 159 delegates from 66 Member countries, one Member organization (the European Union) and five international intergovernmental and non-governmental organizations. The United States was represented by: the U.S. Delegate, Mary Stanley, USDA Food Safety and Inspection Service; the U.S. Alternate Delegate, Michael Wehr, U.S. Food and Drug Administration; five (5) governmental advisors; and six (6) non-governmental advisors.

### ***Principles and Guidelines for the Conduct of Assessments of Foreign Official Inspection and Certification Systems (Agenda Item 4)***

The Committee initiated work on this item at its 16th (2007) Session and extensively developed the document through two physical working groups and discussion at the 17th (2008) Session of CCFICS. The Committee's initial discussion on the document focused on whether to limit the document to system audits or to include inspections and other tools such as document reviews with the scope. After significant discussion, the Committee agreed to a broad scope to include all tools that could be used to verify foreign official inspection and certification systems and chose the term "assessment" to refer to and include all tools. The document is a process document providing extensive guidance on planning and implementing assessments of foreign official inspection and certification systems.

At this Session of CCFICS, the Committee carried out a paragraph-by-paragraph review of the document, making numerous changes in the text, most of which were minor adjustments to previously agreed to wording. The Committee did amend paragraph 24 of the document (relating to the inspection "tool") to eliminate all references to examples, based on concerns that the examples may provide an inaccurate view on the focus of inspections; the revised wording states that "the inspection tool may be used in some instances to confirm the effectiveness of controls by the competent authority(s) in the exporting country."

Other points of discussion and/or modifications to the document included the following:

- Clarified that an assessment should concentrate on systems rather than on specific commodities or establishments;
- Highlighted the overarching principle that an importing country's competent authority may conduct an assessment only with the agreement of the exporting country;
- Clarified that the tool to be used for the conduct of the assessment should be agreed by the importing and exporting country prior to the commencement of the assessment;
- Clarified that the competent authority of the exporting country should not only be notified by the competent authority of the importing country but also agree to the plan for the assessment and that this be done in a "reasonable period of time" prior to the commencement of the assessment;
- Highlighted the need to avoid duplication of effort on the part of the exporting country through coordination of assessments by multiple competent authorities in the importing country;
- Emphasized the need for the competent authority(s) of the exporting country to cooperate, coordinate, and assist in the implementation of the assessment;
- Clarified that it was the responsibility of the competent authority to ensure that their auditors, inspectors or auditing organizations were impartial;
- Discussed the area of confidentiality and agreed to use the term "confidential information" to encompass a broad range of areas including commercial confidential information and intellectual property; and,
- Agreed to add a new paragraph ensuring that the importing country responds in a timely manner to requests from an exporting country for a request for assessment.



The Committee concluded its work on the document and recommended its adoption at Steps 5/8 by the Codex Alimentarius Commission.

### ***Principles and Guidelines for National Food Control Systems (Agenda Item 5)***

The Committee, at its 17th (2008) Session, recognizing the importance of countries having sound food control systems, agreed to develop a new guidance document on this subject. The Codex Alimentarius Commission, at its 2009 Session, approved new work for CCFICS to develop *Principles and Guidelines for National Food Control Systems*. CCFICS held a physical working group in 2009 to develop an initial document.

At this Session of the CCFICS, the Committee discussed the relationship between a "national food safety system" and a "national food control system", agreeing that a national food control system fits within the broader national food safety system. The Committee agreed to include the concept of a national food safety system in the document but to focus the guidance on the national food control system.

The Committee carried out an extensive general discussion on the document, focusing primarily at achieving an understanding of the scope for the document and on both principles and components/characteristics of a national food safety system and a national food control system.

The Committee developed two definitions of a food control system for future consideration.

*Definition A: An integrated effort from all participants to achieve food safety and ensure fair practices in the food trade including consumers making informed decisions, the actions of business across the food chain to comply with requirements, the actions of government to develop science based standards and promote food safety to monitor and verify compliance and taking corrective action and enforcement action as needed.*

*Definition B: The national food control system is an action plan of the government strategy to ensure the production of safe food and to achieve food safety. It is based on public private cooperation, regulatory requirements, educational programs and enforcement actions.*

The Committee agreed that the objective of a national food control system is "to protect the health of consumers and ensure/enable fair practices in the food trade."

The Committee agreed that the overarching principle of a national food safety system is the "precedence to the protection of consumers". The committee also agreed that the following high-level principles applied to both a national food safety system and a national food control system:

- Whole food chain approach;
  - Transparency;
  - Primary/shared responsibility of food business operators (producers, processors, wholesalers, distributors, retailers) for complying with requirements and ensuring safe food;
  - Responsibility of consumers to manage food safety risks;
  - Consistency and impartiality;
  - Incorporation of risk-based, science-based and evidence based decision-making; and,
  - Cooperation and coordination between multiple competent authorities;
- The Committee noted that the following principles applied more directly to a food control system:

- Preventative approach;
- Harmonization with international standards;
- Resources to meet objectives;
- Self-assessment and review procedures to ensure maintenance of fitness for purpose;
- Independence/objectivity of the system;
- Appropriate legislative framework;
- Equivalence/recognition of systems;
- Means to identify food safety problems;



- Means to respond to food safety emergencies; and,
  - Adaptive, response to change with mechanisms to update the food control system.
- The Committee agreed that characteristics/components of a national food control system could include the following:

- Precedence to the protection of consumers;
- Risk-based and pro-active;
- Maintaining situational awareness (including: statistical data on production, trade and consumption; knowledge of operators at various stages of the food chain; typical and atypical uses of raw materials, products and by-products); structure of production and supply chains; production technologies, processes and practices; consumer practices on selection, storage and handling of product; food safety hazards associated with each production step; and, epidemiological data on foodborne disease;
- Capability to learn;
- Based on prevention, intervention and response;
- Clearly defined and transparent legislation, regulations, guidelines, policies and procedures;
- Clearly defined roles and responsibilities for the competent authorities;
- Uniform national application;
- Sufficient infrastructure and resources; and,
- Adequate performance and enforcement capabilities.

The Committee briefly discussed the framework of a national food control system noting that this area included infrastructure and system management with these two areas having the following components.

#### Infrastructure

- legislative framework;
- program design;
- resources;
- laboratories;
- personnel;
- facilities;
- equipment;
- transportation; and,
- communication

#### System management

- design and implementation;
- operations;
- verification;
- maintenance; and,
- improvement.

The Committee, recognizing that extensive further work was needed on the document, returned the text to Step 2 and re-established a physical working group to continue development of the document. The physical working group is tentatively scheduled to meet at the beginning of 2011.

#### **Other Matters**

The Committee noted that the Codex Committee on General Principles would be considering whether or not a Codex definition of "competent authority" should be established. Noting that a number of CCFICS-developed texts contain the term "competent authority" and that CCFICS had previously discussed the need for a definition for this term but decided, at least at that time, that the term seemed to be understood and that a definition was not necessary, the Committee agreed to forward the following points to CCGP for its consideration.

- The term "competent authority" is highly relevant to the work of CCFICS as it is extensively used in 8 of 9 texts developed by CCFICS;
- The Committee has considered defining the term at previous sessions but has concluded that the term was self-explanatory;



- The term is defined through its use in CCFICS and, therefore, a general definition would impact each of these texts; and,
- The term is used by many governments and a general definition should not exclude any of these uses. The Committee received reports from FAO and WHO on their activities relevant to CCFICS. The Committee also received a report of activities of other international organizations relevant to the work of the Committee, and in particular, the work of the World Organization for Animal Health (OIE).

#### **Next Session of CCFICS**

The next (19th) Session of CCFICS is tentatively scheduled to be held in Australia, from 17-21 October, 2011 at a venue to be announced.