Setting Food Safety Standards for International Trade: Codex Alimentarius

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OCTOBER 26, 2015
Overview

• WHAT IS THE CODEX ALIMENTARIUS?
• RELATIONSHIP TO TRADE AGREEMENTS
• CORE PRINCIPLES AND VALUES
• U.S. PARTICIPATION AND POLICIES TOWARD CODEX
• HOW CODEX RELATES TO OIE
• CURRENT ISSUES AND CHALLENGES
What is the Codex Alimentarius?

• JOINT FAO/WHO FOOD STANDARDS PROGRAM (186 MEMBERS, PLUS OBSERVER ORGANIZATIONS)
• DUAL MANDATE:
  --PROTECT CONSUMER HEALTH
  --ENSURE FAIR PRACTICES IN THE FOOD TRADE
• RESPONSIBLE FOR COORDINATING INTERNATIONAL STANDARDS WITH THE GOAL OF HARMONIZATION
• CODEX STANDARDS ARE VOLUNTARY
How Countries Use Codex Standards

- Some Codex members use Codex standards as their domestic standards and/or apply them to imported foods.
- U.S. does not automatically accept.
- U.S. regulatory agencies must base their decisions on the procedures and standards established in U.S. law (example, pesticides standard and consideration of Codex in U.S. law).
- May also be used in private commercial transactions.
Example from U.S. Food Safety Law: Pesticide Residues

FEDERAL FOOD, DRUG AND COSMETIC ACT, SECTION 408(B)(4)

....In establishing a tolerance for a pesticide chemical residue in or on a food ...if a Codex maximum residue level has been established for the pesticide chemical and the Administrator does not propose to adopt the Codex level, the Administrator shall publish for public comment a notice explaining the reasons for departing from the Codex level.

TITLE 40 U.S. CODE OF FEDERAL REGULATIONS, SECTION 180.7 (B)(14)

Requires petitions for establishment of pesticide maximum residue limits (MRLs, or “tolerances” in U.S. Legal terminology) to include information on Codex MRLs and an explanation if the proposed MRL is not the same as the Codex MRL.
Relationship between Codex Standards and Trade Agreements (SPS & TBT)

• TRADE AGREEMENTS ENCOURAGE HARMONIZATION AND CALL FOR WTO MEMBERS TO BASE THEIR STANDARDS ON INTERNATIONAL STANDARDS (differences are possible if....)

• CODEX IS RECOGNIZED AS THE INTERNATIONAL STANDARDS-SETTING BODY FOR FOOD SAFETY STANDARDS
Codex Standards and Trade Agreements

- COUNTRIES THAT ADOPT CODEX STANDARDS BENEFIT FROM A PRESUMPTION THAT THEIR STANDARDS ARE CONSISTENT WITH CERTAIN OBLIGATIONS UNDER THE SPS AGREEMENT THAT REQUIREMENTS BE BASED ON SCIENCE AND RISK ASSESSMENT.

- THIS PRESUMPTION IS OF PARTICULAR BENEFIT TO COUNTRIES WITH LIMITED RESOURCES. ADOPTION OF CODEX STANDARDS NOT ONLY HELPS FULFILL THEIR TRADE OBLIGATIONS, IT ALSO ENSURES THAT THEY HAVE FOOD SAFETY STANDARDS IN PLACE THAT ARE BASED ON INTERNATIONAL SCIENTIFIC REVIEW.

- THEY MAY ALSO GAIN MARKET ACCESS FOR EXPORTS
Core principles and values: The Role of Science in Codex

THE FOOD STANDARDS, GUIDELINES AND OTHER RECOMMENDATIONS OF CODEX ALIMENTARIUS SHALL BE BASED ON THE PRINCIPLE OF SOUND SCIENTIFIC ANALYSIS AND EVIDENCE, INVOLVING A THOROUGH REVIEW OF ALL RELEVANT INFORMATION, IN ORDER THAT THE STANDARDS ASSURE THE QUALITY AND SAFETY OF THE FOOD SUPPLY....

CONSIDERATION OF OTHER FACTORS SHOULD NOT AFFECT THE SCIENTIFIC BASIS OF RISK ANALYSIS

---CODEX PROCEDURAL MANUAL, STATEMENTS OF PRINCIPLE
Risk Assessment and Risk Management in Codex

• FOR CERTAIN TYPES OF STANDARDS, CODEX RELIES ON INDEPENDENT INTERNATIONAL FAO/WHO EXPERT BODIES TO PERFORM RISK ASSESSMENTS

• BASED ON THOSE RISK ASSESSMENTS, CODEX COMMITTEES MAKE RISK MANAGEMENT RECOMMENDATIONS TO THE CODEX ALIMENTARIUS COMMISSION FOR FINAL ADOPTION
Example: Microbiological Risk Assessment and Risk Management in Codex

• FOR MICROBIOLOGICAL CONTAMINATION, THE RISK ASSESSMENT BODY IS THE JOINT EXPERT MEETING MICROBIOLOGICAL RISK ASSESSMENT (JEMRA)

• THE CODEX COMMITTEE ON FOOD HYGIENE (CCFH) IS THE RISK MANAGEMENT BODY
Codex Strategic Goals

• ESTABLISH STANDARDS TO ADDRESS CURRENT AND EMERGING ISSUES

• ENSURE APPLICATION OF RISK ANALYSIS PRINCIPLES, INCLUDING USING EXPERT SCIENTIFIC ADVICE TO THE FULLEST EXTENT POSSIBLE AND SECURING SUSTAINABLE ACCESS TO EXPERT SCIENTIFIC ADVICE

• FACILITATE EFFECTIVE PARTICIPATION BY ALL MEMBERS

• IMPLEMENT EFFECTIVE AND EFFICIENT WORK MANAGEMENT SYSTEMS AND PRACTICES

--STRATEGIC PLAN OF THE CODEX ALIMENTARIUS COMMISSION, 2014-2019
Codex Core Values

- COLLABORATION
- INCLUSIVENESS
- CONSENSUS BUILDING
- TRANSPARENCY

--Strategic Plan of the Codex Alimentarius Commission, 2014-2019
U.S. Views Codex Work as Important to our National Interest

- As major agricultural importer: enhance food safety and consumer protection
- As major agricultural exporter: maintain and expand market access for U. S. exports
Over-arching Goals of U.S. Food Safety System

• SAFE, VARIED, ABUNDANT AND AFFORDABLE FOOD SUPPLY FOR CONSUMERS

• PREDICTABLE AND ACCOUNTABLE REGULATORY ENVIRONMENT FOR ALL STAKEHOLDERS

• LEADERSHIP IN SCIENCE AND TECHNOLOGY FOR SAFETY AND QUALITY
Codex also serves trade objectives

• OPEN MARKETS TO U.S. AGRICULTURAL EXPORTS

• INTERNATIONAL SCIENTIFIC ASSESSMENT OF NEW PRODUCTION TECHNOLOGIES TO MEET CHALLENGES OF FOOD SECURITY

• FAIR TRADE IN SAFE FOOD
U.S. Codex Organization

- **U.S. CODEX OFFICE, LOCATED IN USDA/FSIS**—POLICY, COORDINATION, STRATEGIC PLANNING AND OUTREACH RESPONSIBILITIES.

- **DELEGATES TO CODEX COMMITTEES FROM RESPONSIBLE REGULATORY AGENCIES.**

- **POLITICAL LEVEL CODEX POLICY COMMITTEE,** CHAired by USDA UNDER SECRETARY FOR FOOD SAFETY. REGULATORY AND TRADE AGENCIES ARE REPRESENTED. PRESIDENTIAL APPOINTEES SERVE.

- **SENIOR STAFF LEVEL CODEX TECHNICAL COMMITTEE.**
Codex and OIE

- BOTH RECOGNIZED IN WTO SPS AGREEMENT, BUT DIFFERENCES IN MANDATE, PROCEDURES AND POLICIES (FOR EXAMPLE, WORKING GROUP PARTICIPATION)
- NO “JOINT STANDARDS,” BUT COLLABORATION IS NEEDED FOR FARM TO FORK CONSUMER PROTECTION
- CODEX PROCEDURAL MANUAL SETS GROUND RULES (SECTION VII)
Recent Examples of Codex–OIE Interface

• COMMITTEE ON FOOD HYGIENE WORK ON PARASITES, ESPECIALLY TRICHINELLA IN SUIDAE AND TAENIA SAGINATA IN BEEF (2014, 2015, ONGOING)
• ONGOING WORK ON SALMONELLA IN BEEF AND PORK
• COMMITTEE ON GENERAL PRINCIPLES WORKING GROUP (2014)
• ANIMAL WELFARE CONCERNS
Current Issues and challenges

- GLOBALIZATION OF FOOD SUPPLY, AND RAMIFICATIONS OF INTERDEPENDENCE IN TERMS OF FOOD SAFETY AND SECURITY
- RESOURCE LIMITATIONS FACING GOVERNMENTS
- DEVELOPMENTS IN SCIENCE AND TECHNOLOGY
- CONSUMER EXPECTATIONS, SIGNIFICANT NEW LEGISLATIVE MANDATES (FSMA IN THE U.S.)
- CHALLENGES FOR CODEX: KEEP PACE AND STAY RELEVANT WHILE MAINTAINING CORE VALUES AND REMAINING FAITHFUL TO MANDATE
Benefits of Science-Based Food Safety Standards

• PROMOTES FOOD SAFETY AND CONSUMER CONFIDENCE
• CONSERVES RESOURCES, ENHANCES SCIENTIFIC BASIS OF DECISION-MAKING
• ENABLES EVALUATION OF NEW TECHNOLOGIES TO INCREASE FOOD SECURITY
• ASSISTS COUNTRIES IN MEETING TRADE OBLIGATIONS; OPENS MARKETS

TO SECURE THESE BENEFITS, NEED TO RESPECT MANDATE AND VALUES, WHILE WORKING CLOSELY TOWARD COMMON GOALS