SETTING THE SCENE

Foundations of a Robust Food Regulatory Program

International Guidance and Best Practices

18 August 2024

Prof. Samuel Godefroy • *Food Risk Analysis and Regulatory Policies, Université Laval, Canada*

OVERVIEW

Introduction to Foundations of Food Control Systems

International Guidance

Importance of Collaboration

Discussions – Group Work

FOOD SAFETY POLICY AGENDA

Intersect for 3 Policy Agendas: Agriculture, Health and Trade

Food Safety at the Intersect of the Agriculture, Health and Trade Agendas

Enhancement of food safety performance ***of Food Production System*** *can not be Carried out without the*

Backing of the enhancement of food regulatory backstops

OBJECTIVES OF A NATIONAL FOOD CONTROL SYSTEM

Primary Objective

Protect consumers

- Health (Safety)
- Deception (Quality)

Accompanying Objective

Ensure fair practices in the food trade

- Predictability
- Equality of treatment
- Transparency

**Source: Section 2 of CXG82-2013*

FOOD CONTROL PROGRAMS ACCORDING TO CXG82-2013

*Control programs are the **collective actions and activities** in place to manage specific **food safety hazards**, **assure quality and safety** of food and fair practices in the food trade*

CODEX GUIDANCE …. INTERNATIONAL BENCHMARK

Provides Guidance on Optimum Performance of a Food Control Program

- ❑What it should deliver…
- ❑How it should deliver…

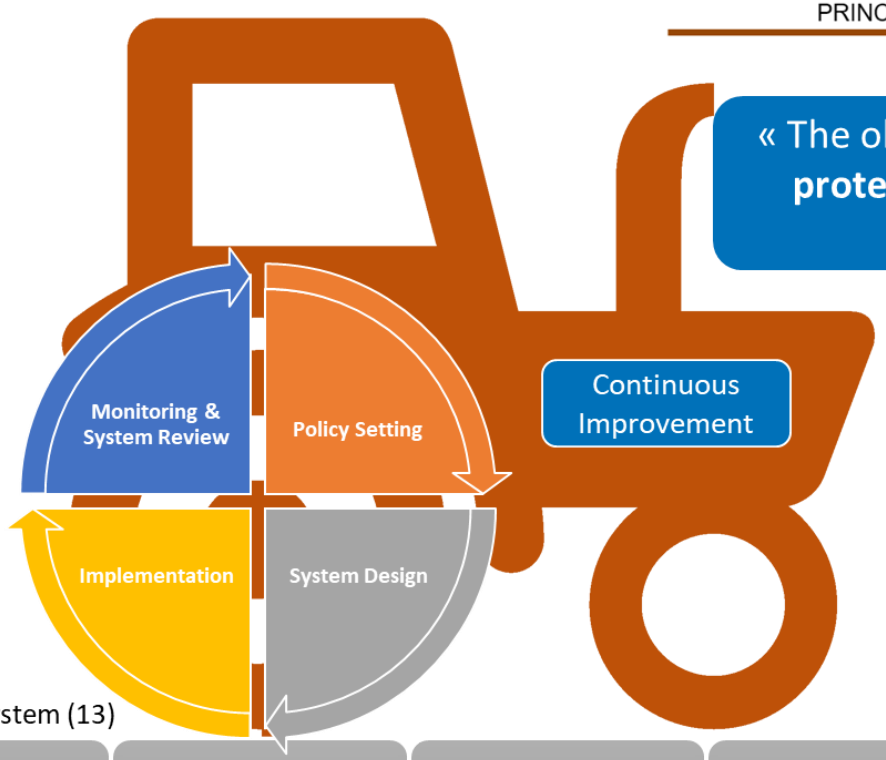
Guidance used on how to structure and deliver food regulatory functions by food competent authorities

EFFECTIVE FOOD CONTROL SYSTEMS (FCS) ARE GUIDED BY CODEX DIRECTION…

PRINCIPLES AND GUIDELINES FOR NATIONAL FOOD CONTROL SYSTEMS

CAC/GL 82-2013

« The objective of a national food control system is to **protect the health of consumers and ensure fair practices in the food trade** »



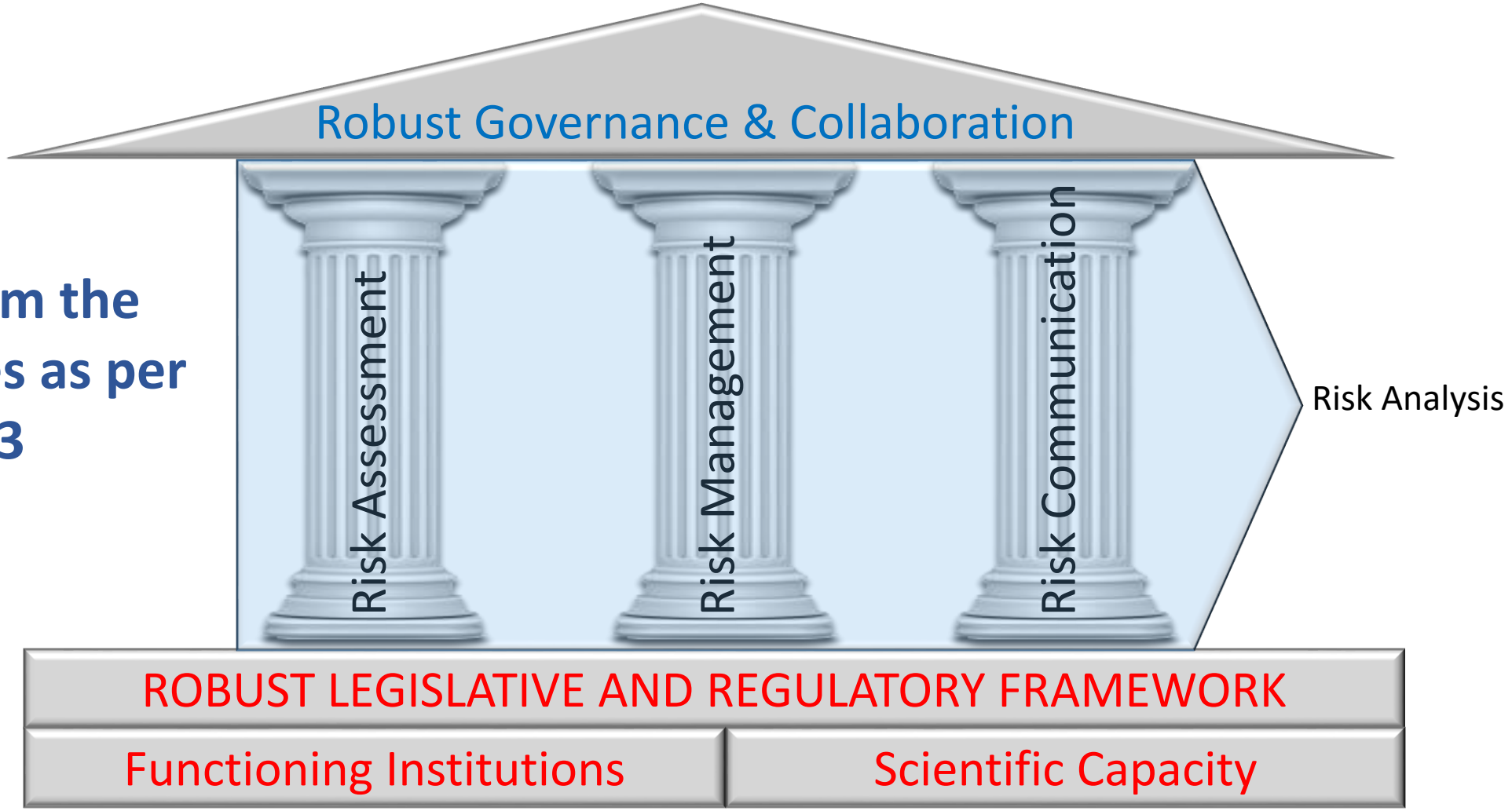
Principles of a National Food Control System (13)

- PROTECTION OF CONSUMERS
- THE WHOLE FOOD CHAIN APPROACH
- TRANSPARENCY
- ROLES AND RESPONSIBILITIES
- CONSISTENCY AND IMPARTIALITY
- RISK BASED, SCIENCE BASED AND EVIDENCE BASED DECISION MAKING
- COOPERATION AND COORDINATION BETWEEN MULTIPLE COMPETENT AUTHORITIES
- PREVENTIVE MEASURES
- SELF ASSESSMENT AND REVIEW PROCEDURES
- RECOGNITION OF OTHER SYSTEMS (INCLUDING EQUIVALENCE)
- LEGAL FOUNDATION
- HARMONISATION
- RESOURCES

(Codex, 2013)

DESIGN AND OPERATION OF A FOOD COMPETENT AUTHORITY

Inspired from the 13 principles as per CXG 82-2013



OPERATIONS OF THE FOOD COMPETENT AUTHORITY

An Effective Food Safety Competent Authority:

- ❑Anchors its actions and operations in a *robust legislative and regulatory framework* that enables it to "develop, establish, implement, maintain and enforce a national food control system".
- ❑Bases its food safety decisions on the application of the *Risk Analysis Principles*.
- ❑Ensures effective *food regulatory operations* both for ***standard setting*** *and* ***compliance and enforcement***
- ❑Is supported by a **focused:**
  - ***Scientific capacity* for *risk assessment*** and
  - ***Laboratory operations***.

ROLE OF THE REGULATOR

- Oversight on Managing the Interaction between Food Producers and Consumers
- Delegated Authority of Consumers to Protect them from Health Concerns and Fraud:

Empowered to Make Decisions on behalf of the Public (Consumers)

WHAT DOES A REGULATOR DO ?

Primary Risk Manager:

- ❑ Provides Direction and Guidance for Risk Management Approach
  - Regulatory Measures
  - Non-regulatory Measures

FOOD REGULATOR'S MANDATE

ROBUSTNESS OF THE DECISION-MAKING PROCESS

- Trust in its Integrity
- Predictability

Transparency Structure

RISK ANALYSIS PROVIDES STRUCTURE TO FOOD REGULATORY DECISIONS

- **Risk Analysis** is the **logical framework** that underlies **decision-making** concerning all kinds of risks (not only for food safety and nutrition)

- Applied to Food Safety and Nutrition Decision-Making Developed through the FAO/WHO Food Standards Program and particularly the Codex Alimentarius Commission (Codex)

DEFINITION OF FOOD RISK ANALYSIS

*An **iterative and highly interactive** process that should be followed by food **decision-makers** to address food safety and nutrition issues, using **robust evidence**, including **scientific information** and regular exchange with all parties and stakeholders involved*

Comprises 3 components :

Risk Assessment

Risk Management

Risk Communication

RISK ANALYSIS PARADIGM PROVIDES STRUCTURE

Robust Food Decisions

AN ADDED INCENTIVE TO FOLLOW

The Risk Analysis Paradigm and Risk Assessment in Particular

OBLIGATIONS UNDER THE WORLD TRADE ORGANIZATION AGREEMENTS

ENSURING FOOD SAFETY AND ANIMAL AND PLANT HEALTH MEASURES SET OUT THE BASIC RULES IN THE WTO

- SPS Agreement
  - Applies to all sanitary and phytosanitary measures which may, directly or indirectly, affect international trade.
- TBT Agreement
  - Ensures that technical regulations, standards, and conformity assessment procedures are non-discriminatory and do not create unnecessary obstacles to trade.
  - Applies to all products, including industrial and agricultural products
  - Does not apply to sanitary and phytosanitary measures as defined in SPS Agreement

DIRECTIONS - SPS AGREEMENT ON RISK ASSESSMENT

Article 5: Assessment of Risk and Determination of the Appropriate Level of Sanitary or Phytosanitary Protection

1. Members shall ensure that their **sanitary** or phytosanitary **measures** are based on an assessment, as appropriate to the circumstances, of the **risks to human**, animal or plant life or health, taking into account risk assessment techniques developed by the **relevant international organizations**.

2. In the assessment of risks, Members shall take into account **available scientific evidence**; relevant processes and production methods; relevant inspection, sampling and testing methods; prevalence of specific diseases or pests; existence of pest- or disease-free areas; relevant ecological and environmental conditions; and quarantine or other treatment.

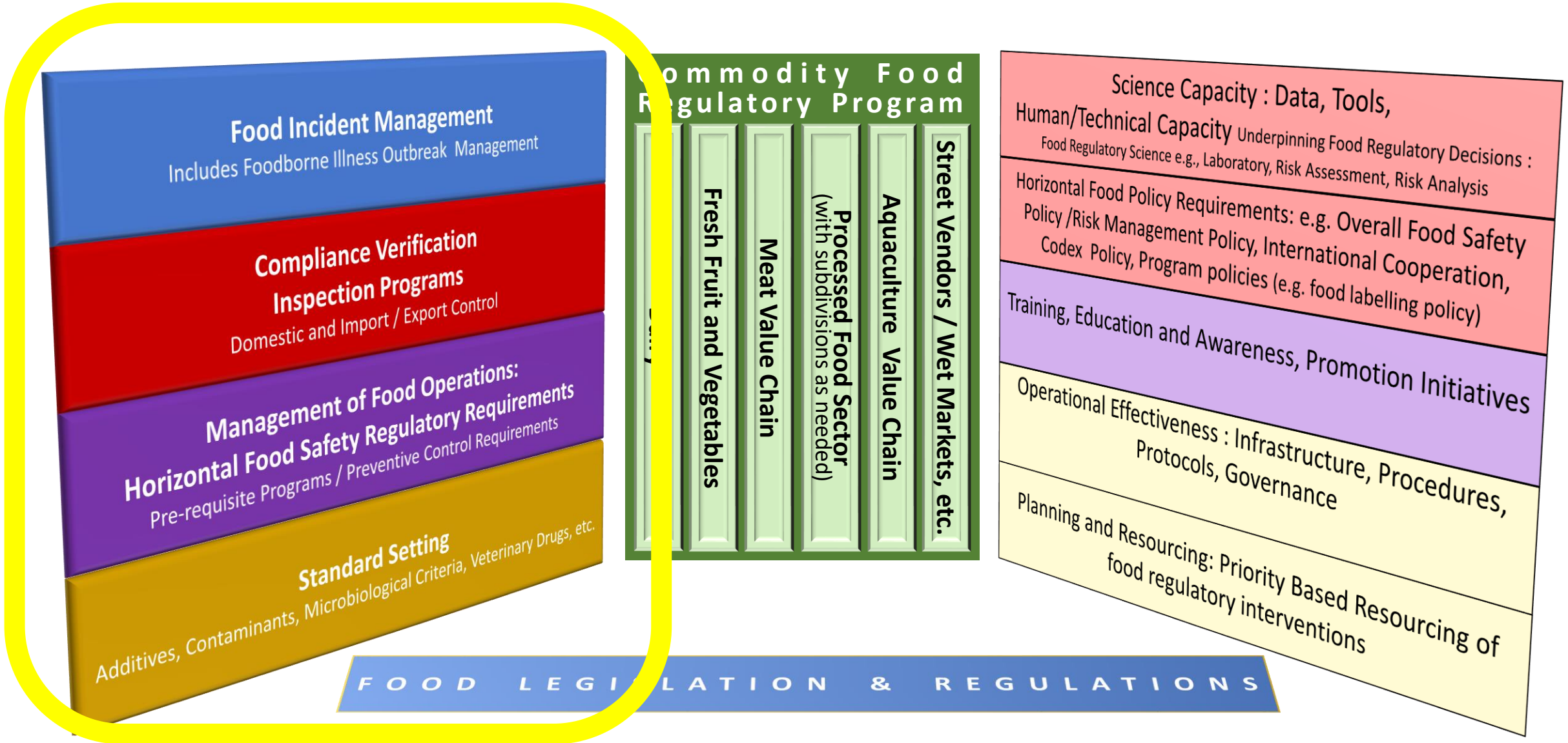
DIRECTIONS - SPS AGREEMENT ON RISK ASSESSMENT (2)

Article 5: Assessment of Risk and Determination of the Appropriate Level of Sanitary or Phytosanitary Protection

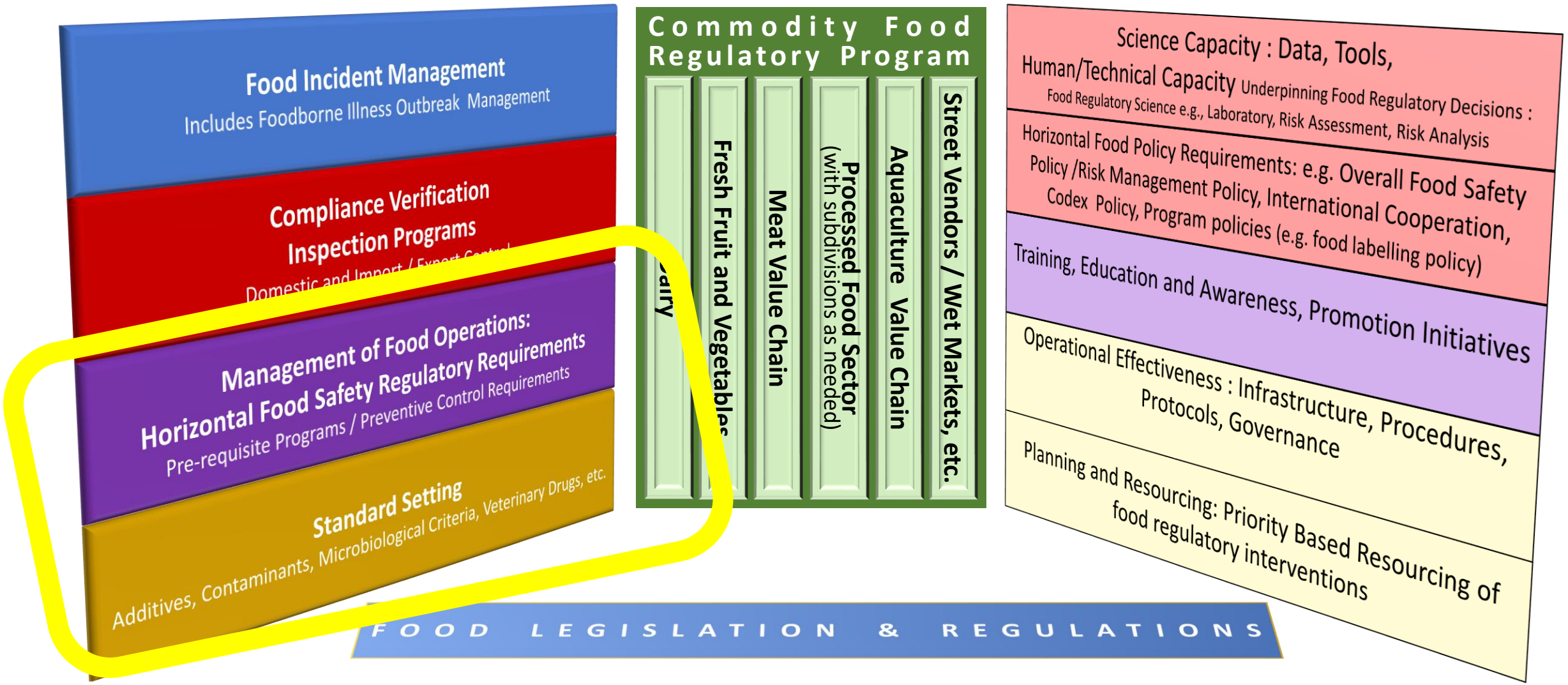
4. Members should, when determining the appropriate level of sanitary or phytosanitary protection, **take into account the objective of minimizing negative trade effects**.

5. With the objective of achieving consistency in the application of the concept of appropriate level of sanitary or phytosanitary protection against risks to human life or health, or to animal and plant life or health, each Member **shall avoid arbitrary or unjustifiable distinctions in the levels it considers to be appropriate in different situations** (…)

FOOD REGULATORY FUNCTIONS



FOCUS ON DECISION-MAKING: STANDARDS / REGULATORY DECISIONS



HOW DO WE USE THE FOOD REGULATORY INSTRUMENT???

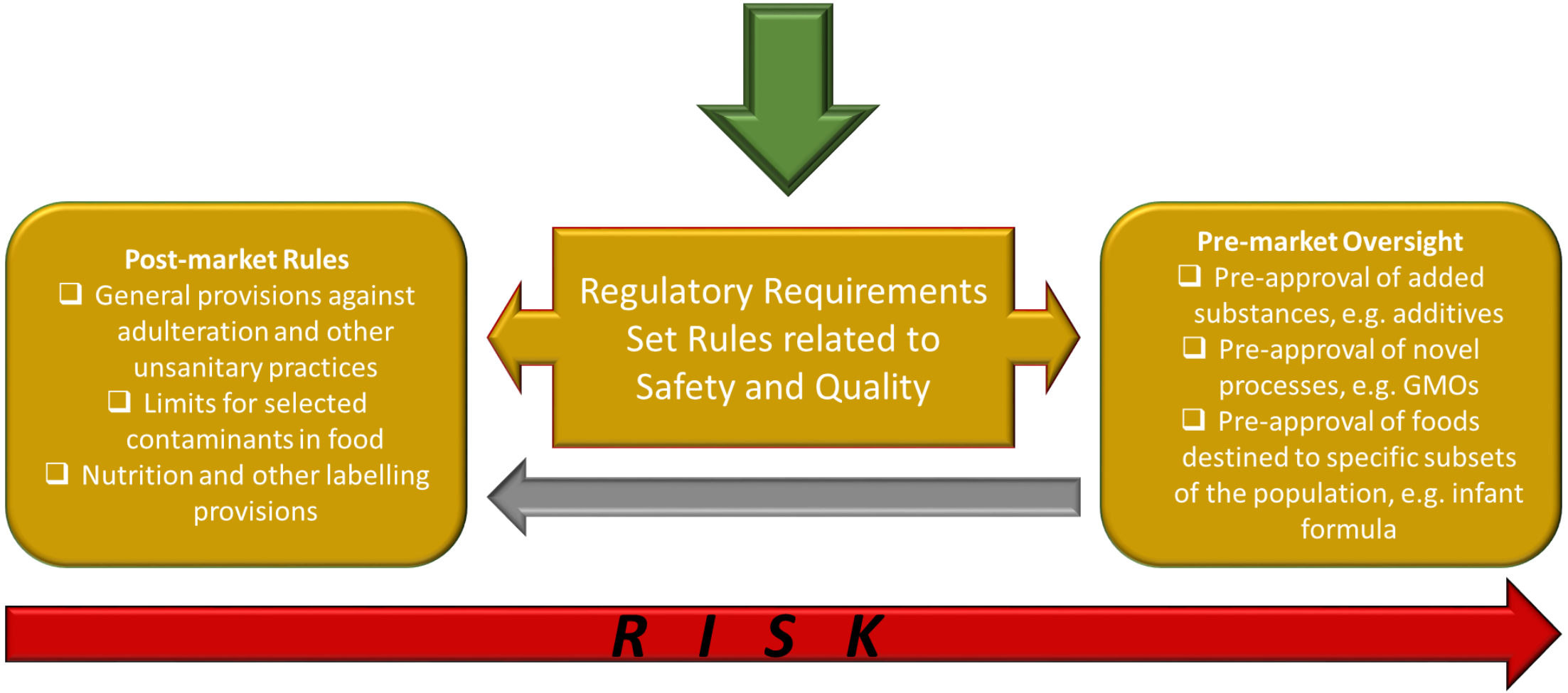
COLLABORATIVE OVERSIGHT MATCHING FOOD SAFETY INTERVENTION ACROSS THE CHAIN

Hazards & Control

Farm	Production	Processing	Distribution	Logistics	Retail	Consumers
GAP Pesticide Contaminants Pathogens, Toxin Water Quality	Veterinary Drugs Feed Additives Hygiene Practice Pesticide Selection	GMP/GHP/HACCP Hygiene Practice Food Additives Allergens Packaging Equipment/Tools	GMP/GHP Hygiene Practice Temperature	GMP/GHP Hygiene Practice Temperature	GMP/GHP Hygiene Practice Temperature	Awareness Education

Supply Chain

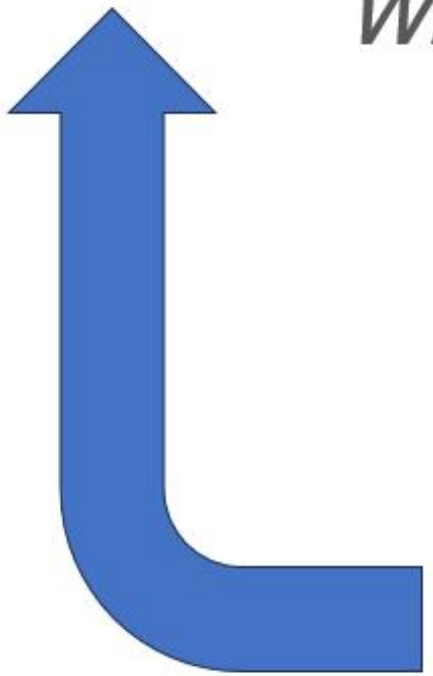
INSTRUMENT OF CHOICE: PRE OR POST-MARKET DECISIONS ?



PRINCIPLE – Food are inherently Safe Products

REVIEWING AND RE-DESIGNING FOOD REGULATORY OPERATIONS

Food Safety Issues are Multi-Faceted Requiring Costly Interventions



Where possible: Simplify, Streamline

Collaborate, Involve

Synergize

↓

Evaluate

IMPORTANCE OF COLLABORATION

CORE VALUES OF FOOD REGULATORY FUNCTIONS DELIVERY

Collaboration

Inclusiveness

Consensus Building

Transparency

MULTIPLE STAKEHOLDERS HAVE A STAKE IN FOOD AND NUTRITION RISK MANAGEMENT ISSUES

Risk Analysis Practices advocated by international organizations advise to maximize engagement and collaboration

Consumer Organizations • Academia • Health Professional Community • Governments/Regulators • Industry

RISK ANALYSIS PRINCIPLES SET THROUGH CODEX ALIMENTARIUS

Various Actors in the Food and Nutrition Safety Regulatory Systems are meant to be Partners

INGREDIENTS OF COLLABORATIVE APPROACH

- ❑Shared interest – Shared concerns
- ❑Continued Engagement – Open Dialogue
- ❑Transparent Approach
- ❑Grass Root Advocacy Groups
- ❑No Individual Goals being pursued
  - Particularly by Advocacy Groups
- ❑Culture of Collaboration
- ❑And finally the KEY INGREDIENT……

COMPLEX RISK MANAGEMENT APPROACHES CALL FOR OPTIMUM COLLABORATION BETWEEN PARTNERS

MECHANISMS OF COLLABORATION REGULATOR / INDUSTRY – PART 1

From Codex Practice: Forum for providing input on food regulatory / Standards development practices

- Highly operational : Transactional nature

- Success is conditioned by consistency of approach and meaningful contribution from regulated parties

- Industry can represent meaningful source of data to support substantiation of a regulatory provision

MECHANISMS OF COLLABORATION REGULATOR / INDUSTRY – PART 2

Standing Forums of Engagement

- Strategic Engagement: for example, a Food Regulatory Advisory Committee

  - Offers direction to shape food regulatory agenda
  - Support foresight on trends in food regulatory development
  - Supports proactive nature of the food regulatory system and its enabling nature


thank you
danke
謝謝
ngiyabonga
teşekkür ederim
рахмат
Баярлалаа
спасибо
faafetai lava
mersi
kia ora
barka
welalin
spas
tack
dank je
misaotra
matondo
paldies
grazzi
mahalo
tapadh leat
gracias
vinaka
спасибі
blagodaram
kiitos
dankie
nanni
nandri
dhanyavad
mauruuru
köszönöm
хвала
asante
manana
obrigada
tenki
bedankt
bayarlalaa
gràcie
hvala
enkosi
dziękuję
akun dankon
aćiū
djiere dieuf
tau
mochchakkeram
murakoze
дякую
mamnun
chokrane
chnorakaloutioun
gratias ago
gràcies
sulpáy
go raibh maith agat
sobodi
děkuji
obrigado
sagolun
sukriya
kop khun krap
taiku
arigatô
takk
dakujem
trugarez
mèsi
didi madloba
najis tuke
ありがとう
tanemirt
grazie
rahmet
kam sah hamnida
rahmat
terima kasih
diolch
dhanyavadagalu
shukriya
mercé
мерси
ευχαριστώ
merci
شكرًا لك
তোমাকে ধন্যবাদ
감사합니다
xièxie