

ASEAN Common Food Control Requirements

ASEAN PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION (CAC/GL 20-1995-PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION, MOD)

ASEAN PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION

FOREWORD

The Prepared Foodstuff Product Working Group (PFPWG) under the ASEAN Consultative Committee for Standards and Quality (ACCSQ) has been assigned the task of removing or reducing technical barriers to trade in the prepared food sector. The PFPWG has undertaken to harmonise the requirements for export and import inspection and certification systems for food systems towards this objective. Recognizing that the ASEAN Trade in Goods Agreement that was concluded in 2009 requires Member States to be guided by international standards in implementing their Sanitary and Phytosanitary measures, and the requirement of the ASEAN Policy Guideline for Standard and Conformance to adopt international standards, the PFWG has been guided by the Codex standard “CAC/GL 20-1995-PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION 5th edition” as the “ASEAN Principles for Food Import and Export Inspection and Certification”.

The document is an adoption of the Principles for Food Import and Export Inspection and Certification (CAC/GL-20 1995 5th edition) published by the Codex Alimentarius Commission with the following modification:

Section/para	Modification
2. Definitions	Additional Definition Competent Authority (ies) means the official government agency having jurisdiction.
3., para 17	Explanatory Note added: Explanatory Note: The special and differential treatment refers to the provisions of Article 10 of the WTO/SPS Agreement.

Explanation: The term “competent authority” is utilised in several instances in the document. A definition for “Competent Authority (ies)” has been included in order to establish a common interpretation and ensure consistency with other ASEAN Documents.

The addition of the note on the “special and differential treatment” is to avoid any ambiguity in the interpretation of the principle.

This document is one of the ASEAN Common Food Control Requirements (ACFCR).

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ASEAN PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION

SECTION 1 – INTRODUCTION

1. Official and officially recognized inspection and certification systems are fundamentally important and very widely used means of food control; the following principles apply to such systems. The confidence of consumers in the quality (including safety) of their food supply depends in part on their perception as to the effectiveness of food control measures. A substantial part of the worldwide trade in food, for example in meat and meat products, depends upon the use of inspection and certification systems. However, inspection and certification requirements may significantly impede international trade in foodstuffs. Consequently it is desirable that the design and application of these systems should reflect appropriate principles.
2. Inspection of food may occur at any stage in the production and distribution process. For some foods, inspection oversight of harvesting, processing, storage, transport, and other handling of product may be the most appropriate means of ensuring food safety. According to the methods of preservation used, it may be necessary to maintain inspection oversight on a continuous basis up to the time of retail sale. Inspection systems may be focused on the foodstuffs themselves, on the procedures and facilities employed in the production and distribution chain, on the substance and materials which can be incorporated into or contaminate foodstuffs.
3. Inspection should be carried out at the most appropriate stages (e.g. control of refrigeration at every stage of the cold chain). For some requirements, e.g. those pertaining to product description, it may be possible to limit inspection to the distribution process and prior to final sale.
4. In both design and use, food inspection and certification systems should be governed by a number of principles which will ensure an optimal outcome consistent with consumer protection and facilitation of trade.

SECTION 2 – DEFINITIONS

Audit is a systematic and functionally independent examination to determine whether activities and related results comply with planned objectives.

Certification is the procedure by which official certification bodies or officially recognized certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.

Competent Authority (ies) means the official government agency having jurisdiction.

Inspection is the examination of food or systems for control of food, raw materials, processing, and distribution including in-process and finished product testing, in order to verify that they conform to requirements.

Official inspection systems and official certification systems are systems administered by a government agency having jurisdiction empowered to perform a regulatory or enforcement function or both.

Officially recognized inspection systems and officially recognized certification systems are systems which have been formally approved or recognized by a government agency having jurisdiction.

Requirements are the criteria set down by the competent authorities relating to trade in foodstuffs covering the protection of public health, the protection of consumers and conditions of fair trading.

Risk assessment is the evaluation of the likelihood and severity of adverse effects on public health arising, for example, from the presence in foodstuffs of additives, contaminants, residues, toxins or disease-causing organisms.

SECTION 3 – PRINCIPLES

5. Food inspection and certification systems should be used wherever appropriate to ensure that foods, and their production systems, meet requirements in order to protect consumers against foodborne hazards and deceptive marketing practices and to facilitate trade on the basis of accurate product description.

Fitness for purpose

6. Inspection and certification systems should be fully effective in achieving their designated objectives having regard to the determination of the acceptable level of protection which is required.

Risk assessment

7. Inspection systems to ensure food safety should be designed and operated on the basis of objective risk assessment appropriate to the circumstances. Preferably the risk assessment methodology employed should be consistent with internationally accepted approaches. Risk assessment should be based on current available scientific evidence.
8. Inspection systems should be applied to particular commodities and processing methods in proportion to the assessed risks. In undertaking a risk assessment or in applying the principles of equivalence, importing countries should give due consideration to statements by exporting countries on a national or area basis of freedom from food-related disease.

Non-discrimination

9. Countries should ensure that they avoid arbitrary or unjustifiable distinctions in the level of risk deemed to be appropriate in different circumstances so as to avoid discrimination or a disguised restriction on trade.

Efficiency

10. Inspection and certification systems should have adequate means to perform their task. In the choice of inspection and certification systems, there should be regard to costs to consumers and to the costs in money and time to the affected food industry and government consulting with interested bodies as appropriate. Such systems should be no more restrictive of trade than is necessary in order to achieve the required level of protection.

Harmonization

11. Member countries should use Codex standards, recommendations and guidelines (or those of other international organizations whose membership is open to all countries) whenever appropriate as elements of their inspection and certification systems. Countries should participate actively in the work of the Codex Alimentarius Commission and other relevant international bodies to promote and facilitate the development, adoption and review of Codex norms.

Equivalence

12. Countries should recognise that different inspection/certification systems may be capable of meeting the same objective, and are therefore equivalent. The obligation to demonstrate equivalence rests with the exporting country.

Transparency

13. While respecting legitimate concerns to preserve confidentiality, the principles and operations of food inspection and certification systems should be open to scrutiny by consumers and their representative organizations, and other interested parties.
14. Importing countries should provide information on existing requirements and proposed changes to requirements should be published and, except in the case of serious and immediate danger, an adequate time period permitted for comment. The views of exporting countries, and particularly those received from developing countries, should be taken into account in taking a final decision. A reasonable period should be allowed before a new requirement takes effect in order to permit exporting countries, and in particular developing countries, to make necessary changes to methods of production and control measures.
15. Importing countries should make available to the exporting countries, upon request, timely advice as to the basis of the decision they have taken regarding the compliance of foods with their relevant requirements.
16. Upon request by the competent authorities of the importing countries, the exporting countries should provide access to view and assess the actual working of their relevant inspection and certification systems.

Special and differential treatment

17. In the design and application of food inspection and certification systems, importing countries should take into account of the capabilities of developing countries to provide the necessary safeguards.

Explanatory Note: The special and differential treatment refers to the provisions of Article 10 of the WTO/SPS Agreement.

Control and inspection procedures

18. Importing countries should complete without undue delay any procedures necessary to assess compliance with requirements. Information requirements and any fees imposed by importing countries should be limited to what is reasonable and necessary.

Certification validity

19. Countries that certify exports of food and those importing countries which rely on export certificates should take measures to assure the validity of certification. Validation measures by

exporting countries may include achieving confidence that official or officially recognised inspections systems have verified that the product or process referred to in the certificate conforms with requirements. Measures by importing countries may include point of entry inspection systems, audit of exporting inspection systems, and ensuring that certificates themselves are authentic and accurate.