APEC Food Safety Cooperation Forum

A Review of Progress Made Since the Establishment of the APEC Food Safety Cooperation Forum, with Proposed Key Directions and Recommendations for the Future.
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1. BACKGROUND

When the Food Safety Cooperation Forum (FSCF) first met in 2007, it was agreed that the FSCF goals were to assist APEC member economies to achieve:

1. Transparent information-sharing and communication networks that provide accurate and timely information to consumers and producers on food safety.

2. Food safety regulatory systems within economies, including food inspection/assurance and certification systems that:

   2.1 are consistent with members’ rights and obligations under the Sanitary and Phytosanitary Measures (SPS) and the Technical Barriers to Trade (TBT) Agreements of the World Trade Organisation; and

   2.2 are harmonized, to the extent possible, with international standards (such as Codex, OIE, IPPC).

3. Enhanced skills and human resource capacities to enable the development of national food safety regulatory frameworks that are harmonized with international standards.

In reviewing progress towards meeting these goals, APEC member economies, as well as organisations that are linked to APEC, such as the Specialist Regional Bodies, have provided input on the key successes that have been achieved; the key challenges in addressing the goals of the FSCF; and proposed key forward directions. For the purpose of this document, where possible, the input provided has been structured around the FSCF goals. However some points that do not relate directly to the goals have been noted separately.

In considering the information in this report, the FSCF will determine recommendations for its forward directions for the following two years, from 2009 – 2011.

1. KEY SUCCESSES ACHIEVED IN ADDRESSING THE GOALS OF THE FSCF
Since the establishment of the FSCF in April 2007, over 550 participants from 19 APEC member economies have attended, or contributed to 27 FSCF meetings or capacity building activities, held in 7 cities across the region. This is the first time that APEC member economies have coordinated their efforts in the areas of food safety in this way and are working together to target priority areas in need. This demonstrates a real success.

1.1 Raising the profile of food safety and the APEC Food Safety Cooperation Forum

As a result of the establishment of the FSCF in April 2007, with the Hunter Valley 2007 Statement, the value of food safety partnerships in the region was highlighted. Further to this, the issue of food safety was acknowledged and supported by relevant APEC Committees and its leadership. This was a significant achievement.

In September 2007, APEC Economic Leaders acknowledged the need to: develop a more robust approach to strengthening food safety standards and practices in the region, using scientific risk based approaches and without creating unnecessary impediments to trade. They stated that additional capacity building in this area is a priority.

Further to this, in November 2008, APEC Economic Leaders stated: We reaffirmed our commitment to improve food and product safety standards and practices to facilitate trade and ensure the health and safety of our populations. We endorsed the work of the APEC Food Safety Cooperation Forum’s Partnership Training Institute Network and called on Ministers to take additional steps to enhance food and product safety next year. (APEC Economic Leaders, November 2008).

The agreement reached by APEC member economies, at the level of food safety regulators, trade officials, and Leaders, has resulted in strong support for the need to address priority food safety issues and has provided justification in seeking financial support to address these issues. At the same time, the FSCF has provided a setting for APEC member economies to participate in the development and implementation of food safety programs, which has enhanced individual member economy’s participation in food safety activities.

1.2 Establishment of FSCF Secretariat

The Co-Chairs of the FSCF, Australia and China established a Secretariat at Food Standards Australia New Zealand, with assistance from AQSIQ. This has been vital to the success achieved by the FSCF to date.

Broadly speaking, the Co-Chairs Secretariat has: provided a focal point and facilitated communication between FSCF member economies; established a process for circulation and review of APEC TILF funding proposals; established a formal process within APEC for providing input from FSCF to APEC on funding proposals; worked on establishing relationships between member economies and/or other relevant international and domestic organisations to assist in raising the profile of food safety and capacity building, and meeting the goals of the FSCF; and provided written reports to the FSCF, the APEC Sub-Committee on Standards and Conformance (SCSC), other relevant APEC committees and relevant international bodies, to report on FSCF progress and/or advocate for continued support in the area of food safety.

In undertaking this role, FSANZ and AQSIQ have dedicated strong commitment, support and resources to ensure the success of the FSCF.

1.3 Transparent information-sharing and communication networks (Goal 1)
The FSCF has facilitated transparent information sharing and networking amongst APEC member economies through face to face meetings as well as electronic communication and circulation of information. Through the FSCF, where member economies vary significantly in terms of their degree of access to technical information, resources and knowledge, economies have been able to openly share information openly on food safety issues and related activities. It was noted that this has been especially important for the developing member economies.

1.4 Food safety regulatory systems that are consistent with WTO SPS/TBT Agreements and are harmonised, to the extent possible, with international standards (Goal 2)

It has been noted that various capacity building activities undertaken through the FSCF have enhanced the understanding of how standards are set and enabled APEC member economies to develop national food standards and/or adopt Codex Standards. This has assisted in promoting the harmonisation of food standards within the APEC Region.

Similarly, it was noted by economies that the APEC endorsed Seminar on Food Safety Control System and Risk Analysis held in Cusco, Peru in August 2008 was one of the most successful activities under the FSCF since its establishment. It provided an opportunity for APEC member economies to gain a better knowledge of WTO SPS principles and international standards in the field of food safety, as well as to exchange information on food safety control systems and share experiences in establishing food legislations based on risk analysis principles.

A number of economies, including China and Malaysia have either developed new food safety laws or amended pre-existing food safety laws. This may be attributed to a range of factors, however it has been reported that the establishment and ongoing work of the FSCF, and the more prominent profile of food safety in the region, has contributed to progress in this area.

1.5 Enhanced skills and human resource capacities (Goal 3)

Various food safety capacity building activities have been undertaken as part of the FSCF to improve human resource capacity and technical skills. In terms of the number and scope of capacity building activities that have been undertaken since the establishment of the FSCF, over 440 people, from 19 APEC Economies, have participated in 25 different capacity building activities, held in 5 cities across the region.

Activities that have been undertaken since April 2007 have been recorded in the FSCF Implementation Plan 2007-2011, but some of those mentioned as being particularly useful were in the areas of:

- Strengthening capacity in assessing food safety capacity building needs;
- Food safety risk analysis;
- Developing food laws, standards and enforcement systems;
- Microbiological risk analysis/risk assessment;
- Food safety risk communication;
- Chemical safety risk assessment; and
- Risk based food inspection systems.
These activities have been undertaken by a range of APEC member economies as well as international organisations such as the FAO and the Standards and Trade Development Facility (STDF).

Evaluations undertaken in relation to specific activities have indicated significant changes in participant’s knowledge and skills in areas associated with food safety.

1.6 Establishment of the FSCF PTIN

The FSCF Partnership Training Institute Network (FSCF PTIN) was established in 2008 following significant efforts by the United States and the FSCF Co-Chairs, Australia and China, to develop and consult on the FSCF PTIN Terms of Reference. Following approval and endorsement of the FSCF PTIN by the SCSC and the Committee for Trade and Investment, the APEC Ministers and APEC Economic Leaders acknowledged and endorsed its establishment. The FSCF PTIN mandate, as endorsed by APEC Ministers and Leaders is to enlist leadership from the private sector and academia to bring additional expertise, resources, and commitment towards fulfilling the critical capacity building needs and goals identified by APEC member economies in the FSCF Hunter Valley 2007 Statement. The Leaders’ endorsement of the FSCF PTIN is a key success for the FSCF.

Subsequent to the establishment and endorsement of the FSCF PTIN, the FSCF Co-Chairs established a FSCF PTIN Steering Group including diverse, knowledgeable and energetic experts as its representatives. The first “virtual” meeting of the Steering Group was held in May 2009. The first face to face meeting of the Steering Group will be held on 29 July prior to the FSCF meeting. Subsequent to this, the first FSCF PTIN event Examination of Hot Issues in Risk Analysis is scheduled for 1-2 August, in Singapore.

2. KEY CHALLENGES IN ADDRESSING THE GOALS OF THE FSCF

2.1 Transparent information-sharing and communication networks (Goal 1)

In many APEC member economies, challenges have arisen as a result of limited capabilities in the area of information technology. This has been particularly apparent when economies have needed to access information relating to food safety emergencies that have taken place on a regional and/or global scale.

In an attempt to address this challenge, it would be helpful if when a food emergency arises, APEC member economies could easily share relevant risk assessment/risk management/risk communication information. Further to this, it may be useful to establish a list of contacts in APEC member economies that are able to share information in the event of a food emergency.
2.2 **Food safety regulatory systems that are consistent with WTO SPS/TBT Agreements and are harmonised, to the extent possible, with international standards (Goal 2)**

One of the challenges reported with respect to being able to move towards the alignment of standards with others in the region and/or internationally was that the development of domestic food standards are not always based on the risk analysis approach or on international standards. It is unclear as to whether this challenge is primarily a result of:

- The risk analysis approach not being an accepted means of developing food standards; or
- The risk analysis approach being applied inappropriately; or
- The risk analysis approach being applied inconsistently in order to suit individual situations within APEC member economies.

Another key challenge in this area was reported to be that in order to undertake effective risk assessment for the purpose of standards development, there is a need for comprehensive country specific food consumption, concentration data and experience in dietary modelling methodology. In many cases this type of data and experience is unavailable, and therefore the process of standards development is hindered.

2.3 **Enhanced skills and human resource capacities (Goal 3)**

One of the most significant challenges reported in undertaking capacity building activities, was the lack of support (from within economies) from food control agency management and/or from Government more broadly.

It was felt that there is a general shortage of financial support for improving technical capacity. Given this, it is important to work more collaboratively and inclusively to make the most of the resources and expertise in the region. APEC member economies exhibit a wide range of capacity building and other needs, and at a variety of levels. Each economy comes from a unique perspective, with a unique profile of needs. The challenge is to coordinate and address the agreed priority areas and produce measurable results. Further to this, it is also important to ensure that capacity building activities that are implemented, will be of practical relevance, take account of the technical support in place to benefit from the activity, are pitched appropriately for participant’s level of knowledge and skills, and target those that can benefit most from the activity.

The difficulty in accessing resources from funding organisations was raised as a challenge. One process that was specifically mentioned was that of gaining APEC funding, for example the TILF funding. It was explained that there was a lack of knowledge of the timing and processes involved in obtaining funding such as this. To assist this process, for APEC projects, a link to the Guidebook on APEC Projects has been included for reference:


To ensure that resources are directed to the highest priority areas, it was suggested that it would help if economies could undertake a comprehensive assessment of food safety building needs within economies. The FSANZ/AQSIQ/FAO Workshop on Strengthening Capacity in Assessing Food Control Systems in Developing APEC member economies (held in Beijing in November 2007) was reported as being very effective in building capacity amongst relevant personnel to commence the process of undertaking comprehensive assessment of capacity building needs. It
has also been noted however, that to maximise the benefit of this activity, that a follow-up workshop is required, with ongoing support provided to the participating economies. [A proposal for a Follow-up Workshop on *Strengthening Capacity in Assessing Food Control Systems in Developing APEC member economies* has indeed been presented to the STDF for consideration and an outcome is pending].

Lastly, to ensure maximum effect of the FSCF, it is important to ensure that capacity-building priorities and activities that are developed are appropriately linked to and take account of relevant strategies/activities in which the Specialist Regional Bodies (SRBs) are engaged.

### 2.4 Coordination of the implementation of FSCF Goals

One of the key challenges has been to advance the work of the FSCF and the agreed priorities in a coordinated systematic way. To some extent this as been addressed by the work of the FSCF Co-Chairs and the FSCF Secretariat, however greater involvement from a broader range of experts is required to maintain momentum in addressing the agreed areas of priority. A key challenge associated with this is the ability to ensure active involvement of all member economies in the FSCF. To make the FSCF successful, member economy’s active involvement is essential. This can be in the form of open communication, sharing relevant information, providing input to FSCF reports and documentation in a timely way, and bilateral/multilateral cooperation.

In terms of addressing this challenge, the PTIN is intended to provide a vehicle for supporting priorities by drawing in academic and industry resources and expertise to enhance and broaden the effectiveness of the capacity building efforts in the APEC region. Also, it is intended that through the FSCF PTIN, this challenge may be addressed somewhat through active outreach and recruitment to expand membership in the evolving network across all APEC member economies.

### 2.5 Interagency cooperation

In many member economies, the challenge of achieving interagency cooperation was reported. In many cases, within member economies, there are several agencies that carry the responsibility for aspects of the food safety control system. This situation leads to challenges with respect to: gaining agreement on developing relevant policies and laws; the coordination of the implementation of existing policies, laws and food safety control systems; the duplication and overlap of areas of responsibility; and the existence of gaps in mandates and functions of different government agencies. In this situation, there is often a lack of coordination and communication across relevant agencies.

### 3. PROPOSED KEY DIRECTIONS TO BE TAKEN BY THE FSCF

It is apparent that the FSCF has been a significant success in the relatively short time since its inception. This can be seen primarily in the form of:

- The increased importance placed on the area of food safety within APEC and within a number of member economies across the region;
- New and improved channels of communication and methods for sharing information about food safety activities; and
• The number and range of food safety capacity building activities that have taken place across the region.

At the same time, significant challenges have existed that have made it difficult for member economies to work towards the goals of the FSCF. It appears that the most significant challenges are in the areas of:

• Achieving effective communication in relation to key food safety issues across all member economies;
• Transferring improvements in capacity amongst food safety/regulatory personnel, to the development and implementation of food standards that are harmonised across the region; and
• Achieving political/administrative/financial support for:
  o the establishment of well coordinated food safety control systems; and/or
  o activities that will improve individual technical/management capacity.

For some of the challenges that have been identified, there have also been proposed solutions. In addition, the following provides an overview of the proposed key directions from member economies and associated organisations.

3.1 Information sharing and communication/networking (Goal 1)

A critical direction of the FSCF over the next two years will be to work towards effective and open communication and information sharing amongst APEC member economies and FSCF associated organisations. It is planned that a key addition to the FSCF will be the establishment of a FSCF webpage. This will be positioned on the Food Standards Australia New Zealand website, however it will be able to be accessed via the APEC website through a ‘food safety’ tab. It is intended that all relevant FSCF documents including information about upcoming events/capacity building activities; funding proposals for review; reports to the APEC SCSC; key FSCF documents such as the Operating Principles, agreed Capacity Building Priorities and the Implementation Plan 2007 - 2011; and any other relevant materials will be available on this webpage.

For the purpose of sharing information, it would also be helpful if:

• when a food safety emergency arises, economies could share relevant risk assessment/risk management/risk communication information. While this situation would be ideal, it is noted that this type of information may be highly sensitive and may require legal agreements, confidentiality statements and other commitments; and
• A FSCF list of contact points is developed with specific areas of responsibility/expertise noted (for example, it may be useful to note the first point of contact in the event of a food emergency) and that all FSCF member economies had access to this list.
3.2 Food safety regulatory systems that are consistent with WTO SPS/TBT Agreements and are harmonised, to the extent possible, with international standards (Goal 2)

As already noted, one of the key areas of success for the FSCF has been the number and range of food safety capacity building activities that have been undertaken across the region. The focus on capacity building around agreed principles and practices has been with the view that increased capacity would assist in the development/adoption and implementation of harmonised standards.

The progress made on delivering the capacity building activities has been very successful and a great credit to the FSCF member economies and associated organisations. The capacity building has already succeeded to enhance the level of technical and scientific knowledge amongst member economies and a heightened enthusiasm to consider ways to achieve some level of harmonisation of food control systems within the APEC region. At this point it would be useful to consider how to transfer the successes in the area of capacity building to more actively addressing the FSCF goal to achieve alignment of systems and harmonisation of standards, to the extent possible, with international standards.

Harmonisation of standards could include an approach such as agreeing to accept and use internationally recognised principles for risk analysis as developed by Codex and FAO/WHO, or it could extend to agreeing to harmonise on a specific food standard within APEC. One possibility of this latter example might be to consider ways to manage the issue of low levels of agricultural and veterinary chemicals to ensure that residues should only be permitted in food where they are safe and have resulted from the legitimate use of chemical products, to facilitate trade, and minimise residue violation for imported foods.

Currently, residues in food in most APEC member economies are prohibited unless they comply with specific limits in the respective food laws of APEC member economies. This general prohibition in the current regulatory approach is often described as a ‘zero tolerance’ approach. Increasingly sophisticated analytical techniques can now detect very low levels of residues in food that were previously undetectable. When these low level residues are reported and no relevant MRL exists in food regulations, the regulatory agencies have argued that such a food commodity is non-compliant. These agencies have indicated that this ‘zero tolerance’ approach places a significant financial burden on industry, jurisdictions and the consumer by requiring a regulatory action even though the risk to public health may be low.

Most APEC member economies routinely consider and approve amendments to Maximum Residue Limits (MRLs) to reflect the changing uses of agricultural and veterinary chemical products but which may not reflect the safe and legitimate residues that may be present in imported food. This historical approach may no longer be considered adequate or practical given the increasing proportion of food being imported into different APEC member economies.

The development of more sophisticated analytical detection methods that identify low levels of residues in food and the greater public scrutiny of residues occurring in food means that there is a need to consider a more forward looking approach to regulating residues in food. This approach will need to recognise safe and legitimate residues in food while still retaining those elements which maintain community confidence in the overall approach for regulating residues in food. Through the FSCF, there may be an opportunity to develop such an alternative approach. This could include:
• Recognition of Codex MRLs in food legislation in APEC member economies, to reduce the impact of the general prohibition on residues in food and facilitate trade; and
• The inclusion of other MRLs in food legislation in APEC member economies eg: certain MRLs of other countries (often referred to as “import tolerances”) to facilitate trade and minimise residue violations for imported foods.

3.3 Enhanced skills and human resource capacities (Goal 3)

It remains highly relevant to continue the existing FSCF emphasis on identifying core capacity building needs in each APEC member economy. Priority areas of food safety capacity building for the next two years, as reported by economies, have been recorded in the FSCF Capacity Building Priority Areas. Beyond the capacity building work that has been done over the last two years, the forward direction should focus on engaging a broader range of stakeholders through the FSCF PTIN, and tailoring capacity building solutions to address the identified needs.

As reported above, one of the challenges for economies is to ensure that resources are directed to the highest priority areas and to ensure this, it would help if economies could undertake a comprehensive assessment of their food safety capacity building needs. With respect to this, it was noted that it would be useful to:
• Provide further opportunities for member economies to attend the FSANZ/FAO Workshop on Strengthening Capacity in Assessing Food Control Systems in Developing APEC Member Economies; and
• Provide a follow-up workshop and/or specific economy assessments in relation to the above-mentioned activity that was undertaken in partnership with AQSIQ, in Beijing, to gauge progress, and assist with barriers to progress regarding economy’s national food control systems.

3.4 Coordination of the implementation of FSCF Goals and the FSCF PTIN

It is proposed that the FSCF and the FSCF PTIN be models of both regulatory cooperation and capacity building to advance WTO principles on facilitating trade in safe food. The strength of the FSCF, and APEC generally, is its ability to bring experts together to work cooperatively to exchange information, identify problems, develop policy principles and guidance and build capacity in the region.

It is thought that our collective challenges in implementing the FSCF in a coordinated way, where all relevant experts are engaged, can be more systematically and effectively addressed through the newly established FSCF PTIN. The establishment of the FSCF PTIN has been a significant success for the FSCF and its implementation needs to be supported in order to meet its objectives.

The FSCF PTIN will provide a very important mechanism to more actively engage the food industry. Food manufacturers should be encouraged to cooperate in an exchange of best practices, share safety-related data and solutions, and commit to protecting public health and distributing safe food products, complying with national and international standards. It is critical that the food industry be engaged in the work of the FSCF and become actively involved with capacity building activities to ensure relevance and effective application of food standards in the field.
Greater understanding, connection and synergy among FSCF members could be fostered by focusing on efforts to build a more consistent and transparent flow of information between the FSCF, the FSCF PTIN, and related APEC fora, as well as larger international efforts aimed at enhancing food safety.

RECOMMENDATIONS FOR FSCF ACTIVITY FOR 2009-2011

In noting the significant success of the FSCF to date, as well as the challenges and proposed key forward directions, the FSCF recommends the following areas of activity for 2009 – 2011.

1. Build on already established communication networks and processes, specifically by:
   a. Establishing and maintaining a data base with contact points from each APEC member economy that have specific areas of expertise, for example risk assessment;
   b. Sharing information on emerging food safety issues and during food safety emergencies, noting that in doing so, information may be sensitive and appropriate agreements may need to be reached;
   c. Strengthening WHO member participation in INFOSAN to increase the ability to respond to food safety emergencies of international significance; and
   d. Promoting access to FSCF documents, reports of food safety capacity building activities and, where appropriate, training materials via the FSCF website.

2. Continue to focus on priority food safety capacity building needs, consistent with the results of the national food control systems needs assessment, as identified in the agreed FSCF Capacity Building Priority Areas, with associated activities identified in the FSCF Implementation Plan 2007-2011.

3. Strengthening the coordination and implementation of food safety capacity building activities, utilising a broad range of government, industry and academic stakeholders. We will look to achieve this, particularly through providing strong support to the implementation of the FSCF PTIN;

4. Actively consider ways to transfer and measure the successes achieved in the areas of capacity building, to address the FSCF goal of achieving food safety regulatory systems that are consistent with international standards as recommended in the World Trade Organisation SPS/TBT Agreements. An initial step in this direction could potentially be to work towards aligning standards, for example for maximum residue limits with international standards.