

COLLATION OF THE SUMMARY OF RESPONSES TO APEC SURVEY

Survey Responses: In advance of the Roundtable, information was gathered from all APEC members via a survey. Responses were received from the following economies:

Australia, Canada, Chile, Hong Kong (SAR China), Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Chinese Taipei and Vietnam.

This information has been summarized in order to stimulate the discussions during this two-day workshop, and to assist in identifying similarities and differences in official certificates across the APEC region.

Note Questions 1 to 5 covered information regarding the survey respondent economy and, for the purposes of this summary, have not been included.

Commodities covered (Survey Question # 6): Some of the responses were applicable only to a specific commodity rather than across a whole range of commodities. Although responses may cover additional products, the following were specifically indicated in member's responses:

Meat and poultry, fish, dairy, processed food, seafood (including puffer fish, oysters), and fresh produce (fruit and vegetables).

Purpose and Objectives of Official Export Certificates (Survey Question #7):

Countries were asked to describe the purpose and/or objective of the type of certification required to be presented for food imported into their economy. The responses indicated the following:

- Animal pest and disease quarantine issues – 5 countries
- Certification of halal – 3 countries
- Food safety/meeting importing country food safety requirements – 9 countries
- Phytosanitary – 1 country
- Food quality/food composition – 2 countries
- EU Catch Certificate/to enable the importing country to attest to the legality of the seafood they export to the EU – 2 countries
- Meat – absence of BSE, hormones, and growth promoters – 1 country

Several responses indicated that certification was not a mandatory requirement, for example, unless it was specifically to attest to certain requirements such as those related to BSE, hormone or growth promoters or to attest that the product meets importing country requirements under a particular bilateral arrangement. Several respondents indicated that animal health or phytosanitary certification was a requirement of imported food. Food safety related certification was the predominant requirement and this could include that products were slaughtered, dressed, eviscerated, processed and inspected in accordance with requirements equivalent to the importing country requirements.

Other types of certification are required to ensure that product complies with consumer protection, food quality and religious requirements. There were several responses focused

requirements to supply export catch certificates and health certificates for imported fish and fishery products that will be re-processed for export of the EU.

In respect of dairy products one member required a zoosanitary certificate indicating the country of origin and a further two indicated that they also required certificates of analysis but did not indicate what the analysis was for.

Legislative Basis for Requiring Official Certificates (Survey Question #8): Is there a legislative basis for the certification? If yes, please provide the name of the legislation or a web link.

All survey respondents indicated that there was a legislative basis for export certificate requirements, although the legislative basis cited in some cases was that of the EU (seafood catch certificates).

Prescribed Certificate Formats (Survey Question #9): Are there prescribed formats for certificates that are required to be issued by the competent authority of the exporting country? Yes or No. If the answer is yes, please go to Question 10. If the answer is no, please also use this space to describe how the format is decided or agreed between the importing and exporting country.

Yes – 6 responses

No – 7 responses. In all these cases where there is no prescribed format for certificates, respondents indicated that the formats could be negotiated bilaterally based on the objective of the certificates and that the final formats were approved by the competent authority of the importing country.

Copies of Certificates (Survey Question #10): Not included in summary.

Official Certificates (Survey Question #11): Does your country/department/ministry require the export certificates to be official certificates (i.e., signed by the competent authority of the exporting country or a body recognized by that authority)?

Yes – 12 countries

No – 0 countries

Respondents indicated that official certificates should be issued by the competent authority or a body recognized by that authority. Only in the case of laboratory analysis certificates two respondents indicated that these must be signed by the analyst(s) and the responsible laboratory personnel, such as the laboratory manager, laboratory head or laboratory supervisor. In the case of animal health/zoosanitary certification, it was explicit that these must be signed by a veterinarian of the exporting country.

Types of Attestations (Survey Question #12): The CCFICS Generic Model Official Certificate provides explanatory notes for each of the fields on the certificate (http://www.codexalimentarius.net/download/standards/375/CXG_038e.pdf). In regards to the certification required by your APEC Member Economy, please describe the types of attestations required by the competent authority of the exporting country or a body recognized by that authority, including the rationale/purpose of each attestation? (e.g., food safety, fraud prevention; legislative requirement)

The rationale for attestations are similar to those covered in Question #7 and included food safety, fraud prevention, animal disease freedom, pest risk freedom. The types of attestations required can be grouped into the following broad headings:

Animal health

- Country disease freedom – animal health status for diseases and/or pest of quarantine concern.
- Individual animal health – general disease signs including ante and post mortem inspection and clinically healthy animals e.g. dairy products.
- Processing – including heat treatments, pH etc.
- Tissue type – removal of specified risk materials.
- The meat was derived from animals originating from an area which was free from notifiable, contagious, infectious and parasitic diseases and not under any restrictive measures;
- The Animal Health statements are a legislative requirement to ensure animal health. The competent authority must certify that the product either comes from a country that is free of Foot and Mouth Disease (FMD) or has undergone one of the processes outlined in the directive to ensure that the product does not pose a FMD risk.
- To attest freedom from animal diseases for animal based products.

Country of Origin

- Seafood: Attestation regarding the foreign establishment coming from an approved list in the country of origin.

Residue Status

- Seafood: Attestation regarding the product meeting certain requirements (Drug products were not used, products were tested and no residues were found).

Food Safety (including inspection & freedom from contamination)

- Packaging – clean and new wrapping, no cross contamination etc.
- MEAT: The official certificate deals with public health, food safety, animal health as well as consumer protection requirements and serves as legislative requirement and fraud protection as well.
- animals and products have been inspected and quarantined by the competent authority and not found any pathogenic bacteria, harmful substances and foreign substances regulated in the exporting country and importing country;
- animals or products meet veterinary sanitary requirements and are fit for human consumption. etc.
- attesting that meat and poultry products have been slaughtered, dressed, feather-removed, eviscerated, processed and inspected in accordance with the requirements which are equivalent to the importing country regulations.
- compliance to the national food safety requirement as well as that of the importing country

Other Requirements

- Compliance to other relevant /applicable legislation as may be required (legality, CITES/OIE/rules/fraud-free)
- The Certificate of Free Sale attests that the product, or its equivalent, that “the food product is feely sold” in the country of origin. The certificate is required to determine the safe consumption of the products in the country of origin.
- Phytosanitary.
- To attest that product meets halal standards.
- Certificate of Analysis (laboratory test report or report of analysis) showing the substances and levels of fortification for every shipment that will enter the importing country market.
- The documents required should be marked by the specific mark of the competent authority of the exporting country for the sake of responsibility of the exporting countries.

Problems in requiring certificates (Survey Question #13): What problems does your country/department/ministry encounter in requiring such export certificates from exporting countries? (countries were asked to identify no more than four problems).

Problems identified in requiring export certificates issued by the competent authority of the exporting country can be grouped into the following broad headings:

Incomplete/inconsistent Certification

- lack of conformity with permit conditions, incomplete certificates due to modifications in regulations, information in Veterinary Health Certificate not complete, not appropriately stamped by Competent Authority (4 countries)
- Ensuring that every shipment arriving from third country has an official certificate to certify that the product meets requirements and country of origin (1 country)
- MEAT: Some countries prefer to use their own electronic generated forms for export which creates inconsistency. (1 country)
- Security and Fraud prevention - The certificate is not always provided by the exporting country with a security feature to prevent fraud. Questions on the names and signatures of officials designated to sign and issue the health certificates, discrepancies in the understanding of Original and original copy marked on the health certificate format for exports to the EU Information on consignments or laboratory analysis is not sufficient enough to recognize the consignments concerned. (4 countries)
- slow response from the exporting country in issuing certificate (1 country).
- Federal versus Provincial/State certification (1 country)

Language

- language barrier i.e. Veterinary Health Certificate not in English language (2 countries)

Multiple Certificates for a single consignment

- Multiple competent authorities resulting in multiple certificates i.e. there may be different Ministries or Depts responsible for different attestations, e.g. one dept for animal health and another for food safety (1 country)

Other Issues

- The CCFICS Generic Model Official Certificate does not carry the statement, or its equivalent, that “the product is freely sold” in the country of origin. In the case of imported fortified food, the CCFICS Generic Model Official Certificate does not have provisions for the fortificant(s) added and the level added in food. (1 country)
- The new EU directive related to catch certificates for fish and fishery products. Some countries cannot / aren’t willing to provide export catch certificates for those imported fish and fishery products that will be re-processed for export to the EU, (if no catch certificate the product cannot be exported to the EU) (1 country, although others referred to this requirement in responding to other similar questions)

Problems in issuing certificates (survey Question #14): What problems does your country/department/ministry encounter in preparing and issuing official export certificates to fulfill the export certification requirements of other countries? (no more than four problems, please).

Problems identified in preparing and issuing export certificates by the exporting countries were similar to those identified by importing countries and included:

- Lack of harmonization of certificates
- Requirement for paper certificates instead of more secure methods of transmission
- Attestations for requirements that are not related to sanitary requirements for food safety
- Attestations relating to animal health status for countries that are recognized free from certain diseases
- Lack of recognition of equivalence of systems
- Attestations that are not verifiable from a technical point of view, i.e., absence of radioactivity or absence of dioxins
- Language – requiring certificates in language other than English (costly and time consuming)

Alternatives to official certificates (Survey Question #15): Are there other arrangements in place for food imported that does not involve the issuance of certification by the exporting country competent authority?

Some member economies have in place alternative arrangements to certification. These take into account different food control systems operating in countries and not all arrangements can be applied to all countries.

Following are examples provided by countries of alternative arrangements to requiring detailed certification accompanying every consignment of imported food.

A risk-based border inspection program with higher risk foods subjected to a higher examination/testing/verification rate. Such

- Programs may be implemented on a fee for service basis where the importer bears the cost of inspection and testing.
- Seafood: The establishment/maintenance of list of approved facilities eligible to export to the importing country.
- Other types of 'mutual recognition arrangements' are negotiated to minimize the need for lot by lot certificates.
- MEAT: There are some meat products that are exempted from Meat Inspection Act and Regulations and accordingly, do not require an issuance of an official certificate. However, it may require other documentation based on animal health requirements.
- DAIRY: Cheese import license: all cheese importers must have a valid license in order to import cheese into Canada. A separate certificate is not needed at the point of entry but the license number must be stated on the import declaration and the request for release approval.
- When foods are imported without certification issued by the exporting country, consignments are under laboratory analysis including meeting the importing country's standards and specifications.
- For certain food items, the only requirement may be a laboratory report instead of an export certificate. Singapore does not specify the laboratories that can issue these reports.