Scientific Basis of setting Food Safety Standards
- Codex and India -

S Dave

Purpose of the SPS Agreement?

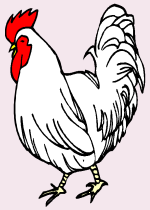
The right to protect human, animal or plant life or health

Avoiding unnecessary barriers to trade

International Standards

Standard-setting organizations

plant health	*animal health*	*food safety*
IPPC	**OIE**	**CODEX**



SPS Agreement - Key Provisions

➢ Non discrimination	*Article 2.3*
➢ Harmonization (OIE, IPPC, Codex)	
• Higher standards based on risk assessment	*Article 3*
➢ Scientific Justification (RA)	*Article 5*
• Equivalence	*Article 4*
• Regionalization / Disease-free areas	*Article 6*
➢ Transparency *(NNA; Enquiry Point)*	*Article 7*
• Technical Assistance	*Article 9*
➢ Special & Differential Treatment	*Article 10*
• Control, inspection and approval procedures	*Annex C*

Key Takes from SPS Agreement

- Members entitled to establish SPS measures for the protection of human health, **provided** the measures are consistent with Agreement
- The level of protection should be appropriate (ALOP)
- Members shall **ensure** SPS measures are science-based and are applied in a manner that would **not** constitute a disguised restriction on international trade
- Members are encouraged to **base** their SPS measures on international standards, guidelines / recommendations, where they exist
- Codex is the reference standard under WTO

Special & Differential Treatment Provisions

- Delayed application of SPS to *LDCs by five years*;
- Delayed application to *developing countries by two years* for some obligations;
- Take the *needs* of developing / LDCs into account;
- L*onger time-frames* for compliance by developing countries, where phased introduction of new SPS measures is possible;
- *Technical Assistance* to meet the SPS measures

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Four Principles in Codex relating to Role of Food Safety Risk Assessment

- Health and safety aspects of Codex decisions based on Risk Assessments;
- Based on sound science including the 4 steps;
- Functional separation;
- Risk Assessment should use quantitative information to the greatest extent possible.

Working Principles for Risk Analysis in the framework of Codex

- Responsibilities of assessment and management
- Risk is there but sufficient scientific data is not there then Codex should have Code of Practice
- Precaution is inherent
- Select most feasible and economical option
- Traditional practices
- MAS & Inspection
- Economic consequences
- No more trade restrictive than necessary
- Concerns of developing countries

Relevant Provisions of FSS Act

- **Section 18** – FSSAI is responsible for:
  - taking into account risk assessment and other factors for ALOP
  - taking measures to be proportionate and not trade restrictive
  - taking into account Codex standards and prevalent practices
  - ensuring objectivity, independence, transparency of risk assessment
- **Section 13** - Scientific Panels to invite industry and consumer groups in its deliberations
- **Section 14** - Scientific Committee is responsible for:
  - general coordination, consistency of scientific opinion procedure
  - consistency in adoption of working procedures / harmonisation of working methods across the Scientific Panels
  - Conducting public hearings as necessary
  - Providing scientific opinions to Food Authority

FSS (Transaction of Business and Procedures for the Scientific Committee and Scientific Panels) Regulations, 2016

What about PPQ and DAHDF..?

- Rights and obligations under IPPC and OIE *(same as given in SPS Agreement)*
- IPPC and OIE lay down international standards and processes
- Risk Assessment by PPQ – *PRA (quarantine)*
- Risk Assessment by DAHDF – there are gaps ??

Thank you

Components of Risk Assessment

FOUR STEPS:

Hazard Identification **Biological, Chemical or Physical agents** which may cause adverse health effects in a food

Hazard Characterization

Qualitative or Quantitative evaluation of the adverse health effects

Exposure Assessment

Qualitative or Quantitative evaluation of the likely intake

Risk Characterization **Estimation** of the probability of occurrence and severity of adverse health effects in a given population

Courtesy FAO