



Some legal considerations in food
safety

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- I. Food Safety, Quality and Consumer Protection
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I. Food Safety, Quality and Consumer Protection

- The terms food safety and food quality can sometimes be confusing. Food safety refers to all those hazards, whether chronic or acute, that may make food injurious to the health of the consumer. It is not negotiable. Quality includes all other attributes that influence a product's value to the consumer. This includes negative attributes such as spoilage, contamination with filth, discoloration, off-odours and positive attributes such as the origin, colour, flavour, texture and processing method of the food. This distinction between safety and quality has implications for public policy and influences the nature and

I. Food Safety, Quality and Consumer Protection

- Food control is defined as:a mandatory regulatory activity of enforcement by national or local authorities to provide consumer protection and ensure that all foods during production, handling, storage, processing, and distribution are safe, wholesome and fit for human consumption; conform to safety and quality



I. Food Safety, Quality and Consumer Protection

- The foremost responsibility of food control is to enforce the food law(s) protecting the consumer against unsafe, impure and fraudulently presented food by prohibiting the sale of food not of the nature, substance or quality



I. Food Safety, Quality and Consumer Protection



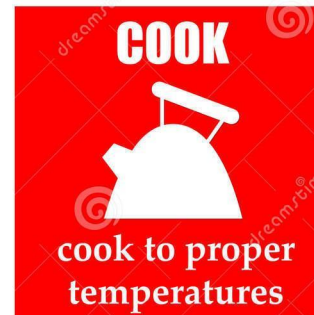
- Confidence in the safety and integrity of the food supply is an important requirement for consumers. Foodborne disease outbreaks involving agents such as *Escherichia coli*, *Salmonella* and chemical contaminants highlight problems with food safety and increase public anxiety that modern farming systems, food processing and marketing do not provide adequate safeguards for public health. Factors which contribute to potential hazards in foods include improper agricultural practices; poor hygiene at all stages of the food chain; lack of preventive controls in food processing and

I. Food Safety, Quality and Consumer Protection

Specific concerns about food hazards have usually focused on:

- Microbiological hazards;
- Pesticide residues;
- Misuse of food additives;
- Chemical contaminants, including biological toxins;

FOOD SAFETY



give bacteria no chance

I. Food Safety, Quality and Consumer Protection



- The list has been further extended to cover genetically modified organisms, allergens, veterinary drugs residues and growth promoting hormones used in the production of animal products. For more details see Annex 3.
- Consumers expect protection from hazards occurring along the entire food chain, from primary producer through consumer (often described as the farm-to-table continuum). Protection will only occur if all sectors in the chain

I. Food Safety, Quality and Consumer Protection

- As no mandatory activity of this nature can achieve its objectives fully without the cooperation and active participation of all stakeholders e.g. farmers, industry, and consumers, the term Food Control System is used in these Guidelines to describe the integration of a mandatory regulatory approach with preventive and educational strategies that protect the whole food chain. Thus an ideal food control system should include effective enforcement of mandatory requirements, along with training and education, community outreach programmes and promotion of voluntary compliance. The introduction of preventive approaches such as the Hazard Analysis Critical Control Point System (HACCP), have resulted in industry taking greater responsibility for and control of food safety risks. Such an integrated approach facilitates improved consumer protection, effectively stimulates agriculture and the food processing industry, and

II. Global Considerations

International Trade



- With an expanding world economy, liberalization of food trade, growing consumer demand, developments in food science and technology, and improvements in transport and communication, international trade in fresh and

II. Global Considerations

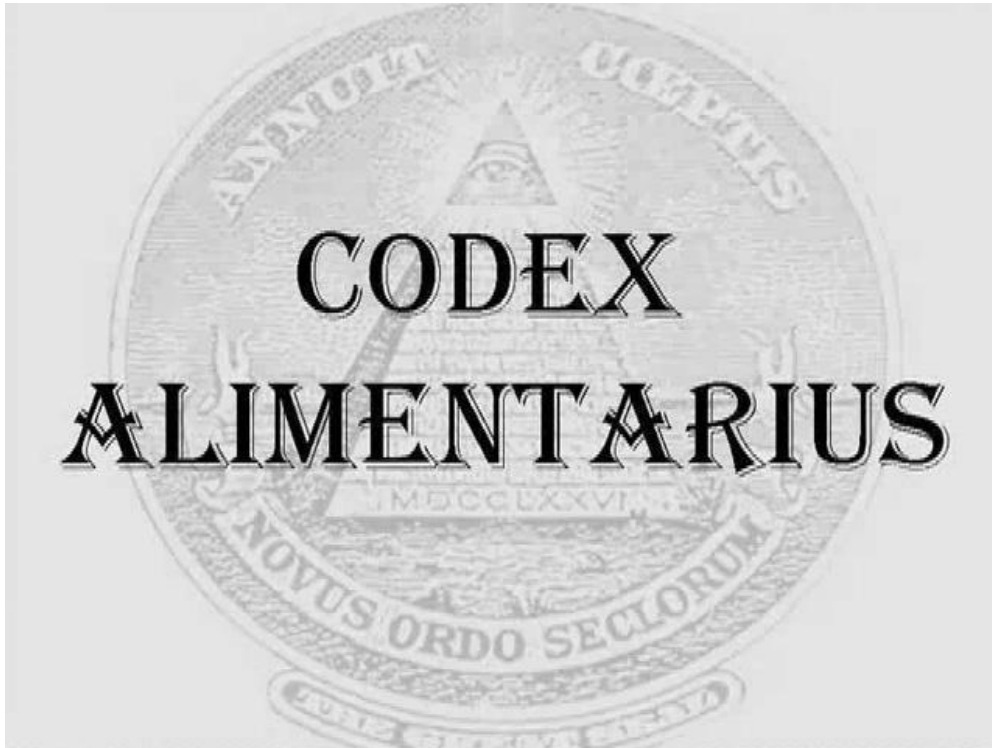
International Trade



- Access of countries to food export markets will continue to depend on their capacity to meet the regulatory requirements of importing countries. Creating and sustaining demand for their food products in world markets relies on building the trust and confidence of importers and consumers in the integrity of their food systems. With agricultural production the focal point of the

II. Global Considerations

Codex Alimentarius



- Commission The Codex Alimentarius Commission (CAC) is an intergovernmental body that coordinates food standards at the international level. Its main objectives are to protect the health of consumers and ensure fair practices in food trade. The CAC has proved to be most successful in achieving international harmonization in food quality and safety requirements. It has formulated international standards for a wide range of food products and specific

II. Global Considerations

Codex Alimentarius



Codex Alimentarius
Codex Eliminate Us

- These Codex recommendations are used by governments to determine and refine policies and programmes under their national food control system. More recently, Codex has embarked on a series of activities based on risk assessment to address microbiological hazards in foods, an area previously unattended. Codex work has created worldwide awareness of food safety, quality and consumer protection issues, and has achieved international consensus on how to deal with them scientifically, through a risk-based approach. As a result, there has been a

II. Global Considerations

SPS and TBT Agreements



- The conclusion of the Uruguay Round of Multilateral Trade Negotiations in Marrakech led to the establishment of the WTO on 1 January 1995, and to the coming into force of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and the Agreement on Technical Barriers to Trade (TBT). Both these Agreements are relevant in understanding the requirements for food protection measures at the national level, and the rules under which food is traded

II. Global Considerations

SPS and TBT Agreements



- The SPS Agreement confirms the right of WTO member countries to apply measures to protect human, animal and plant life and health. The Agreement covers all relevant laws, decrees, regulations; testing, inspection, certification and approval procedures; and packaging and labelling requirements directly related to food safety. Member States are asked to apply only those measures for protection that are based on scientific principles, only to the extent necessary, and not in a manner which may constitute a disguised restriction on international trade. The Agreement encourages use of international standards, guidelines or recommendations where they exist, and identifies those from Codex (relating to

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SPS and TBT Agreements



- Thus, the Codex standards serve as a benchmark for comparison of national sanitary and phytosanitary measures. While it is not compulsory for Member States to apply Codex Standards, it is in their best interests to harmonize their national food standards with those elaborated by Codex. The TBT Agreement requires that technical regulations on traditional quality factors, fraudulent practices, packaging, labelling etc imposed by countries will not be more restrictive on imported products than they are on products produced domestically. It also encourages use of international standards. See

II. Global Considerations

Differences between SPS and TBT Agreements

SPS

- ⌘ Based on risk assessment,
- ⌘ Risk assessment from pests, diseases, additives, contaminants, toxins...
- ⌘ Based on scientific evidence,

TBT

- Based on legitimate objective:
- national security,
 - prevention from deceptive practice,
 - environmental protection,