



**Asia-Pacific
Economic Cooperation**

Advancing Free Trade
for Asia-Pacific **Prosperity**

APEC FSCF Workshop on Trade Facilitation through the Recognition of Food Safety Systems Equivalence

Lima, Peru | 21-22 June 2018

APEC Sub-Committee on Standards and Conformance

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APEC Project: CTI 26 2017 (SCSC)

Produced by

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I. Introduction

On 21 – 22 June 2018, the APEC FSCF Workshop on Trade Facilitation through the Recognition of Food Safety Systems Equivalence, proposed by Peru and co-sponsored by Australia, Chile, New Zealand, Philippines and Thailand, was held in Lima, Peru. Speakers and participants came from 13 APEC member economies and two international organizations (the Association of Southeast Asian Nations – ASEAN and the World Trade Organization - WTO), making a total of 57 attendees. The participants were representatives from the public and private sector as well as academia, who were involved in issues related to trade and food safety.

The Workshop sought to generate an exchange of views, increase knowledge and discuss two approaches of the determination of food equivalence in the APEC region:

- a) measure-by-measure approach
- b) food safety system equivalence approach.

The workshop also aimed to discuss and develop a set of recommendations and next steps, including possible cooperation among APEC economies for the development and implementation of food safety system equivalence approach. See annex 1 for workshop agenda.

II. Background

This project was designed to contribute to implement APEC Leaders' instructions to increase safe food availability through international trade with the implementation of science-based regulations and WTO-recognized international food-related standards (APEC 2016 Leaders declaration).

In addition, this workshop responds to the direction set by the 2016 AMM Joint Statement and the Piura Declaration on APEC Food Security: *"We highlight that strengthening effective, science-based and transparent food regulatory systems is crucial to food trade facilitation. **Recognizing that approaches and requirements to food safety may differ between economies or areas within them, we remain committed to seek and develop common ground for promoting strong science-based food safety systems that meet the legitimate objectives of protecting human, animal and plant life or health, whilst their application is as least trade restrictive as possible, consistent with WTO rights and obligations under agreements such as the Agreement on Technical Barriers to Trade (TBT) and the Application of Sanitary and Phytosanitary (SPS) Measures.**"*

III. Discussion and Possible Next Steps

The workshop provided an opportunity for robust dialogue on systems equivalence and its potential uses to facilitate trade. Participant's points of view converged on the following issues:

- It was clear that the participating APEC economies are interested in the concept of equivalence, including the two approaches: food safety system equivalence

approach and measure-by-measure equivalence approach. However, it was also clear that economies had different levels of understanding and experience with the overall concept of equivalence and the different approaches used in international trade.

- Equivalence is only a tool to facilitate trade and encourage food safety, as most food is traded without an equivalence assessment.
- If two or more economies are interested in undertaking an equivalence assessment, it would be necessary for those economies to reflect on their own food safety system's level of development, capability, and capacity. Equivalence assessments may not be reciprocal given the different stages of development between trading partners, however if economies are considering a reciprocal assessment, in order to limit unnecessary burden on government and industry stakeholders, they should have a comparable food safety level of protection.
- The equivalence process demands significant financial and human resources, thus it is recommended to base the equivalence on risk analyses with a focus on higher risk products, in order to use the existing limited resources in the most effective and efficient manner.

When discussing possible recommendations and future work, economies seemed to cover four broad areas of potential activity:

1. Increasing awareness of Codex guidance and its application

For this purpose, it would be useful to facilitate improved awareness of Codex work on equivalence. This could be achieved through the distribution of information materials in order to improve the understanding of existing Codex guidance and the possible development of additional Codex guidance on food safety systems equivalence.

It was also suggested to develop a training program for APEC member economies. This program would improve the understanding of Codex equivalence guidance and provide the necessary training for APEC economies in order to engage in equivalence discussions and apply such measures.

2. Collation of existing tools and development of new tools to facilitate understanding and uptake of equivalence

APEC economies might consider the development of a tool that would assist economies in the self-assessment of their own system. This tool could be a simple check list or template or it could be a more comprehensive tool based on the needs identified by interested APEC economies.

This tool would help to analyse:

- i. APEC economies' current import requirements to determine whether they are trade facilitating or trade distorting barriers. An introspective review of domestic food safety systems would also allow economies to understand their level of preparedness to

seek equivalence with a trading partner before commencing the lengthy and consuming process.

- ii. The benchmark between APEC economies' import regulatory requirements against current Codex standards, in order to assess whether they are consistent with best practice as expressed in the international Codex and other relevant guidance.

These measures could facilitate a closer international alignment of economies' food safety systems and would therefore support increased likelihood of a positive outcome to an equivalence assessment. This could take into account existing templates, such as U.S. FDA's ICAT and PREDICT, U.S. Department of Agriculture's Self Reporting Tool (SRT), among others.

3. Developing better information on the prevalence and international consistency of import measures in APEC economies and their role in impacting trade

It would be possible to identify/compile SPS/TBT measures used by APEC economies or which might affect them. This could improve the understanding of the wide range of regulatory measures that applies to imports. This could also build understanding of the types of measures that impede trade and make assessments of equivalence, mutual recognition agreements (MRAs) and other mutually agreed mechanisms difficult to conclude which limits APEC economies ability to further facilitate trade in the region. The stocktake could be drawn on existing NTM data collected through UNCTAD and WTO data bases in first instance.

4. Specific initiatives to explore the use of equivalence within the APEC region

It was suggested a pilot project be developed in APEC in order to road-test the equivalence concept and support increased understanding of the role of equivalence as a measure, where appropriate can facilitate trade.

The pilot project could be between two APEC economies and should be focussed on the application of existing Codex equivalence guidance to conduct an assessment of the food safety system or a mutually agreed sector of the food safety system. The outcomes of this initiative would be shared with other APEC economies to facilitate a greater understanding of the application of equivalence, including issues such as the timelines required, resources needed, legislative and document requirements, and a subsequent assessment of the impact of the agreement on trade between the two parties.

The project could be facilitated through a partnership with an economy with previous experience in food safety systems equivalence.

Annex 1: Agenda

SCSC-FSCF Workshop on Trade Facilitation through the Recognition of Food Safety Systems Equivalence (CTI 26 2017)

21-22 June 2018
Libertador Hotel Lima
Los Eucaliptos 550 San Isidro
Lima, Peru

DAY ONE	21 June 2018
8.30 – 9.00 am	Registration
9.00 – 9.30 am	Opening Remarks Mr Edgar VÁSQUEZ , Vice Minister of Foreign Trade of Peru (TBC)
Session 1 9.30 – 10:30 am	<p>International guidelines and equivalence recognition <i>Overview of the guidelines developed by Codex Alimentarius to facilitate the implementation of equivalence recognition.</i></p> <ul style="list-style-type: none"> • Mr Bill JOLLY, Chief Assurance Strategy Officer, Ministry of Primary Industries of New Zealand <p>Q&As</p>
10:30 – 11:00 am	Coffee break
Session 2 11:00 – 11:40 am	<p>Equivalence for trade facilitation and its relation to multilateral trade agreements <i>Overview of WTO guidelines and of decisions related to equivalence.</i></p> <ul style="list-style-type: none"> • Mr Rolando ALCALA, Economic Affairs Officer, World Trade Organization (WTO) <p>Q&As</p>
Session 3 11:40 – 12:30 pm	<p>Equivalence recognition in free trade agreements in the Asia-Pacific region <i>Overview of WTO-plus regulations regarding equivalence recognition in FTAs and its implementation process.</i></p> <ul style="list-style-type: none"> • Dr Arifin TASRIF, SPS Contact point for Indonesia in ASEAN. • Mr Ernesto GUEVARA, Director of Technical Requirements for Foreign Trade, Ministry of Foreign Trade and Tourism of Peru <p>Moderator: Mr Juan ORTUZAR, Advisor, Food Safety Risk Assessment Unit, Chilean Food Safety and Quality Agency (ACHIPIA), Ministry of Agriculture of Chile</p> <p>Q&As</p>

12:30 – 2:30 pm	Lunch
Session 4 2:30 – 3:45 pm	<p>Equivalence: Current procedures in APEC economies (I) <i>Current legislation and procedures to recognize the equivalence of the entire food safety system: The experience of two APEC economies.</i></p> <ul style="list-style-type: none"> • Ms Camille E. BREWER, Director, International Affairs Staff - Office of Foods and Veterinary Medicine and Center for Food Safety and Applied Nutrition, U.S. Food and Drug Administration (FDA) • Mr Brett HUGHES, Director, China and Non-Tariff Measures, Australian Government Department of Agriculture and Water Resources <p>Moderator: Ms Kirsten LUXBACHER, Regional Agricultural Attaché for Peru, Ecuador, and Bolivia, USDA/Foreign Agricultural Service - U.S. Embassy Lima</p> <p>Q&As</p>
3:45 – 4:15 pm	Coffee break
Session 5 4:15 – 6:00 pm	<p>Equivalence: Current procedures in APEC economies (II) <i>Current legislation and procedures to recognize “measure by measure” equivalence of the food safety system: The experience of two APEC economies.</i></p> <ul style="list-style-type: none"> • Ms Mary STANLEY, Senior Advisor, USDA/Food Safety and Inspection Service • Mr Marcelo VALVERDE, Coordinator of SPS Measures, Ministry of Foreign Trade and Tourism of Peru <p>Moderator: Mr Bill JOLLY, Chief Assurance Strategy Officer, Ministry of Primary Industries of New Zealand</p> <p>Q&As</p>

DAY TWO		22 June 2018	
8.30 – 9.00 am	Registration		
9:00 – 9:15 am	Family photo		
Session 6 9:15 – 10:30 am	<p>Challenges and benefits of equivalence recognition (I) <i>Economies that presented in session 4 will share their experiences and lessons learned of the process for developing and implementing their equivalence recognition of the entire food safety system.</i></p> <ul style="list-style-type: none"> • Ms Camille E. BREWER, Director, International Affairs Staff - Office of Foods and Veterinary Medicine and Center for Food Safety and Applied Nutrition, U.S. Food and Drug Administration (FDA) • Mr Brett HUGHES, Director, China and Non-Tariff Measures, Australian Government Department of Agriculture and Water Resources <p>Moderator: Mr Marcelo VALVERDE, Coordinator of SPS Measures, Ministry of Foreign Trade and Tourism of Peru</p> <p>Q&As</p>		
10:30 – 11:00 am	Coffee break		
Session 7 11:00 – 12:30 pm	<p>Challenges and benefits of equivalence recognition (II) <i>Economies will share their experiences and lessons learned of the process of developing and implementing their “measure by measure” equivalence recognition of the food safety system.</i></p> <ul style="list-style-type: none"> • Mr Juan ORTUZAR, Advisor, Food Safety Risk Assessment Unit, Chilean Food Safety and Quality Agency (ACHIPIA), Ministry of Agriculture of Chile • Ms Mary STANLEY, Senior Advisor, USDA/Food Safety and Inspection Service <p>Moderator: Mr Ernesto GUEVARA, Director of Technical Requirements for Foreign Trade, Ministry of Foreign Trade and Tourism of Peru</p> <p>Q&As</p>		
12:30 – 2:30 pm	Lunch		
Session 8 2:30 – 3:45 pm	<p>Breakout session: <i>Economies are invited to share their views about the feasibility of implementing equivalence as well as APEC’s possible next steps to encourage the implementation of equivalence in the APEC region.</i></p> <p>Moderators:</p> <ul style="list-style-type: none"> • Mr Rolando ALCALA, Economic Affairs Officer, World Trade Organization (WTO) 		

	<ul style="list-style-type: none"> • Ms Lori TORTORA, Senior Trade Advisor, United States Department of Agriculture
3:45 – 4:15 pm	Coffee break
Session 9 4:15 – 5.30 pm	Teams' presentations
5:30 – 6:00 pm	<p>Closing remarks</p> <p>Mr Marcelo VALVERDE, Coordinator of SPS Measures, Ministry of Foreign Trade and Tourism of Peru</p> <p>Mr Julio CHAN, APEC General Coordinator, Ministry of Foreign Trade and Tourism of Peru</p>

Annex 2: List of attendees

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