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JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON MILK AND MILK PRODUCTS

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CONSISTENCY OF THE MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS (CAC/GL 67-2008) WITH THE GENERIC MODEL OFFICIAL CERTIFICATE (ANNEX TO THE GUIDELINES FOR DESIGN, PRODUCTION, ISSUANCE AND USE OF GENERIC OFFICIAL CERTIFICATES (CAC/GL 38-2001)

Comments from the Argentina, Egypt, International Dairy Federation, Mali and Philippines

Argentina

Comentarios Generales

Ambos certificados poseen diferente formato, sin embargo, y a los efectos de mejorar la interpretación y la búsqueda de la información, se sugiere unificar el formato adaptando el modelo para productos lácteos al modelo genérico del CCFICS.

En el modelo genérico aparece un recuadro denominado "PROPÓSITO PREVISTO", que permitiría bajo un mismo modelo de certificado incluir productos para consumo humano, muestras sin valor comercial y/o productos para procesamiento posterior. Esta unificación puede resultar útil, fundamentalmente para las autoridades sanitarias porque habría un sólo modelo sin importar el destino.

Comentarios Específicos

En el modelo genérico se omite la información referida a fechas de elaboración y de duración mínima, en el caso particular de los productos lácteos se trata de una información muy importante ya que algunos de ellos son perecederos. Cabe aclarar que ese fue el motivo por el cual se incluyó dicha información en el modelo de certificado para productos lácteos y como consecuencia se sugiere se mantenga esta información en un recuadro independiente.

En el punto 6 del modelo genérico se indica el país de origen pero no se menciona si ese país corresponde al origen de la materia prima o al origen del producto, se sugiere que se aclare en el punto indicado.

En el punto 15 del modelo genérico, segundo párrafo, se sugiere eliminar la frase "*si fuera pertinente*", ya que se entiende que la identificación del lote, del establecimiento elaborador, etc. deben constar siempre en el certificado no debiendo quedar esta posibilidad sujeta al criterio de la autoridad sanitaria emisora del certificado.

Se opina además, que debería incluirse en este punto una referencia a la región de origen de la materia prima leche si correspondiera.

Finalmente se señala que, dada la discusión que se plantea en el documento de la referencia con respecto a la necesidad de mantener el modelo de certificado para los productos lácteos o adoptar el certificado genérico se está de acuerdo que podría utilizarse el modelo genérico de certificado para las exportaciones de productos lácteos.

Egypt

Egypt agrees that there is no need for a special certificate for milk and milk products, then there is no need to undertake any revision, and Egypt recommends that the model export certificate for milk and milk products should be revoked, and consider further whether there is a need for guidance text on how to use the generic model for the specific case of milk and milk products.

International Dairy Federation

IDF thanks New Zealand for providing guidance on how to deal with the request of the Codex Alimentarius Commission to ensure consistency of the Milk Certificate with the Generic Model.

IDF agrees with the statement of New Zealand that the extent of the differences between the two documents would require significant redrafting of the Milk Certificate and that, when all these differences would have been resolved, the redrafted Milk Certificate would be redundant with the Generic Model.

IDF also agrees with the reasons that might be put forward to support revoking the Milk Certificate.

However, IDF is of the opinion that, if the Milk Certificate is revoked, Codex CFICS should provide some additional guidance on how to use the generic model for the specific case of milk and milk products.

The guidance should address the following issues:

- Introduction: there is no introduction to the Generic Model but most of the points in the introductory sections of the Milk Certificate (paragraph 1 to 12) are covered in sections 1 (Preamble), 2 (Scope and Objectives) or in other parts of the Guidelines.
- Change of destination of the products: considering that the country of destination may also change after the certificate has been issued, as pointed out in footnote 6 of the Milk Certificate, IDF suggests that the explanatory notes on the Generic Model, include also this contingency.
- Country (of dispatch): IDF notes that both the Milk Certificate and the Guidelines (section 8, para 23, 8th indent) refers to the "Country of dispatch" which is defined for the purposes of the Milk Certificate as "*the country of the competent authority which has the competence to verify and certify the conformity to the attestations*".

However the Generic Model simply refers to the "Country" to designate "*the country that issues the certificate*."

Thus, IDF wonders whether both definitions have the same legal scope and as long as this is not settled, IDF suggests keeping the current definition in the Milk Certificate.

- Country of origin: the Generic Model defines the country of origin as "*the country in which the products were produced, manufactured or packaged*."

Yet, the World Customs Organization as well as Codex refer to Country of Origin as the country in which the last 'substantial transformation' has taken place.

Packaging should, therefore, be removed from the definition of country as it is not considered to be 'substantial transformation'.

- Identification of container/Seal number(s) (paragraph 13 of Generic Model) should not be required as it was considered not appropriate when the milk certificate was developed (it is often the case that the certificate has already been completed and signed before the seals are applied.)
- Nature of the food: the Guidelines and the Generic Model refer to the WCO classification (HS code) whereas the Milk Certificate refers to the General Standard for the Use of Dairy Terms (*CODEX STAN 206-1999*). IDF considers that the competent authority must be able to refer to Codex for product descriptions as the HS code is often not specific enough for describing milk products in international trade. Therefore, IDF suggests that the existing provision in the milk certificate is retained and included to the guidance text.
- Name of the product: the Guidelines just stipulates that "*reference should be made to Codex standards if available*" while the Generic Model does not provide any explanation.

IDF suggests that the following wording from the Milk Certificate is retained: "*The information appearing in this section should replicate what is presented on the label i.e. the name of the food and the trade name (where one is used) and should be sufficient to identify the food.*"

- **Type of packaging:** "*identify the type of packaging of products as defined in Recommendation No. 21 of UN/CEFACT (United Nation Centre for Trade Facilitation and Electronic Business)*" More explanation regarding this reference would be helpful to understand the intent of this provision.
- **Attestations:** the attestation section is empty in the Generic Model but paragraph 16 of the Guidelines elaborates on attestation.

In addition to referring to the relevant provisions in the Guidelines (see above), IDF suggests a public health attestation statement confirming that the product or batches of products originate from an establishment; that is in good regulatory standing with the Competent Authority in that country; that the products were processed and otherwise handled under a HACCP System; where appropriate; that the food complies with the hygiene requirements of the country (to be agreed upon with the importing country) and/or the hygienic provisions of the Code of Hygienic Practice for Milk and Milk Products (CAC/RCP 57- 2004).

Pending the decision of CCFICS to provide some additional guidance on how to use the generic model for the specific case of milk and milk products, IDF has revised the Milk Certificate in appendix to this document to align it with the Generic model.

Appendix

CAC/GL 67-2008 - MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS¹

IDF revised draft to align with Generic Model Certificate (Annex to CAC/GL 38-2001)

The Model Export Certificate for Milk and Milk Products provides guidance to competent authorities based on the principles set out in Section 4 and elaborating on the information provided in Sections 8 and 9 of the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates including the Annex on Generic Model Official Certificate (CAC/GL 38-2001.)

Scope of the Model Export Certificate for Milk and Milk Products

The Model Export Certificate for Milk and Milk Products applies to milk, milk products and composite milk products as defined in *General Standard for the Use of Dairy Terms* (CODEX STAN 206-1999) presented for international trade that meet food safety and suitability requirements.

The Model Export Certificate does not deal with matters of animal and plant health unless directly related to food safety or suitability. ***Where attestation on animal health matters is required, reference should be made to the OIE Terrestrial Animal Health Code.***

Explanatory notes on the Model Export Certificate for Milk and Milk Products

Definitions

Identification means a description of the commodity and consignment to which the certificate uniquely relates, e.g., lot identifier or date coding, facilitating the traceability/product tracing of the product in the event of public health investigations and/or recalls.

Inspection is the examination of food or systems for control of food, raw materials, processing, and distribution including in-process and finished product testing, in order to verify that they conform to requirements.

Requirements are the criteria set down by the competent authorities relating to trade in foodstuffs covering the protection of public health, the protection of consumers and condition of fair trading,

General:

¹ The production and issuance of certificates for milk and milk products should be carried out in accordance with the principles and appropriate sections of Guidelines for Design, Production, Issuance and Use of Generic Official Certificates including their Annex on Generic Model Official Certificate (CAC/GL 38-2001);

The certificate should be completed in a legible manner.

If *the country of destination*, consignee, point of entry, or transport details change after the certificate has been issued, it is the responsibility of the importer to advise the competent authority of the importing country. Such a change should not result in a request for a replacement certificate to be issued.

The model certificate as it appears includes numbers designed to facilitate establishing a link between a particular section and the corresponding explanatory note. It is not intended that these numbers appear in the actual certificates issued by the certifying body.

Specific:

Certificate type: the certificate should be marked with “ORIGINAL”, “COPY” or “REPLACEMENT” as appropriate.

Country: *For the purposes of the Model Export Certificate for Milk and Milk Products, the country designates the name of the country of the competent authority which has the competence to verify and certify the conformity to the attestations. The relevant part of the country may be mentioned where this relates to specific attestations.*

1. **Consignor/Exporter:** name and address (street, town and region/province/state, as applicable) of the natural or legal person or entity who sends the consignment.
2. **Certificate number:** this identification number should be unique for each certificate and authorised by the competent authority of the exporting country. For multiple page certificates, see paragraph 38 of document CAC/GL 38-2001.
3. **Competent Authority:** name of the Competent Authority of the country responsible for certification.
4. **Certifying Body:** name of the Certifying Body when it is different from the Competent Authority .
5. **Consignee/Importer:** name and address of the natural or legal person or entity to whom the consignment is shipped in the country of destination, at the time the certificate is issued.
6. **Country of origin²:** *where appropriate*, name of the country in which the products were produced, manufactured or packaged.
7. **Country of destination:** name of the country of destination of the products.
8. **Place of loading:** name of a seaport, airport, freight terminal, rail station or other place at which goods are loaded onto the means of transport being used for their carriage.
9. **Means of transport:** air/ship/rail/road/other, as appropriate and the identification (name or number) of these if available, or relevant documentary references.
10. **Declared point of entry:** if required and available the name of the point of entry authorised by the competent authority of the importing country and, its UN/LOCODE (refer to the United Nations Code for Trade and Transport Locations).
11. **Conditions for transport/storage:** appropriate temperature category (ambient, chilled, frozen) or other requirements (e.g. humidity) for transport/storage of the product.
12. **Total quantity:** in appropriate units of weight or volume for the whole consignment.
13. **Identification of container(s)/Seal number(s):** identify the containers and seal numbers where applicable or if known³.
14. **Total number of packages:** total number of packages for all products in the consignment.
15. **Identification of food product(s):** give the descriptive information specific to the product or products to be certified.

Where appropriate: *or when required by the importing country*, nature of the food (or description of the commodity), commodity code (HS code), species, intended purpose, producer/manufacturer, approval number of establishments (slaughterhouse, production plant, store (cold store or not)), region or

² **ISO Code:** the two letter country codes, in compliance with the international standard (ISO 3166 alpha-2), could be used.

³ *Generally not appropriate and therefore, not required for milk and milk products*

compartment of origin, name of the product, lot identifier, *date(s) of manufacture, date(s) of minimum durability*, type of packaging, number of packages, net weight per type of product.

- **Nature of the food**: *Definition of the product according to Section 2.1, 2.2, 2.3 of the General Standard for the Use of Dairy Terms (CODEX STAN 206-1999)*⁴.
- **Lot(s)**⁵ **identifier**: *the lot identification system developed by a processor to account for their production of milk and milk products thereby facilitating the traceability/product tracing of the product in the event of public health investigations and/or recalls.*
- **Intended purpose (or Food products certified for)**: the end use of the product should be specified in the certificate (e.g. direct human consumption, further processing, and trade samples)
Where a certificate for trade samples is required, a consignment consisting of a food sample intended for evaluation, testing or research, in the importing country may be described using a term such as "trade samples". It should be clearly indicated on the certificate or the package that the sample is not intended for retail sale and has no commercial value.
- **Approval number of establishments**: *the number assigned by the competent authority to the manufacturing establishment or factory where the milk product was produced. In case the consignment encompasses products from several manufacturing establishments or factories the approval number of each manufacturing establishment and/or factory should be mentioned.*
- **Region or compartment of origin**: if applicable: This is only for products affected by regionalisation measures or by the setting up of approved zones or compartments.
- **Name of the product**: *the information appearing in this section should replicate what is presented on the label i.e. the name of the food and the trade name (where one is used) and should be sufficient to identify the food.*
- **Type of packaging**: identify the type of packaging of products as defined in Recommendation No. 21 of UN/CEFACT (United Nation Centre for Trade Facilitation and Electronic Business).

16. **(Public Health) Attestations**: *statement confirming that the product or batches of products originate from an establishment that is in good regulatory standing with the Competent Authority in that country and that the products were processed and otherwise handled under a HACCP System, where appropriate, and that the food complies with the hygiene requirements of the country (to be agreed upon with the importing country) and/or the hygienic provisions of the Code of Hygienic Practice for Milk and Milk Products (CAC/RCP 57-2004).*

Where attestation on animal health matters is required, reference should be made to the OIE Animal Health Codes.

17. **Certifying officer**: name, official position, official stamp (optional), date of signature and signature.

Certificates should be issued in accordance with section 9 of document CAC/GL 38-2001.

⁴ *The competent authority must be able to refer to Codex GSUDT as the HSD code is often not specific enough for describing milk products in international trade.*

⁵ *Lot means a definitive quantity of a commodity produced essentially under the same conditions (General Standard for the Labelling of Prepackaged Foods - CODEX STAN 1-1985)*

LOGO/LETTERHEAD

MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS

COUNTRY:

CERTIFICATE TYPE

1. Consignor/Exporter:		2. Certificate number:			
		3. Competent authority:			
		4. Certifying body:			
5. Consignee/Importer:					
6. Country of origin:		ISO Code:			
7. Country of destination :		ISO Code:			
8. Place of loading:					
9. Means of transport:		10. Declared point of entry:			
11. Conditions for transport/storage:		12. Total quantity*			
13. Identification of container(s)/Seal number(s):		14. Total number of packages			
15. Identification of food products as described below (multiple lines may be used for multiple products)					
No.	Nature of the food (<i>according to CODEX STAN 206-1999</i>), commodity code (HS code), as <i>appropriate</i>	Species (if required)	Intended purpose		
No.	Producer/Manufacturer	Approval number of establishments*	Region or compartment of origin		
No.	Name of the product	Lot Identifier*	Type of packaging	Number of packages	Net weight
16. Attestations: the undersigned certifying officer hereby certifies that:					
1. The products described above were manufactured at (an) establishment(s) that has/have been approved by, or otherwise determined to be in good regulatory standing with the competent authority in the exporting country and that					
2. The product(s) (please tick the appropriate box(es). Where this is not possible the non-selected option may be deleted);					
<ul style="list-style-type: none"> ▪ has/have been prepared, packed, held and transported prior to export under good hygienic practice and an effective food safety control system, implemented within the context of HACCP systems where appropriate and in accordance with the provisions of the Codex Code of Hygienic Practice for Milk and Milk Products (CAC/RCP 57-2004) 					

- | |
|--|
| ▪ <i>was/were produced in accordance with the public health requirements of.....(specify the country)</i> |
| 17. Certifying officer:
Name: _____ Official position: _____
Date: _____ Signature: _____
Official Stamp: _____ |

The Generic Model Official Certificate should be read in conjunction with the explanatory notes.

Mali

Le Mali adresse ses remerciements au groupe de travail présidé par la Nouvelle Zélande. A l'issue des échanges de vue, le Mali est convenu de retenir le modèle générique de certificat officiel du Codex pour la certification des exportations du lait et des produits laitiers.

Philippines

To make the Model Export Certificate for Milk and Milk Products (CAC/GL 67-2008) consistent with the Generic Model Official Certificate (Annex to the Guidelines for Design, Production, Issuance and Use of Generic Official Certificates (CAC/GL 38-200) CX/MMP 10/9/8, the Philippines proposes to add the following items, which are not found in the Generic Model Official Certificate but present in the Model Export Certificate for Milk and Milk Products:

- Export License No.
- Date of Manufacture
- Date of Minimum Durability
- Lot Identifier
- Attestation

Asterisk can be placed in each item indicating **“If Required”** and maintaining the following footnote of CAC/GL 67-2008 document for Date(s) of minimum durability: *When required by the importing country and expressed as provided in Section 4.7.1 of the General Standard for the Labelling of Prepackaged Food (CODEX STAN 1-1995).*

Lot identifier can also be defined as Lot identification number(s)/ Date Code from the list of definitions of Model Export Certificate for Milk and Milk Products:

Lot identification number(s)/ Date Code is the lot identification system developed by a processor to account for their production of milk and milk products thereby facilitating the traceability/product tracing of the product in the event of public health investigations and/or recalls.

Likewise, additional footnote shall be added to “Attestation” in the *proposed* revision as specified in the remarks of the Model Export Certificate for Milk and Milk Products:

Public health attestation statement confirming that the product or batches of products originate from an establishment that is in good regulatory standing with the Competent Authority in that country and that the products were processed and otherwise handled under a HACCP System, where appropriate, and that the food complies with the hygiene requirements of the country (to be agreed upon with the importing country) and/or the hygienic provisions of the *Code of Hygienic Practice for Milk and Milk Products* (CAC/RCP 57-2004). The importing country should provide the exporting country with its provisions by precise and complete documents in a language agreed between the importing and exporting countries when it is required to meet the requirements of the importing country.

To accommodate the items in the Model Export Certificate for Milk and Milk Products that are presented in different terminologies in the Generic Model Official Certificate, the Philippines also proposes to modify the following items in the Generic Model Official Certificate as follows:

Items Originally Present in the Generic Model Official Certificate	Proposed Modification
Net Weight	Weight per Unit
Total Quantity	Total Net Weight
Consignor /Exporter	Consignor / Exporter (Name and Address)
Consignee /Importer	Consignee / Importer (Name and Address)