Informal Meeting of
the Pacific Food Safety and
Quality Legislation Expert Group

27–28 November 2009
Wellington, New Zealand
REPORT

INFORMAL MEETING OF THE PACIFIC FOOD SAFETY AND QUALITY LEGISLATION EXPERT GROUP

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NOTE

The views expressed in this report are those of the participants in the Informal Meeting of the Pacific Food Safety and Quality Legislation Expert Group and do not necessarily reflect the policies of the Organization.

This report has been prepared by the World Health Organization Regional Office for the Western Pacific for governments of Member States in the Region and for those who participated in the Informal Meeting of the Pacific Food Safety and Quality Legislation Expert Group, which was held in Wellington, New Zealand, from 27 to 28 November 2009.
Twelve participants from 10 countries of the Pacific participated in the second informal meeting of the Pacific Food Safety and Quality Legislation and Expert Group (PFSQLEG), which was conducted from 27 to 28 November 2009 in Wellington, New Zealand. The participants were government-nominated members of the PFSQLEG who have responsibility for legislation, food technology and processing, food science, food sampling and analysis, food inspection and certification, risk-based import control of food, Codex and other related areas. Annex 2 provides a full list of participants, representatives and secretariat members.

For the sake of background, the Food and Agriculture Organization of the United Nations (FAO) and WHO’s first meeting of the PFSQLEG was held in Sydney, Australia, from 3 to 4 November 2008. Before the meeting, Pacific leaders had called for sharing scarce resources and alignment of policies in an attempt to meet the serious challenges facing Pacific island countries, and this message had been reinforced by the FAO/WHO Meeting on Food Standards to Promote Health and Fair Trade in the Pacific, 3 to 6 December 2007.

The 2008 PFSQLEG meeting was conducted as part of the Pacific Regional Trade Facilitation Programme, coordinated by the Pacific Islands Forum Secretariat, which was established to put in place an appropriate, efficient and transparent framework of trade facilitation measures in the Pacific. Under this programme, the Integrated Food Standards Project aims to protect human health and facilitate trade in the global food market by addressing these goals regionally.

Thirty participants from 16 countries and areas of the Pacific (see Annex A) attended. The participants were senior health officers who have responsibility for food standards development, senior agriculture officers involved in standards work, food safety authority personnel, senior commerce and trade officers or standards officers and officials of the attorneys general offices of the Pacific. In addition, the Secretariat of the Pacific Community (SPC), the United Nations Children's Fund (UNICEF) and the Global Health Institute were represented at the meeting.

The objectives of the two PFSQLEG meetings were to:

1. discuss and agree on procedural mechanisms for the group, including its terms of reference and guiding principles for its work;
2. share information and expertise on food safety and quality and on food law, regulations and standards development and enforcement;
3. share concerns, resources and research findings in food safety and quality and its regulation;
4. provide technical advice to Pacific island countries regarding how best to harmonize food laws, regulations and standards; and
5. provide guidance on how to more effectively participate in the work of Codex.
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<th>Abbreviation</th>
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<td>APEC</td>
<td>Asia Pacific Economic Cooperation</td>
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<td>CCNASWP</td>
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1. INTRODUCTION

At the FAO/WHO Meeting on Food Standards to Promote Health and Fair Trade in the Pacific, held at the Western Pacific Regional Office, Manila, Philippines, in December 2007, Pacific leaders addressed the serious challenges facing the countries of the Pacific and called for the sharing of scarce resources and alignment of policies through the Pacific Plan.

The Pacific Regional Trade Facilitation Programme, coordinated by the Pacific Islands Forum Secretariat, was established to put in place an appropriate, efficient and transparent framework of trade facilitation measures in the Pacific. Under this programme, the Integrated Food Standards Project addresses the protection of human health and the facilitation of safe and suitable food trade in the global food market on a regional basis.

The establishment of the PFSQLEG was initiated at the Pacific subregional level. This group is comprised of policy-makers, legal experts, technical experts from regulatory authorities, scientists and technologists from universities and industry.

The first meeting of PFSQLEG was held in Sydney, Australia, from 3 to 4 November 2008 and a report summary is attached in Annex 1. The second meeting was held a year later, in Wellington, New Zealand.

1.1 Objectives:

(1) To discuss and agree on procedural mechanisms for the group, including its terms of reference and guiding principles for its work.

(2) To share information and expertise on food safety and quality and on food law, regulations and standards development and enforcement.

(3) To share concerns, resources and research findings in food safety and quality and its regulation.

(4) To provide technical advice to Pacific island countries regarding how best to harmonize food laws, regulations and standards.

(5) To provide guidance on how to more effectively participate in the work of Codex.

1.2 Opening remarks

Anthony Hazzard, Technical Team Leader in Food Safety, WHO, and Dirk Schulz, Food and Nutrition Officer, FAO, welcomed the participants to the meeting and reiterated the importance of collaboration among the Pacific island countries to strengthen national food control systems. The need for a multisectoral approach across the entire food chain continuum also was highlighted. Raj Rajasekar welcomed the participants on behalf of the New Zealand Food Safety Authority (NZFSA) and emphasized the importance of networking.

Twelve participants from 10 countries of the Pacific participated in the second informal meeting of the PFSQLEG, which was conducted from 27 to 28 November 2009 in Wellington, New Zealand. The participants were government-nominated members of the PFSQLEG who have responsibility for legislation, food technology and processing, food science, food sampling and analysis, food inspection and certification, risk-based import control of food, Codex and other related areas. Annex 2 provides a full list of participants, representatives and secretariat members.
1.3 Shirley Laban, Ministry of Health, Vanuatu, was elected Chairperson for the first day of the meeting. Moses Pretrick, Department of Health and Social Affairs, Federated States of Micronesia, was elected Chairperson for the second day.

2. PROCEEDINGS

2.1 Session 2: Review of progress and advancing the establishment of food laws in the Pacific

Session 2 comprised presentations outlining the progress made with regard to the establishment of food laws in the Pacific.

2.1.1 Palau

Eden Ridep Uchel, Ministry of Health, Palau, noted that the Palau National Code for the country sets forth the public health laws and authorizes the Ministry of Health to formulate all policies, regulations and standards related to overall public health issues. She reported that there is existing political support for a Food Safety Act (called the Food Safety Act 2009), which was in its first reading in the Senate.

The Ministry of Health enforces the National Code and the Environmental Health Regulations 2nd Edition 2007 in relation to all food safety issues. Without this legislation, there was a lack of authority to establish food standards and limited resources to work out appropriate standards. All that guided action on food safety was the Palau National Code – the article on Public Health Laws, the Environmental Health Regulations (2007) and the Republic of Palau Plant and Animal Quarantine Regulations. It also was reported that Palau has three full-time environmental health technicians and specialists for the national food safety programme and has established a microbiology laboratory which can identify pathogens in food products such as *E. coli*, *Salmonella*, *Campylobacter*, *Listeria*, *Yersinia*, *Bacillus cereus* and *Staphylococcus*. Uchel highlighted the need for Palau authorities to support the passing of the Food Safety Act 2009, conduct risk-based food safety training and initiate the establishment of food safety standards.

2.1.2 Vanuatu

Shirley Laban provided an update on food safety issues in Vanuatu. The existing food legislation that is enforced includes the Food Control (Act) No. 21 of 1993 (including the Food (Control) Act Amendment No. 27 of 2009; Food Control Regulation No. 37 of 2007; the Meat Industry Act; and the Meat Industry Regulation. An amendment to the Food Control Act recently was endorsed and outlined the provision that the minister of health has the authority to make order regulations dealing with food fortification. The amendment provides for the following:

(1) Defining food fortification as the addition of micronutrients to food in order to improve the nutritional status of that food.

(2) Empowering the minister of health to order specific standards on domestically-produced and imported foods.

(3) Permitting specific requirements for food composition, production, storage, labelling, promotion, sampling and testing.
Laban also discussed the national food summit, which was held in September 2009 in Vanuatu. The summit facilitated dialogue among stakeholders, including food industries, government and consumers. The outcome of the meeting included a Food Security Action Plan (draft), which identifies the need to strengthen food legislation.

2.1.3 Tonga

Te’eftoto Mafi Mausia, Ministry of Health, Tonga, reported that food safety is addressed within the revised Public Health Act 2008 passed in November 2008. As a consequence, the Ministry of Health’s inspectors enforce hygiene requirements in food service establishments throughout Tonga from a public health perspective. In addition, the Ministry of Agriculture, Food, Forests and Fisheries also addresses food safety among its many responsibilities. Within this ministry, the Department of Fisheries is empowered through the Fisheries Management Act and the Fisheries Management (Processing and Export) Regulations 2008 to control the safety of fisheries products. In these regulations, reference is made to standards under the Public Health Act, the Hazard Analysis Critical Control Point (HACCP) and other requirements for fish processors.

2.1.4 Samoa

Fetu Tuilagi, Ministry of Health, Samoa, provided a summary of food legislation in Samoa. Tuilagi noted that the current law (Food and Drugs Act 1967) has been in place for an extended time without review and amendment. Of concern is that not all food safety issues are included in the act, the act does not cover the food chain from farm to table, it does not reflect the changes associated with food (diet, ways in which food is produced, processed, imported, labelled and sold) and its limited power to exercise the ministry’s authority in conducting duties and responsibilities regarding food safety.

Tuilagi reported that a modern food act (under development) would cover all issues of public health concern relating to food, including all foods, whether domestically produced or imported. The aim of the new legislation is to protect health and promote trade with safe and suitable food. Tuilagi also emphasized the importance of using existing networks to assist in the new act’s consultation process. This included the Ministry of Women’s Affairs and also village mayors.

2.1.5 FAO guidance on food law

Dirk Schulz delivered a presentation summarizing the FAO guidance on food law. Schulz identified food law and regulation as one of the five key components of a national food safety and quality control system and outlined the steps required to formulate a food law and the different model laws that could be followed. Discussion following this presentation noted that China recently reviewed its legislation and that it now includes a section which defines roles and responsibilities of different government agencies associated with food safety control. This could be a useful inclusion for countries where multiple agencies are involved in food control. The roles of food safety boards, also known as food councils, also were discussed. Most Pacific island countries that have established food legislation in recent years have a board, council or working group in place, but most are not fully operational.
2.2 Session 3: Review of progress on the establishment of food regulations and standards in the Pacific

2.2.1 Guidance on using Codex standards

Dave Clark, of Allen & Clarke Policy and Regulatory Specialists, gave a presentation on “Practical Guidance on Using Codex Standards in Small Island States”. Clark said food standards are important because they are a key element in a food control system to help ensure food safety, quality and availability. Food standards also protect human health, help inform consumers and promote trade and economic growth.

Clark noted the challenges in establishing food standards, including capacity and capability issues. The adoption of Codex standards by national governments, combined with the close collaboration of neighbouring countries during the preparation, monitoring and enforcement of food standards and the establishment and maintenance of networks with neighbouring countries to facilitate cooperation, was identified as ways forward with regard to establishing food standards.

Clark introduced a draft guidance document on the establishment of food standards. It includes standard provisions for food acts, the use of Codex standards, the formulation of regulations to explain the requirements of the standards and to fill any gaps and a provision to facilitate enforcement and use of risk-based approaches. Clark also noted the importance of local solutions for local problems and that generic models may not address local concerns.

2.2.2 The Federated States of Micronesia

Moses Pretrick, Department of Health and Social Affairs, the Federated States of Micronesia, reported that his country has had a national Food Safety Act since 1992 that is intended to protect consumers from unsafe food. The law focuses on food being imported to or exported from the country and food transported interstate. Six subsidiary regulations covering food inspectors, hygiene, licensing, low-acid canned foods, labelling and frozen blocks of fish were promulgated between 1992 and 1997.

In 2005, a food labelling law (Public Law 14-59) was enacted requiring mandatory English labelling and providing certain information on the labels of prepackaged foods. The country’s Regulation #7 on food standards, covering commodity as well as horizontal standards on food additives, microbiological criteria, chemical contaminants, nutrition and labelling, has been drafted and discussed with some members of industry and regulators. Future consultation on the regulation is planned.

2.2.3 Papua New Guinea

Rose Kavanamur, Department of Health, Papua New Guinea, provided an update about her country. Limitations in expertise, enforcement mechanisms, resources and the lack of coordination between agencies and stakeholders such as the food industry hinder the effectiveness of service delivery. To address some of these issues, the Food Sanitation Council was established and mandated in the Food Sanitation Act 1991. The council is a separate entity with members comprised of relevant stakeholders, both in the public and private sectors, and has a core function of administering the food law and regulation. The council reports directly to the minister for health.

However, since food safety is not a priority programme, the council never has been allocated funding to operate on its own and has been facilitated by the environmental health section. The Food Sanitation Regulations 2007 seeks to provide maximum health protection and facilitate fair trade, addressing both food safety and quality. It applies to all food businesses, including street-vended foods.
One highlight of the regulations, which is a shift from the previous law, is that they permit food businesses to ensure that safe and wholesome food is on the market for human consumption through the application of the HACCP system. Kavanamur also noted that setting standards is an area that requires strengthening and support from partners since Papua New Guinea does not have the expertise or the capability to formulate them. The current system of standard-setting allows the Government to participate in the Codex standards development process through the National Codex Committee.

Fish export is a major trade commodity in the country and must meet international standards for export, especially to the European Union. The Government identified the National Fisheries Authority as the competent authority to deal with fish exports. At that time, there was no food regulation in place because it still was in its drafting stage. Therefore, the Fish Management Regulation 2000 was drafted to address the safety of fish and fish products for export. With the approval of the Food Sanitation Regulations 2007, gaps and overlaps with the Fish Management Regulation 2000 have been identified and need to be addressed.

Capacity-building requires assessment training for stakeholders who have identified the need to establish a single food agency. This will enable coordination and solve many of the issues regarding overlaps and gaps in addressing food safety from farm to fork. Additionally, the harmonization of food standards with Codex and regionally-agreed standards is a way forward, including strengthening of food import and export control systems and building analytical capacity for effective monitoring and enforcement of food standards.

2.2.4 Solomon Islands

Ethel Mapolu, Ministry of Health and Medical Services, Solomon Islands, presented a summary on food safety regulations and standards in Solomon Islands. The country has a fish plant that processes both cooked and frozen tuna loins for export to the European Union in a bilateral trade agreement and also cans for export to the Pacific region and domestic markets.

The regulatory framework for food control in Solomon Islands comprises the following:

(1) the Pure Food Act 1996;
(2) the Public Health Ordinance 1970 (parts regarding food which have not been repealed becomes a regulation);
(3) the Pure Food (Fish & Fishery Products) Regulation 2005;
(4) the Draft Pure Food (Food Control) Regulation 2009 (yet to be gazetted);
(5) the Consumer Protection Act 1995 (for product recall);
(6) the Pesticides Regulations 1982 under the Safety at Work Act 1982;
(7) the Poisons Act 1941;
(8) the Agricultural Quarantine Act 1982;
(9) the Agricultural Quarantine Regulations 1986;
(10) the Agriculture and Livestock Act 1935;
(11) the Fisheries Act of 1998; and
(12) the Environmental Health Act 1980, revised.
To supplement the Pure Food Act 1996, the Food Hygiene Regulations was drafted in 1996 and submitted to the Attorney General’s Chamber for vetting and gazettal. Unfortunately, gazetting did not occur for 10 years. The first review was undertaken in 2006 and the second in 2007 and submitted for vetting and gazetting in the same year. As new challenges in food safety emerged, it was retrieved for amendment. In March 2009, a collaborative government and industry meeting was held and another more prescriptive regulation was drafted. It was forwarded again for vetting and gazetting. A final review was undertaken in October 2009 and is still pending for finalization before it is vetted.

In other developments, the Pure Food (Fish & Fishery Products) Regulation 2003 was initiated in 2000 with the fishing industry and government partnering to draft it with technical assistance from the Centre for Development Enterprises as a European Union-funded project. The draft Pure Food (Food Control) Regulations 2009 has incorporated standards to meet the growing demands in food trade and the rise in noncommunicable diseases.

2.2.5 Fiji

Anthony Hazzard advised the group on the progress of regulations and standards in Fiji. The Food Safety Act 2003 allowed for the adoption of Codex standards by reference. However, these requirements were not clear to industry and inspectors. As a consequence, Fiji food safety authorities drafted more specific regulations and discussed these with consumer representatives, industry and responsible ministries before the regulations were passed on 5 June 2009. The regulations require food businesses to implement good hygienic practices, and the onus to prove compliance lies with the food business. Specific food businesses also can implement HACCP.

Accreditation requirements for laboratories are included in the regulations and businesses should have an analysis performed in accredited laboratories. Sampling programme requirements also are included. Codex standards on food additives are adopted in the regulations. Additionally, some commodity standards for priority foods have been included, again largely based on Codex. The regulations also allow for inspection fees. Implementation challenges include access to the regulations by inspectors, the responsibilities and reporting expectations of inspectors at the municipal level and access to a national electronic database and improvement in communication among the relevant authorities. With regard to implementation issues, the regulations include a transitional period to allow the industry time to meet the standards and also to build capacity in inspectors.

2.3 Session 4: Advancing food regulations and standards in the Pacific and good regulatory practices

2.3.1 Risk-based microbiological criteria

Kathleen Shaw of the New Zealand Food Safety Authority (NZFSA) provided a summary of formulating risk-based microbiological criteria. The microbiological criteria, outlined in the Food Standards Code, were established as a tool for enforcement by regulators. The criteria are based chiefly on expert opinion as opposed to risk assessments. They also focus on hazards and do not consider the various steps on the food chain continuum, where control may occur. In New Zealand, there are some criteria which are considered to be semi-risk-based. A case study, “Campylobacter in broilers”, was used to illustrate the development of a risk-based criterion. Shaw emphasized that this criterion used data from within New Zealand as well as from overseas, including a risk assessment undertaken in Denmark. Even with the availability of the risk assessment, the selection of the microbiological criterion involved experts making a “best guess”. The microbiological criterion in the “Campylobacter in broilers” example is used to determine if intervention measures achieve a reduction in Campylobacter.
Shaw also clarified that microbiological criteria are only one type of risk-management strategy and are best used in combination with other interventions. The need to keep reviewing criteria to include new data also was discussed.

Participants identified the lack of data, including foodborne disease and contamination levels in foods, limited analytical capacity and a lack of capacity to undertake risk assessments as barriers to formulating risk-based criteria. As a result, no microbiological standards are in place in some countries (i.e. Samoa, Vanuatu and Cook Islands) or criteria from the European Union and the Food Standards Australia New Zealand (FSANZ) Food Standards Code have been adopted (i.e. Solomon Islands, Papua New Guinea). The sharing of data among PFSQLEG members, use of information from overseas and the harmonization of microbiological criteria across Pacific island countries were identified as ways to overcome these barriers. Offshore testing and the development of a regional laboratory also were discussed as ways of overcoming the lack of laboratory capacities at a national level.

### 2.3.2 Regulatory impact assessments

Carol Barnao of NZFSA gave a presentation about applying regulatory impact assessments in standards development. Barnao outlined the key components of a regulatory impact assessment:

1. preliminary risk management activity;
2. identification and consideration of risk-management options;
3. implementation of a selected risk-management option; and
4. monitoring and review of an implemented risk-management option.

The control of tutin in honey was used as a case study to provide an example of regulatory impact assessments. Participants discussed the need for further capacity-building in undertaking regulatory impact assessments. Barnao suggested that NZFSA could provide technical assistance in a workshop to build capacity in this area, perhaps using a case study which is applicable to Pacific island countries (i.e. the control of histamine in canned tuna or the control of fat content in canned corn beef). A model to assess the cost benefit of a regulatory requirement is available from NZFSA (see Annex 4). WHO suggested that, given next year’s budget constraints, this capacity-building could be undertaken by using the Pacific Islands Forum website, involving NZFSA and FSANZ, using histamine in canned tuna as a case study.

Regarding the regulatory assessment of adopting Codex standards, Barnao indicated that the standards are prioritized and then assessments are undertaken on specific aspects of the priority Codex standards. The work undertaken by the Codex Coordination Committee North America South West Pacific (CCNASWP) to identify priority standards for the Region could assist in this process. It also was emphasized that there is a need to determine when regulatory impact assessments are necessary.

### 2.3.3 Fat, salt, sugar content and nutrient content labelling

Margaret Brooker of NZFSA presented information about the Food Standards Code’s requirements on fat, salt, sugar content and nutrient content labelling. Following the presentation, participants outlined current national legislative requirements with regard to those issues. The representative from Fiji noted that efforts have been made to address ingredient labelling, nutrient content labelling and the fat content of selected foods. Palau also has a mandatory requirement for ingredient labelling. Papua New Guinea also has mandatory nutrient content labelling based on the FSANZ Food Standards Code. In Vanuatu, ingredients and labelling requirements are also mandatory. However, there is no analytical capacity to obtain information to create the label or to monitor the labels. It was noted that the FSANZ nutrition panel calculator and the Pacific Island Food
Compositional database could be used to assist. Also, food businesses could send samples to the University of the South Pacific for analysis. Other Pacific island countries had little or no mandatory labelling requirements.

The FAO said that the Pacific Island Food Compositional database includes traditional foods from Pacific island countries. However, this may need revising to ensure that popular foods available in Pacific island countries are included.

Different requirements for formats of nutrition information panels (i.e. Thailand and the United States of America require different formats) were identified as a barrier to enforcing nutritional information panel requirements. It was noted that NZFSA requires imported foods (and domestically-produced foods) to comply with the FSANZ Food Standards Code.

Lastly, it was noted that countries should implement mandatory nutrition information panels with an education plan so that consumers can understand the information provided.

2.4 Session 5: Food Secure Pacific – Framework for Action

Professor Don Matheson, WHO consultant, presented a summary of the Food Secure Pacific initiative. Pacific health ministers recognized that the management of specific health issues associated with food lies outside of the health sector. Recent food price rises such as rice and widely fluctuating oil prices also have highlighted the vulnerability of the Region’s food supply.

The Food Secure Pacific initiative takes a coherent approach to address the provision of sufficient, safe and nutritious food in Pacific island countries. Given that food security is a complex system and that there are many issues and players within the system, the initiative involves a multisectoral approach, including health, agriculture and trade sectors from national, regional and international agencies. The food industry, an important sector within the initiative, is also interested in participating.

The Pacific Food Summit 2010, which was held 21 to 23 April in Vanuatu, was to mark the first time leaders in health, agriculture and trade were to come together with industry on food security. They finalized a Framework for Action on Food Security in the Pacific.

Given the importance of managing public health issues related to food, the group agreed that there is a need for PFSQLEG to consider areas other than food safety.

2.5 Session 6: Harmonizing food standards in the Pacific

Sonia Bradley, FSANZ, provided a presentation on the Asia Pacific Economic Cooperation (APEC) Food Safety Cooperation Forum (FSCF). Established in 2004, the FSCF is made up of senior food regulatory officials and has three goals:

1. To establish transparent information-sharing and communication networks.

2. To harmonize food safety standards, to the extent possible, with international standards and encourage food safety systems consistent with World Trade Organization (WTO), sanitary and phytosanitary (SPS) and technical barriers to trade (TBT) agreements.

3. To enhance skills and human resource capacities to enable the establishment of national food safety regulatory systems that are harmonized with international standards.
Successes to date were reported to include contributing to the raising of the profile of food safety in the Region, enhancing communication among economies, focusing of capacity-building activities and the establishment of the FSCF Partnership Training Institute Network (PTIN).

Gaining high level by-in has been important for the forum and facilitated these successes. Future work includes food safety incident response capacity-building, creating a communication network to assist the International Food Safety Authorities Network (INFOSAN), aligning systems and standards and supporting capacity-building activities with greater coordination and use of stakeholders.

2.6 Closing

Hazzard and Schulz thanked the presenters and participants for a successful meeting. It was noted that the collaboration and participatory approach of all of those taking part made the meeting a success.

The participants felt that the PFSQLEG forum is important in assisting the drafting of food legislation in their countries and noted the importance of its continuation. The continuation of annual meetings depends on funds. The forthcoming Pacific trade ministers meeting was identified as a possible forum at which to gain support and, potentially, funds for PFSQLEG. It was agreed that participants should advocate the work of PFSQLEG and, more generally, the strengthening of food safety control systems as a means to facilitate trade before the ministerial meeting. A list of key points and a summary paper on PFSQLEG should be formulated to facilitate the briefing to ministers or their counterparts.

Hazzard and Schulz closed the meeting on behalf of the FAO and WHO.

3. CONCLUSIONS

The main conclusions of the meeting were as follows:

3.1 General

3.1.1 Based on the presentations and plenary discussions during the second PFSQLEG meeting, held in Wellington, New Zealand, from 27 to 28 November 2009, participants concluded that:

(1) The continuation of PFSQLEG is important to maintain the facilitation of the drafting and implementation of food legislation through collaboration, with an overall goal of reducing foodborne disease in Pacific island countries.

(2) Clear progress has been made in many countries to draft and implement new food legislation, including food standards based on Codex.

(3) Given resource constraints, limited capacity at a national level, trade among Pacific island countries and the need to combine to work out a strong basis to negotiate imported food requirements, the harmonization of food standards (including risk-based microbiological criteria and nutrition-related food product labelling), where possible, throughout the Pacific island countries is advantageous.
(4) Codex, which is a common base, is an important starting point for the harmonization of food standards.

(5) APEC’s Food Safety Cooperation Forum provides a framework which should be considered further when formulating harmonized food standards for the Pacific island countries.

(6) The Food Secure Pacific initiative provides a platform involving many stakeholders that will assist in the progression of food-related issues and gaining high-level support for food safety.

(7) PFSQLEG should consider other regional forums and processes to ensure that duplication of efforts does not occur.

(8) The formulation of an implementation plan and providing for a transitional period within food legislation are essential.

(9) Undertaking regulatory impact assessments is an important step towards drafting food legislation. Pacific island countries require additional capacity-building in this area.

(10) The inclusion of fat, salt, sugar content and nutrient content labelling on food labels or at the point of sale is essential but needs to be implemented with a consumer education campaign and an impact evaluation process.

(11) The food industry and consumers play an important role in the drafting and gazetting of food legislation and, as such, should be key stakeholders in the consultation process.

(12) Food safety boards or food councils are an important part of a food control system and assist in collaboration between agencies and to provide input into food safety activities.

3.2 Recommendations

Meeting participants recommended that the PFSQLEG should:

(1) Identify forums in which PFSQLEG can be promoted to facilitate high-level support at a national level.

(2) Create a process to harmonize food standards, starting with priority foods and issues, for Pacific island countries (i.e. fortification (salt iodization), fat content and microbiological criteria).

(3) Strengthen food boards or food councils to ensure a coordinated farm-to-table approach is taken at a national level.

(4) Investigate ways of providing additional capacity-building in the undertaking of regulatory impact assessments.

(5) Consider if future PFSQLEG meetings should be held in conjunction with the FAO/WHO Coordination Committee for North America South West Pacific (CCNASWP) meetings.
(6) Prepare a funding proposal for the revision of the Pacific islands food composition database.

(7) Upload all new food legislation onto the Pacific Food Safety Initiative website.

(8) Continue active participation in PFSQLEG activities, including information-sharing and meeting attendance.

(9) Brief trade ministers on the work of PFSQLEG and, more generally, the need for strengthening of food control systems as a means to facilitate trade in safe and healthy food.
ANNEX 1

FIRST MEETING OF THE PACIFIC FOOD SAFETY
AND QUALITY LEGISLATION EXPERT GROUP

SUMMARY

The first meeting of the Food and Agriculture Organization of the United Nations (FAO)/WHO of the Pacific Food Safety and Quality Legislation and Expert Group was held in Sydney, Australia, from 3 to 4 November 2008. Before the meeting, Pacific leaders had called for the sharing of scarce resources and alignment of policies in an attempt to meet the serious challenges facing Pacific island countries. This message had been reinforced by the FAO/WHO Meeting on Food Standards to Promote Health and Fair Trade in the Pacific from 3 to 6 December 2007.

The meeting was conducted as part of the Pacific Regional Trade Facilitation Programme, coordinated by the Pacific islands Forum Secretariat, which was established to put in place an appropriate, efficient and transparent framework of trade facilitation measures in the Pacific. Under this programme, the Integrated Food Standards Project seeks to protect human health and facilitate trade in the global food market by addressing these goals regionally.

Thirty participants were drawn from 16 countries and areas of the Pacific (see Annex A). The participants were senior health officers who are responsible for food standards development, senior agriculture officers involved in standards work, food safety authority personnel, senior commerce and trade officers or standards officers and officials of the attorneys general offices of the Pacific. In addition, the Secretariat of the Pacific Community (SPC), the United Nations Children's Fund (UNICEF) and the Global Health Institute were represented at the meeting.

The objectives of the meeting were to:

1. Discuss and agree on procedural mechanisms for the group, including its terms of reference and guiding principles for its work.
2. Share information and expertise on food safety and quality, food law, regulations, standards development and enforcement.
3. Share concerns, resources and research findings in food safety and quality and its regulation.
4. Provide technical advice to Pacific island countries about how best to harmonize food laws, regulations and standards.
5. Provide guidance on how to more effectively participate in the work of Codex.

The meeting agenda (Annex B) was adopted at the opening session. The operational officer gave an overview of the background and objectives of the meeting, outlining the small group work sessions and plenary sessions, both group presentations and joint discussions. Technical presentations by participants and representatives of international and regional organizations (e.g. FAO and WHO Secretariat) were provided in support of the working group and plenary activities and discussions.
The participants concluded that:

(1) National food safety efforts in the Pacific were hindered by:

(a) Limited human resources and technical expertise in various aspects of food control, including, but not limited to, legislation and standards development, inspection and certification, auditing and analysis.

(b) Limited development and availability of guidelines on import control, inspection, how to respond to food safety events and how and where to have samples analysed in a timely manner and food recall protocols.

(c) Limited technical and scientific expertise to optimally use and actively participate in Codex processes.

(d) Limited data available to share within the Region.

(2) Existing barriers to strengthen food control efforts could be overcome by:

(a) Committed, well-resourced and appropriately trained technical personnel with the support of high-level policy-makers.

(b) Sharing of resources, information, guidelines and experiences on food safety legislation, regulations and standards development and its enforcement through groups such as the Pacific Food Safety and Quality Legislation Expert Group.

(c) Sharing of information related to Codex through the website of the Codex Coordinating Committee for North America and the South West Pacific (CCNASWP) and coordination of Codex-related activities by the regional coordinator.

(3) That the formulation and adoption of common food standards and enforcement approaches across the Pacific would:

(a) protect consumer health and facilitate trade;

(b) enhance the standardization of implementation and enforcement practices;

(c) create more efficient use of limited resources within government and industry; and

(d) prevent the Pacific from becoming a “dumping ground” for inferior, unsafe and poor quality products.

Based on the above conclusions, participants recommended that:

(1) There is a clear need not only for countries but international and regional organizations to advocate and work towards a Pacific food summit, an associated charter or declaration and a practical strategic action plan in order to get the highest level commitment to advance food safety control in the Pacific.

(2) The Pacific Food Safety and Quality Legislation Expert Group (hereinafter referred to as “the Group”) should continue to build its function to enhance information-sharing and to share resources and expertise.

(3) The terms of reference of the Group should be to:
(a) Share information and expertise on food safety and quality, food law, regulations, standards development and enforcement.

(b) Share concerns, resources and research findings in food safety and quality and its regulation.

(c) Provide technical advice to Pacific island countries regarding how best to harmonize food laws, regulations and standards.

(d) Provide guidance on how to more effectively participate in the work of Codex.

(4) The Group should:

(a) Create a communiqué regarding the Group, its terms of reference and plans for the future so that it can be provided to policy-makers in the Pacific countries and be submitted to meetings of ministers of agriculture, health and trade, including the Pacific Ministers of Health meeting in Papua New Guinea in June 2009.

(b) Use a formal structure and communication process, including focal points, to manage national input, to increase the capacity of members to participate and for their work to be recognized and supported by high-level officials and policy-makers.

(c) Identify gaps and establish priorities for the Group, formulate an action plan and monitor progress.

(d) Create model legislation and a model regulatory framework for use in Pacific island countries.

(e) Establish a website for the group linked to the CCNASWP and the Pacific Food Safety Initiative Legislation and Importation websites to facilitate an integrated resource for the use of the Pacific.

(f) Establish a list serve that provides information on the website so that those participants that have limited Internet access are able to participate effectively in the Group’s work.

(g) Improve the database on food consumption to help with prioritizing standards.

(h) Identify common food commodities across the Pacific island countries and establish common standards for these commodities using Codex standards, standards developed by the Pacific Island countries based upon Codex and standards from higher-income countries as a basis.

(i) Prepare a document on food standards development based on Codex guidance for small island states.

(j) Create a contact database on competent authorities with the capacity to certify food products.

(k) Draft a guidance document that enables countries to be better prepared for food safety events by identifying accredited food analysis capacities in the region and by identifying how samples need to be treated and transported among countries; such “how to” information could contribute to the database to be established under the CCNASWP Strategic Plan.
(l) Share information on Codex methods of sampling and analysis.

(m) Share expertise and experience in the formulation of food safety event response and recall protocols.

(n) Develop a common approach to scientific risk assessment and share relevant data and information.

(o) Share common advice sheets for food exporters and importers.

(p) Share expertise to build the capacity of competent authorities in food auditing.

(q) Share information on Total Diet Studies, nutrition surveys on iron and detentions and rejections across the Pacific. For common issues of rejection by overseas authorities, conduct training to enforce safety more effectively before export.

(r) Support Pacific workshops on the International Food Safety Authorities Network (INFOSAN) and national networks.

(5) In support of the Group:

(a) International organizations should provide the initial makeup of the secretariat to the Group. As the Group evolves, this responsibility then would be transferred to members of the Group.

(b) FAO, SPC and WHO should continue to work with national governments to promote food safety as a priority and multisectoral collaboration.

(6) Authorities responsible for food safety in Pacific island countries should:

(a) Support the work of the Group through backing its representatives in the Group and allowing the sharing of information.

(b) Provide the Group with regular assessments of the status of national food standards and the development of other food safety legislation.

(c) If representatives in the Group are not members of Codex, seek FAO and WHO support, if needed, to provide introductory training on Codex to better understand how such participation can benefit health and trade in their countries.

(d) Seek agreement of INFOSAN Emergency for alternative contact points or establishment of a generic mail box or other means to ensure the information is available in a timely manner; ensure that the contact point is an appropriate person who can facilitate the flow of relevant information; prioritize the updating of contact details for INFOSAN Focal Points and INFOSAN Emergency Contact Points; and provide feedback to INFOSAN about how it can better serve countries.

(e) Use INFOSAN members as a possible means of contacting other countries to assist with pre-clearance arrangements and access to laboratories.

(f) Forward plans for food safety emergencies by allocating a budget for food safety emergency management and formulating a food safety emergency response plan, including determining the steps which need to be taken in an emergency, responsibilities and agreed communications between government departments and other stakeholders.
(g) Argue strongly for access to the Internet to enable officers to function effectively and use information in a timely manner.

(h) Share relevant food safety data, including imported food rejection data, with other Pacific island countries through the Group’s website.

(i) Establish a multidisciplinary approach to food safety by building formal in-country linkages among relevant governmental departments.
ANNEX A

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FIRST MEETING OF THE PACIFIC FOOD SAFETY AND QUALITY LEGISLATION EXPERT GROUP

Sydney, Australia
3-4 November 2008

ENGLISH ONLY

TENTATIVE PROGRAMME OF ACTIVITIES

Monday, 3 November 2008

08:00 – 08:30 Registration

08:30 – 08:45 Session 1 – Opening

08:45 – 09:45 Session 2 - Regional trade facilitation programme (RTFP) and food laws, regulations and standards in the Pacific (10 minute presentations)

2.1 The RTFP integrated food standards project and current status of food legislation in the Pacific (A. Hazzard)

2.2 11th Roundtable Meeting for Pacific Islands Countries on WTO and Regional Trade Agreements and Provisions (D. Schulz)

2.3 APEC Food Safety Cooperation Forum (P. Brent)

2.4 NSW Food Authority: A farm-to-table approach for consideration of Pacific island countries (P. Sutherland)

2.5 Plenary discussion on the importance of coordination in standards development for food safety and trade facilitation

09:45 – 10:10 Coffee break
10:10 – 12:00 Session 3: Sharing information on current development of food laws, regulations and standards in the Pacific (10 minute presentations)

3.1 An update on food legislation review in Samoa (C. Quested)
3.2 An update on food legislation development in the Republic of the Marshall Islands (R. Edwards)
3.3 Food legislation and a single food authority in Tonga (L. Ma’asi)
3.4 Food regulations development in the Cook Islands (W. Taripo)
3.5 Fisheries regulations in the Solomon Islands and their implications for capacity building (J. Reynolds)
3.6 Reviewing Food Safety Regulations and Fisheries standards in PNG (R. Kavanamur)
3.7 Introducing an egg standard in Samoa (I. Petelo)
3.8 Strengthening food legislation in Vanuatu (S. Laban)
3.9 Plenary discussion on barriers and challenges faced and identifying key parameters to successfully advance legislation in the Pacific

12:00 – 13:00 Lunch break

13:00 – 14:00 Session 4a: Facilitating trade with common food standards in the Pacific (10-15 minute presentations)

4.1 FSANZ and good regulatory practice (P. Brent)
4.2 Developing standards in line with Codex in Fiji (W. Delai)
4.3 Developing standards in small island states (D. Clarke)
4.4 Moving towards common food fortification standards for the Pacific (L.T. Cavalli-Sforza)

14:00 – 15:00 Session 4b: Facilitating trade with common food standards in the Pacific (Group work)

15:00 – 15:20 Coffee break

15:20 – 16:10 Session 4c: Facilitating trade with common food standards in the Pacific (Plenary group presentations)

16:10 – 17:00 Session 5a: More effective participation in the work of Codex (10 minute presentations)

5.1 The work of CCNASWP, the 10th CCNASWP, the electronic working group and strategic plan (R. Rajasekar and D.Schulz)
5.2 Preparing for and participating in international Codex meetings – (R. Rajasekar)
5.3 Strengthening multi-sectoral participation in national Codex committees (I. Petelo)

5.4 The Codex website for the Pacific (D. Schulz)

Tuesday, 4 November 2008

08:20 – 09:20 Session 5b: More effective participation in the work of Codex (Group work)

*Discussing actions to enhance Pacific island participation in the work of Codex*

09:20 – 10:00 Session 5c: More effective participation in the work of Codex (Plenary group presentations)

*Pacific island country food regulators and legal officers will have identified key actions to strengthen multi-sectoral participation in the work of Codex*

10:00 - 11:00 Coffee break

10:20 – 11:10 Session 6a: Sharing resources and research findings in food safety and quality and its regulation (10 minute presentations)

6.1 Sharing findings on Total Diet Studies and building capacity in the Pacific (R. Rajasekar)

6.2 Building fisheries product auditing capacity in the Pacific - possible joint action by NSW Food Authority and WHO (P. Day)

6.3 Sharing information and enhancing emergency response through INFOSAN and the use of emergency protocols (J. Bishop)

6.4 INFOSAN and histamine in canned tuna in the Federated States of Micronesia (M. Pretrick)

11:10 – 12:00 Session 6b: Sharing resources and research findings in food safety and quality and its regulation (Group work)

- Groups will identify:
  - The level of available information regarding hazards in the diets of the Pacific
  - The extent of and most common causes of imported food detention and rejection
  - The contact details of the competent authority(ies) with the capacity and responsibility to detain and reject imported food
  - The extent and most common causes of exported food being detained and rejected (if food is exported)
  - The contact details of the competent authority(ies) with the responsibility to certify the safety of exported food
- Internationally or nationally accredited food analytical capacity in each country as part of a process to map food analytical capacity and identify where to have samples analysed as capacity is built in the Pacific

- Lessons learnt for strengthening of INFOSAN Emergency from the melamine food safety event and other food safety events

12:00 – 13:00  Lunch break
13:00 – 13:40  Session 6c: Sharing resources and research findings in food safety and quality and its regulation (Plenary group presentations)
13:40 – 15:00  Session 7: Operationalizing the Pacific Food Safety and Quality Legislation Expert (PFSQLE) Group (10 minute presentation)

  7.1  The FAO/WHO Meeting on Food Standards to Protect Health and Trade in the Pacific and the PFSQLE Group (A. Hazzard)

  7.2  Plenary discussion on procedural mechanisms for the group, including its terms of reference and guiding principles for its work

15:00 – 15:30  Coffee break
15:30 – 16:00  Meeting Conclusions and Recommendations
16:00  Closing
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MEETING AGENDA

1. Opening
2. Review of progress and advancing the development of food laws in the Pacific.
4. Advancing food regulations and standards in the Pacific and good regulatory practices.
5. Harmonizing food standards in the Pacific.
7. Closing
PROGRAMME OF ACTIVITIES

Friday, 27 November 2009

08:30 – 08:45  Registration

08:45 – 09:00  Session 1 – Opening (A. Hazzard and D. Schulz)

09:00 – 09:15  Appointment of Chair and Adoption of Agenda

09:15 – 10:00  Session 2: Review of progress and advancing the development of food laws in the Pacific
   2.1  Kiribati (B. Tiim (TBC)) – 5-7 minutes
   2.2  Vanuatu (S. Laban) – 5-7 minutes
   2.3  Tonga (T. Mausia) – 5-7 minutes
   2.4  Samoa (F. Tuilagi-Toalima) – 5-7 minutes
   2.5  FAO guidance on the need for and form of food law (D. Schulz) – 10-15 minutes

10:00 – 10:30  Break
10:30 – 12:15 Session 2 contd.: Review of progress and advancing the development of food laws in the Pacific
2.7 Group work on action required to advance the development of food laws in the Pacific
2.8 Plenary on action required to advance the development of food laws in the Pacific

12:15 – 13:30 Lunch

13:30 – 15:00 Session 3 – Review of progress on the development of food regulations and standards in the Pacific
3.1 Regulations and Standards in Fiji (S. Gonelevu) – 10-15 minutes
3.2 Regulations and Standards in Micronesia, Federated States of (M. Pretrick) – 10-15 minutes
3.3 Regulations and Standards in Papua New Guinea (R. Kavanamur and F. Possy) – 10-15 minutes
3.4 Regulations and Standards in Solomon Islands (E. Mapolu ) – 10-15 minutes
3.5 Practical guidance on using Codex standards in small island states (D. Clark) – 10-15 minutes
3.6 Limitations in the current development of food standards in the Pacific (A. Hazzard) – 10-15 minutes

15:00 – 15:30 Break

15:30 – 16:30 Session 3 contd. – Review of progress on the development of food regulations and standards in the Pacific
3.7 Group work on limitations in the current development of food standards in the Pacific – 40 minutes
3.8 Plenary on limitations in the current development of food standards in the Pacific – 20 minutes

Saturday, 28 November 2009

08:30 – 09:30 Session 4 – Advancing food regulations and standards in the Pacific and good regulatory practices
4.1 Developing risk-based microbiological criteria (K. Shaw) – 20 minutes
4.2 Group work on processes for developing risk-based microbiological criteria in Pacific island countries –40 minutes
4.3 Plenary on processes for developing risk-based microbiological criteria in Pacific island countries –20 minutes

09:50 – 10:20 Break

10:20 – 12:00 Session 4 contd. – Advancing food regulations and standards in the Pacific and good regulatory practices
4.4 Applying regulatory impact assessments in standards development (C. Barnao) – 20 minutes

4.5 Group work on to what extent regulatory impact assessments can be applied in Pacific island countries – 40 minutes

4.6 Plenary on how regulatory impact assessments can be applied in Pacific island countries – 20 minutes

12:00 – 13:00 Lunch

13:00 – 14:20 Session 4 – Advancing food regulations and standards on fat, salt, and sugar content and on nutrient content labelling

4.7 Food regulations and standards on fat, salt, and sugar content and on nutrient content labelling (M. Brooker) – 20 minutes

4.8 Group work on developing food regulations and standards on fat, salt, and sugar content and on nutrient content labelling in Pacific island countries – 40 minutes

4.9 Plenary on developing food regulations and standards on fat, salt, and sugar content and on nutrient content labelling in Pacific island countries in Pacific island countries – 20 minutes

14:20 – 14:40 Break

14:40 – 16:05 Session 5 – Harmonizing food standards in the Pacific

5.1 Harmonizing food standards in APEC (S. Bradley) – 15 minutes

5.2 Possible mechanisms for harmonizing food standards in the Pacific (A. Hazzard) – 10 minutes

5.3 Group work on harmonizing food standards in the Pacific – 40 minutes

5.4 Plenary on harmonizing food standards in the Pacific – 20 minutes

16:25 – 16:40 Session 6 – Food Secure – Framework for Action

6.1 Food Secure Pacific – Framework for Action (A. Hazzard) – 5 minutes

6.2 Plenary on Food Secure Pacific – Framework for Action – 25 minutes

16:40 Closing
WEBSITES REFERRED TO DURING THE MEETING

Codex: www.codexalimentarius.net

Codex principles and guidelines for the conduct of the microbiological risk assessment: http://www.codexalimentarius.net/download/standards/357/CXG_030e.pdf

Codex principles for the establishment and application of microbiological criteria for foods: http://www.codexalimentarius.net/download/standards/394/CXG_021e.pdf


FAO/WHO Coordinating Committee for North America and the South West Pacific: www.ccnaswp.org


FoodRisk (food safety risk analysis and contains links to databases, tools and risk assessments): http://www.foodrisk.org/

FSANZ Regulatory Impact Assessments (see each proposal/application): http://www.foodstandards.gov.au


FSANZ The Analysis of Food Related Health Risks http://www.foodstandards.gov.au/_srcfiles/Food%20Related%20Health%20Risks%20WEB_FA.pdf

International Portal on Food Safety, Animal and Plant Health: www.ipfsaph.org


NZFSA reports, risk profiles and data sheets: http://www.nzfsa.govt.nz/science/

Principles for the conduct of microbial risk management (NB. See Annexe 2 of this document for information on the use of risk metrics): http://www.codexalimentarius.net/download/standards/10741/cxg_063e.pdf

Pacific Island Food Composition Database: http://www.faopacific.ws/


- Application of Risk Assessment in the Fish Industry – (includes a how to use Risk Ranger’ section) [http://www.fao.org/docrep/007/y4722e/y4722e00.HTM](http://www.fao.org/docrep/007/y4722e/y4722e00.HTM)

WHO Pacific Food Safety Initiative: [http://www.wpro.who.int/fsi2/index.asp](http://www.wpro.who.int/fsi2/index.asp)

- Imported food database: [http://www.wpro.who.int/fsi2/search.asp](http://www.wpro.who.int/fsi2/search.asp)

- Food safety legislation: [http://www.wpro.who.int/fsi2/legislation/search.asp](http://www.wpro.who.int/fsi2/legislation/search.asp)