



24 August 2016

(16-4505)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>AUSTRALIA</u> If applicable, name of local government involved:
2. Agency responsible: Department of Agriculture and Water Resources
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): All imported food
4. Regions or countries likely to be affected, to the extent relevant or practicable: [X] All trading partners [] Specific regions or countries:
5. Title of the notified document: Imported Food Reforms - Consultation regulation impact statement Language(s): English Number of pages: 105
6. Description of content: The Australian Government is considering the implications of a range of proposed options for reform to the management of imported food. These reforms aim to better protect the health of Australian consumers by strengthening the ability to identify, respond to and manage food safety risks. The options are broadly similar to recent or planned reforms in Canada, New Zealand and the United States. Information about the proposed changes and the Consultation Regulation Impact Statement (Consultation RIS) can be found on the Department of Agriculture and Water Resources website: http://www.agriculture.gov.au/imported-food-reform . The Consultation RIS examines issues including the estimated benefits and costs of the proposed reform options on food importing businesses, consumers and the Australian Government. The reform options are consistent with the Codex Alimentarius Guidelines for Food Import Control Systems and address inconsistencies between Australia's imported and domestic food legislation. Imported food will continue to be required to meet the same food safety standards as food produced in Australia. Elements of the proposed reform options likely to be of most interest to trading partners include: Supply chain assurance (pages 36-40; 56-58 of the Consultation RIS) The proposed reforms will require importers to make a declaration that they have records that provide supply chain assurance for 'prescribed' foods, where border inspection alone would be insufficient to assure the safety of the food. These foods require preventative controls to be in place during their production to ensure safety as border testing alone is insufficient to provide this assurance. See Appendix B for an indicative list of prescribed foods. Australian importers will be able to demonstrate that the food safety hazards associated with higher risk foods have been subjected to preventative controls in a food safety management system by providing a:

<ul style="list-style-type: none"> - recognised government certificate (page 37) or; - recognised non-government certificate, such as certification of a HACCP based food safety management scheme. <p>Broader emergency powers (pages 22 and 58-59)</p> <p>The proposed reforms will extend the use of holding orders to restrict the importation of food if there are reasonable grounds to believe the food needs to be restricted to protect public health and safety.</p> <p>Recognise a foreign country's food safety regulatory system (pages 45-47; 60)</p> <p>The authority to recognise foreign country equivalence, exempting all imports from border intervention except where there is evidence of non-compliance or a food safety risk.</p> <p>Traceability (pages 47-53; 60)</p> <p>It is proposed that for each consignment of food imported, importers in Australia will need to have accessible records that show who they bought it from and who they sold it to.</p> <p>Australia welcomes feedback from trading partners, including answers to specific questions posed in Chapter 6: Trade Implications (pages 56-62). All page numbers refer to the Consultation RIS.</p>
<p>7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.</p>
<p>8. Is there a relevant international standard? If so, identify the standard:</p> <p><input checked="" type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text)</p> <ul style="list-style-type: none"> - CAC/GL 20-1995 Principles for Food Import and Export Inspection and Certification - CAC/GL 47-2003 Guidelines for Food Import Control Systems <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number)</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number)</p> <p><input type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>9. Other relevant documents and language(s) in which these are available:</p>
<p>10. Proposed date of adoption (dd/mm/yy): To be decided.</p> <p>Proposed date of publication (dd/mm/yy): To be decided.</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): To be decided.</p> <p><input checked="" type="checkbox"/> Trade facilitating measure The proposed reforms will allow for the authority to recognise foreign country equivalence, exempting all imports from border intervention except where there is evidence of non-compliance or a food safety risk.</p>

12. Final date for comments: ☒ Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 23 October 2016

Agency or authority designated to handle comments: ☐ National Notification Authority, ☒ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

The Australian SPS Notification Point
GPO Box 858
Canberra ACT 2601
Australia
Fax: +(61 2) 6272 3678
E-mail: sps.contact@agriculture.gov.au

13. Text(s) available from: ☒ National Notification Authority, ☒ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

Texts are available at the following web address or, alternatively, from the Australian SPS Notification Point:

<http://www.agriculture.gov.au/biosecurity/risk-analysis/memos>

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