

**Comments by USP for Conference Room Document Responding to
Discussion Paper on Food Integrity and Food Authenticity
Prepared by Iran with assistance from Canada and the Netherlands
CX/FICS 17/23/5**

Introduction

The United States Pharmacopeial Convention (USP) has a long-standing role in establishing standards for food ingredients. Since 2006, USP has been responsible for developing food ingredient standards published in the *Food Chemicals Codex (FCC)*¹. In addition to standards development, USP has established several Expert Panels to address challenging issues related to food authenticity. These Expert Panels comprise international experts drawn from industry, academia, and government organizations with expertise in food production, food regulations, auditing, and food analysis. Their work has resulted in the Food Fraud Mitigation Guidance², analytical methods to detect the addition of nonprotein nitrogen-containing substances to milk powders³, and draft guidance on nontargeted methods for ensuring food authenticity⁴. USP, in collaboration with volunteer experts, has also developed a comprehensive database of historical food fraud records⁵ which can be used by regulators and industry to support food fraud mitigation.

As noted in the Discussion Paper on Food Integrity and Food Authenticity, food fraud and economically motivated adulteration (EMA) of food has been identified in a wide range of food products and it poses both economic risks for industries and health risks for consumers. The Discussion Paper noted that the USP Food Fraud Database contained 1,801 records as of 2013. As of March 2017, the database contained more than 3,000 unique records of food fraud involving 950 distinct ingredients that affected 85 countries. Food fraud is a particular challenge because it is an intentional act designed to evade detection. Therefore, traditional risk-based preventive control systems are not sufficient for ensuring food integrity.

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¹ The *FCC* is a compendium of standards initiated in 1961 under the leadership of the United States Food and Drug Administration and the Institute of Medicine of the U.S. National Academy of Science.

² <http://www.usp.org/food/food-fraud-mitigation-guidance>

³ http://www.usp.org/sites/default/files/usp_pdf/EN/fcc/f105088.pdf

⁴ http://www.usp.org/sites/default/files/usp_pdf/EN/notices/usp-non-targeted-methods-jan2017.pdf

⁵ <http://www.foodfraud.org/#/food-fraud-database-version-20>

Based on our experience creating standards and related resources that support food integrity, USP would like to offer comments for consideration by the members of CCFICS.

Rationale for action by Codex Alimentarius

We believe that Codex is an appropriate venue for action on food authenticity because the risks of food fraud align with two areas of responsibility for Codex: protecting public health and facilitating fair global trade.

1. Public Health Protection

As noted in the Discussion Paper, the true scope of food fraud is unknown. However, the risks to public health are real and extend well beyond recent highly-publicized incidents of fraud. USP recently conducted an analysis of data in the Food Fraud Database and determined that approximately 27% of fraud-related adulterants documented in the database were potentially hazardous⁶. This determination was made because the substances either had a history of causing illnesses or deaths in consumers, a history of causing safety-related regulatory action, or were classified as allergens by Codex. In 2015, the United States implemented new food safety rules designed to better protect public health. One of those rules requires manufacturers to conduct an analysis of their operations and products to identify potential food safety hazards and to implement preventive controls when appropriate. Those rules explicitly include hazards that might arise from EMA/food fraud. Likewise, the Global Food Safety Initiative (GFSI)⁷ requires that certified organizations have food fraud mitigation plans in place. This demonstrates recognition by both government regulatory agencies and food safety schemes of the potential public health risk of food fraud and the need for food safety stakeholders to address it.

2. Facilitation of Fair Global Trade

Ethical producers can be directly harmed by competitors that adulterate products to improve apparent quality or to manipulate the market. However, large-scale incidents can affect all producers and threaten access to markets. This is a particular concern for producers in developing countries who are reliant upon commodity exports. As mentioned above, the new U.S. regulatory rules and GFSI-certified food safety schemes require food manufacturers to have plans in place to address potential food fraud hazards. These

⁶ This analysis was conducted using a framework developed by the USP Expert Panel on Hazards Identification (manuscript in preparation).

⁷ GFSI benchmarks voluntary industry-driven food safety standards that have been widely adopted globally by food manufacturers and retailers.

requirements are usually passed along through the supply chain to importers, exporters, and producers. Producers that do not have adequate plans in place are at a disadvantage when purchasing decisions are made. While larger producers and those in developed countries have access to resources that can help them develop food fraud mitigation plans, smaller producers and those in developing countries likely need assistance to develop adequate mitigation plans.

Rationale for action by CCFICS

While we recognize that food integrity is an issue with relevance to many Codex Committees, we believe that CCFICS is the appropriate venue to initiate work.

1. Food fraud/EMA affects the relationship between importers and exporters. While guidance for industry has been developed by multiple organizations, there is clearly a role for CCFICS, which is composed of national regulatory authorities who are experts in import/export.
2. While certain Codex standards address aspects of food authenticity, the risks of food fraud span a great range of products. In addition to addressing food authenticity in specific commodity committees, there is also a demonstrated need for a more globalized approach to food fraud. While there will certainly be roles for other Codex committees (such as CCMAS), we feel that documentation of basic principles of food fraud prevention from the perspective of facilitating international trade and protecting public health will provide a guide for future work of other Codex committees.

Recommendation for further work by CCFICS

The Discussion Paper presents a compelling case for action by Codex. A common aspect of existing food fraud guidance frameworks is that they are typically written to support industry food fraud mitigation efforts, and often tailored to the perspective of the purchaser of a food ingredient. There is still a need for guidance tailored toward international trade and import/export authorities to ensure food integrity.

USP, as an observer organization, would be supportive of the convening of a Working Group to draft a Code of Practice on Ensuring Food Integrity. This Code of Practice could draw upon the work already completed by various organizations⁸ to produce a document that would be applicable to importing and exporting organizations and be readily

⁸ <http://www.usp.org/food/food-fraud-mitigation-guidance>
<http://www.mygfsi.com/schemes-certification/benchmarking/gfsi-guidance-document.html>
<http://www.ssafe-food.org/our-projects/>

available to all Codex members. It could also provide a framework for the roles of various Codex stakeholders in ensuring global food integrity. A Code of Practice would provide guidance for members in developing a process for ensuring food integrity. Some of the factors that could be addressed in the guidance include:

- Strategies for recognizing vulnerabilities in food supply chains that could facilitate food fraud
- Guidance on effective use of collaborative relationships to mitigate gaps in oversight
- Strategies to reduce fraud vulnerabilities due to variabilities in supply and economic motivations

While addressing the illegal activity that is behind food fraud/EMA is beyond the remit of Codex Alimentarius, facilitating international trade and protecting public health by ensuring food integrity is not. We believe that the proposal presented herein would be useful path forward and could be a framework on which further work by CCFICS and other Codex committees is based. If CCFICS takes on work in the area of food integrity, USP would be pleased to contribute our expertise as a member of the Working Group.