

NATIONAL FOOD SAFETY POLICY

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LIST OF ACRONYMS

AHFS	Agricultural Health & Food Safety Activities
APFSWG	Working Group on Animal Production Food Safety
ASSP	Agricultural Support Services Project
BSE	Bovine Spongiform Encephalopathy
CAC	Codex Alimentarius Commission
CARICOM	Caribbean Community
CMO	Chief Medical Officer
CVO	Chief Veterinary Officer
EC	European Community
EU	European Union
FAO	Food and Agriculture Organisation
FSA	Food Safety Agency
FSPID	Food Storage & Prevention of Infestation Division
GMO	Genetically Modified Organism
GOJ	Government of Jamaica
HAS	Hygiene Assessment System
IPPC	International Plant Protection Committee
JI/EIC	Jamaica Import/Export Inspection Centre
MOU	Memorandum of Understanding
MRC	Medical Research Council
NAHFSCC	National Agricultural Health and Food Safety Coordinating Committee
NDPB	Non-Departmental Public Body
NEPA	National Environmental and Planning Agency
NGOs	Non-Governmental Organizations
NPEP	National Poverty Eradication Strategy
OIE	World Organisation for Animal Health
PQ/PIU	Plant Quarantine / Produce Inspection Unit
R.M	Resident Magistrate
RADA	Rural Agricultural Development Authority
SPS	Sanitary and Phytosanitary
TBT	Technical Barriers to Trade
UWI	University of the West Indies
VPH	Veterinary Public Health
VSD	Veterinary Services Division
WHO	World Health Organisation
WTO	World Trade Organisation
WTO-SPS	World Trade Organisation Agreement on Sanitary and Phytosanitary Measures

EXECUTIVE SUMMARY

Food safety is an issue of growing importance due to several world-wide trends that contribute to increasing safety risks in food systems, such as the growing movement of people across borders; increased movement of agricultural and food products across borders; rapid urbanisation; changes in food processing and handling practices; and the re-emergence/emergence of diseases, pathogens, toxins and other issues. Emphasis is now being placed on the ability of all stakeholders in the food chain to be able to demonstrate adequate traceability of all food sources. Issues relating to food safety will therefore impact on agricultural production, agro-processing, food service industry, trade and commerce, public health and overall economic development.

Today's global food market has placed the onus on Governments to undertake the regulatory responsibility of ensuring that the food being traded within or outside their borders is safe for consumption. In Jamaica, there is no single Ministry or Agency responsible for coordinating Jamaica's food safety programme. The responsibility for the food safety programme is shared by three main Ministries (Agriculture and Fisheries, Health, and Industry Investment & Commerce) and their respective department/divisions or agencies. As a result of this fragmentation of activities, there are a number of areas in which there might be duplication of effort and facilities by the Ministries/Agencies involved due to the legislation under which they operate.

The current food safety programme and activities are governed by over 20 Acts and Regulations. These Acts and their attendant regulations are administered by the Ministries of Agriculture and Fisheries; Health; Industry, Investment and Commerce; and Local Government.

In recognition of the deficiencies in the institutional framework governing Jamaica's food safety system, the National Quality Policy for Jamaica approved by Cabinet in October 2001, addresses the establishment of a "Single Food Safety Agency". Whilst this recommendation is referred to, the preferred approach being strongly recommended is the **establishment of a National Food Safety Council, which would be charged with the responsibility and legal authority for coordinating food safety efforts aimed at safeguarding human, animal and plant health, through the production of safe foods for both domestic and international trade and implement policies which would ensure Jamaica's compliance with international trade agreements and standards.**

The vision of the policy is, therefore, to advance the national food safety and security systems in Jamaica based on the implementation of national and international standards aimed at safeguarding human, animal, plant and environmental health and the facilitation of trade through the application of science based principles. Enabled by an integrated institutional framework, effective interagency collaboration and harmonisation of legislation, as well as a strong public/private sector partnership, this policy will cover all aspects of national, regional, and international practices, principles, guidelines, standards and agreements governing food safety systems.

Food safety begins at the agricultural (primary) production level; hence emphasis should be placed on ensuring that the Ministry of Agriculture and Fisheries performs the lead role in the “production to consumption”, otherwise termed the ‘farm to fork’, continuum.

The vision of the policy is:

“To advance the national food safety and food security systems based on national and international standards aimed at safeguarding human, animal, plant and environmental health and the facilitation of trade through the application of science based principles, enabled by an integrated institutional framework, effective interagency collaboration and appropriate legislation, as well as a strengthened public/private sector partnership.”

The goals of the policy are to:

- Establish one integrated Food Safety System;
- Ensure that food consumed is safe, sound and wholesome;
- Implement a system of traceability for food from production to consumption;
- Institute a formal risk analysis system to enhance food safety;
- Integrate institutional arrangements and capabilities for the efficient and effective management of the food safety system;
- Promulgate appropriate legislation to support food safety; and
- Effect behavioural change through heightened public awareness about food safety issues.

The policy addresses the following issues:

- Legislative gaps and overlaps
- Lack of coordination of the food safety function
- Instituting comprehensive traceability systems
- Conduct ongoing risk analysis
- Participation in international meetings
- Implementation of trade agreements
- Undertake systematic research
- Surveillance/Epidemiology
- Lack of locally accredited laboratories for food safety analysis
- Monitoring of food production and distribution systems
- Ensuring that imported food is safe for consumption
- National food safety emergency response systems
- Public awareness and education

Policy recommendations addressing the above issues include:

- Rationalisation of existing legislation and promulgation of modern food safety legislation in keeping with international standards;
- Establishment of a National Food Safety Council;
- Strengthening of existing systems in the domestic trade of food and food products and also to meet the requirements of Jamaica’s international trading partners;
- Establishment of systems that facilitate traceability from ‘farm to fork’;
- Strengthening formal risk analysis mechanisms;

- Ensuring participation in relevant meetings at the national, regional and international levels;
- Ensuring that information gathered at international fora is disseminated among the stakeholders;
- Ensuring the compliance and implementation of international agreements relating to food safety to which Jamaica is a signatory;
- Establishment of a mechanism for coordinating food safety research within the context of current initiatives addressing science and technology;
- Allocation of adequate resources to conduct or engage in applied/adaptive research with local and international partners, where relevant and practical;
- Strengthening of the current food-borne disease surveillance system and creation of a more comprehensive database for food-borne-related illnesses;
- Development of a comprehensive early warning system for food safety;
- Empowerment of the Jamaican consumer regarding information on the occurrence of food-borne illnesses in Jamaica;
- Upgrading of relevant regulatory laboratories to meet required standards for accreditation;
- Instituting food safety systems which places the responsibility for producing safe foods at all critical levels of the food chain;
- Strengthening of the legislative framework and capacity to ensure compliance to existing standards, stipulated requirements, wholesomeness and disease prevention for all foods entering the country;
- Instituting systems to ensure that Food Business Operators take greater responsibility for the safety of food they produce or import into the island for consumption;
- Strengthening collaborative mechanisms to address the current approach to food safety in times of disasters and emergencies;
- Implementation of public awareness and education programmes on food safety issues;
- Establishment of an integrated inter-agency information technology system for food safety.

This policy will be financed by budgetary support from the Government of Jamaica, cost recovery mechanisms and donor funding, where available.

1. Introduction

Food safety pertains to the prevention, reduction or elimination of the risk of ill health or death, as a result of the consumption of foods whether fresh or processed, obtained through the domestic market, or by international trade¹. Food safety is an issue of growing importance due to several world-wide trends that contribute to increasing safety risks in food systems, such as the growing movement of people across borders; increased movement of agricultural and food products across borders; rapid urbanisation; changes in food processing and handling practices; and the re-emergence/emergence of diseases, pathogens, toxins and other issues. Issues relating to food safety will therefore impact on agricultural production, agro-processing, the food service industry, trade and commerce, public health and overall economic development.

Food safety is critical to the safeguarding of public health through the consumption of safe foods by consumers supplied by global or local food markets. Governments all over the world are intensifying their efforts to improve food safety as it is increasingly becoming an important public health issue. This is due to an increase in the consumption of unsafe food resulting in food borne illnesses and death, in some instances.

The global incidence of food-borne disease is difficult to estimate, but it has been reported that in 2005 alone, 1.8 million people died from diarrhoeal diseases². A great proportion of these cases can be attributed to contamination of food and drinking water. In industrialized countries, the percentage of the population suffering from food-borne diseases each year has been reported to be up to 30%³. In the United States of America, approximately 76 million cases of food-borne diseases results in 325,000 hospitalizations and 5,000 deaths each year⁴.

While most food-borne diseases are sporadic and often not reported, food-borne disease outbreaks may take on massive proportions. For example, in 1994, an outbreak of salmonellosis due to consumption of contaminated ice cream occurred in the USA, affecting an estimated 224,000 persons⁵. In 1988, an outbreak of hepatitis A, resulting from the consumption of contaminated clams, affected some 300,000 individuals in China⁶. In Jamaica some 30,000 cases of gastro-enteritis is reported annually from sentinel sites across the Island. However, only 17 food borne outbreaks were reported to the Ministry of Health via its surveillance system in 2008⁷.

Food contamination creates an enormous social and economic burden on communities and their health systems. The World Health Organization⁸ reports that in the USA, diseases caused by the major pathogens alone are estimated to cost up to US \$35 billion annually (1997) in medical costs and lost productivity. The re-emergence of cholera in Peru in 1991 resulted in the loss of US \$500 million in fish and fishery product exports that year. Also, in

¹Baccus-Taylor, Gail S. H. Food safety: rationale for improved standards and implications for English-speaking CARICOM countries.

²<http://www.who.int/mediacentre/factsheets/fs237/en/>

³Ibid

⁴Ibid

⁵Ibid

⁶Ibid

⁷Ministry of Health

⁸<http://www.who.int/mediacentre/factsheets/fs237/en/>

recent times (2010), the epidemic outbreak of cholera in Haiti has resulted in a serious threat to food safety and food and nutrition security in that country.

FAO⁹ also highlights that analysis of the economic impact of a *Staphylococcus aureus* outbreak in India showed that 41% of the total cost of the outbreak was borne by the affected persons, which included loss of wages or productivity loss and other expenses.

The importance of an internationally recognized food safety system in today's global food market is critical to trade, especially for developing countries. The Food and Agricultural Organization (FAO)¹⁰ highlights that access by developing countries to food export markets in general, and of the industrialised world in particular, will depend on their capacity to meet the regulatory requirements of importing countries.

Food exports are a major source of foreign exchange earnings and income generation for rural and urban workers in agriculture and agro-industrial sectors; hence, making agriculture and agro-processing important to many developing countries.

FAO purports that the long-term solution for developing countries to sustain a demand for their products in world markets lies in building the trust and confidence of importers in the quality and safety of their food supply systems. This requires improvement within national food control systems and within industry food quality and safety programmes.

With a current population of 2.6 million persons, and over 2.75 million visitors in 2009, it is of paramount importance that the quality of Jamaica's food supply meets the highest standards to satisfy domestic demand, as well as the requirements of our international trading partners. This can only be accomplished by the establishment and maintenance of a rational, integrated farm-to-fork agricultural health and food safety system in Jamaica based on accepted international standards.

The food industry also has a role to play in assuring food quality and safety through the application of quality assurance and risk-based food safety systems utilising current scientific knowledge. The implementation of such controls throughout production, handling, processing and marketing will lead to improved food quality and safety, increased competitiveness, and reduction in the cost of production and wastage.

In recognition of the deficiencies in the institutional framework governing Jamaica's food safety system, the National Quality Policy for Jamaica approved by Cabinet in October 2001, addressed the establishment of a "Single Food Safety Agency". This Agency would be charged with the responsibility for satisfying human, animal and plant health through the production of safe foods for both domestic and international trade, and implement policies which would ensure Jamaica's compliance with international trade agreements and standards.

Jamaica must become compliant with international trade agreements and standards. These agreements and standards serve to articulate the basic rules for food, safety standards, and are intended to facilitate global trade in food, and cover the entire food chain- "***from farm to fork***".

One of the objectives of the Agricultural Support Services Project 2001-2009 (ASSP) that was implemented by the Ministry of Agriculture and Fisheries was to improve the effectiveness of animal health, plant health and food safety systems. The ASSP facilitated

⁹ http://www.fao.org/trade/docs/LDC-foodqual_en.htm. The Importance of Food Quality and Safety for Developing Countries.

¹⁰ Ibid

the establishment of the **National Agricultural Health and Food Safety Coordinating Committee (NAHFSCC)** in 2001.

The NAHFSCC comprises of senior technical officers from various government entities, academia and private sector. The objective of the NAHFSCC was to establish and maintain a rational, integrated farm-to-table agricultural health and food safety system in Jamaica that harmonizes inter-agency conflict and overlap, and ensures the protection of public health in a manner consistent with WTO and other international standards. The Chairmanship rotates annually amongst the three key ministries involved in food safety, namely Agriculture, Health and Investment, Industry and Commerce.

After discussions with the National Quality Infrastructure Steering Committee, it was decided that since there were overlaps with the ASSP in the area of food safety, the ASSP was asked to complete a study to examine the feasibility of establishing a single Food Safety Agency. The ASSP then contracted consultants to complete the study which concluded that it was feasible to establish a Food Safety Agency in Jamaica. The consultants presented a final report inclusive of review of current food safety activities, food safety policy, concept paper and business plan in March 2005.

It should be noted that the consultancy was monitored by the NAHFSCC, who also facilitated the development of this policy.

This policy recommends that the NAHFSCC should be given legal status and be formed into the National Food Safety Council.

In order to coordinate food safety activities among the portfolio Ministries, the ASSP through focus group discussions and seminars facilitated the development and documentation of a Memorandum of Understanding (MOU) amongst agricultural health and food safety regulators. The MOU was signed in 2005 and the sub-committees emanating from this agreement are now functioning effectively. Joint work plans have been developed by these sub-committees and have initiated enhanced team work in areas such as food inspection, sampling and surveillance.

2. International Agreement and Bodies Governing Food Safety

2.1 World Health Organization

The World Health Organization (WHO) is the directing and coordinating authority on international health within the United Nations' system. WHO experts produce health guidelines and standards, and help countries to address public health issues. WHO also supports and promotes health research. Through the support of the WHO, governments can jointly tackle global health problems and improve people's well-being.

WHO has a membership base of 193 countries, including Jamaica, and two associate members.

WHO responds to public health and other developmental challenges by using a six-point agenda. The six points address two health objectives, two strategic needs, and two operational approaches.

These include:

- Promoting development
- Fostering health security
- Strengthening health systems
- Harnessing research, information and evidence
- Enhancing partnerships
- Improving the organization's performance

WHO fulfils its objectives through its core functions:

- providing leadership on matters critical to health and engaging in partnerships where joint action is needed;
- shaping the research agenda and stimulating the generation, translation and dissemination of valuable knowledge;
- setting norms and standards and promoting and monitoring their implementation;
- articulating ethical and evidence-based policy options;
- providing technical support, catalysing change, and building sustainable institutional capacity; and
- monitoring the health situation and assessing health trends.

These core functions are set out in the 11th General Programme of Work, which provides the framework for organization-wide programme of work, budget, resources and results entitled "Engaging for health"; it covers the 10-year period from 2006 to 2015.

2.2 World Trade Organisation -Agreement on Sanitary and Phytosanitary Measures

The Agreement on Sanitary and Phytosanitary (WTO-SPS) measures entered into force with the establishment of the World Trade Organisation on January 1, 1995. The agreement provides a multilateral framework of rules and disciplines to guide the development, adoption and enforcement of sanitary and phytosanitary measures in order to minimize their effects on trade. It applies to all sanitary and phytosanitary measures that may, directly and indirectly, affect international trade.

The Agreement also sets out the basic rules for food safety and animal and plant health standards and allows countries to set their own standards. However, regulations must be based on scientific principles and applies only to the extent necessary to protect human, animal and plant life or health. These measures should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail or are misused for protectionist purposes. Therefore these measures should not be used to create barriers to free trade, but only imposed to protect human, animal or plant health on the basis of scientific information.

The SPS agreement allows countries to set their own standards, but stipulates that regulations must be based on scientific principles, and that the measures should be applied only to the extent necessary to protect human, animal and or plant life or health. Higher standards may only be imposed if there is scientific justification (i.e., national standards stricter than international standards should be scientifically justified). Member countries are encouraged to base their national SPS measures on international standards, guidelines and recommendations where they exist.

2.3 World Trade Organisation Technical Barriers to Trade Agreement

The WTO **Technical Barriers to Trade Agreement (TBT)** tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles to international trade. However, the agreement also recognises countries' rights to adopt the standards they consider appropriate (for example, for human, animal or plant life or health) for the protection of the environment or to meet other consumer interests. Moreover, members are not prevented from taking measures necessary to ensure that their standards are met. The TBT encourages Governments to apply international standards nationally to overcome the myriad of regulations that exporters and manufacturers could face in the trade of goods. However, the Agreement accords to Members a high degree of flexibility in the preparation, adoption and application of their national technical regulations.

The TBT also sets out a code of good practice for both governments and non-governmental or industry bodies to prepare, adopt and apply voluntary standards.

2.4 Codex Alimentarius Commission

Codex is a collection of internationally recognized standards, codes of practice, guidelines and other recommendations relating to foods, food production, and food safety. The objectives of codex standards are to protect the health of consumers and ensure fair practices in the international food trade. The Codex Alimentarius is recognized by the WTO as an international reference point for the resolution of disputes concerning food safety and consumer protection.

The Codex Alimentarius officially covers all foods, whether processed, semi-processed or raw, but far more attention has been given to foods that are marketed directly to consumers. In addition to standards for specific foods, the Codex Alimentarius contains general standards covering matters such as food labelling, food hygiene, food additives and pesticide residues, and procedures for assessing the safety of foods derived from modern biotechnology. It also contains guidelines for the management of official (i.e., governmental) import and export inspection and certification systems for foods.

In Jamaica, the codex contact point resides in the Bureau of Standards Jamaica (BSJ). There is also a National Codex Committee and several codex sub-committees which are led by Agencies in the major Government Ministries with food safety responsibilities.

2.5 The World Organization for Animal Health (OIE)

The World Organization for Animal Health (OIE) is an inter-governmental organization formed in 1924 and has 178 member countries, including Jamaica. The OIE has been recognised by the World Trade Organization (WTO) as the reference organization for international sanitary rules and is also the international body representing animal health worldwide.

It should be noted that in keeping with international guidelines, the responsibility for food safety in relation to animal production¹¹ is with the Veterinary Services authority/organization in each member country. Based on the OIE Terrestrial and Aquatic Animal

¹¹ <http://www.oie.int/food-safety/key-themes/>

Health Codes, international veterinary health certification is done by the Official Veterinary Authority of Countries.

Its objectives are to:

- ensure transparency in the global animal disease situation;
- collect, analyse and disseminate veterinary scientific information;
- provide expertise and encourage international solidarity in the control of animal diseases;
- safeguard world trade by publishing health standards for international trade in animals and animal products, within its mandate under the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures;
- improve the legal framework and resources of national Veterinary Services; and
- provide a better guarantee of the safety of food of animal origin and to promote animal welfare through a science-based approach.

The OIE, as an organization, is committed to the establishment of acceptable international standards for quality Veterinary Services and to assist its Member Countries in implementing the relevant standards and measures.

The OIE expects all member countries to comply with the relevant international standards laid down regarding the infrastructure, organisation, resources, capacities and capabilities of their national Veterinary Services and that the role of the private sector and paraprofessionals will be clearly outlined and accepted.

In response to the demand from consumers worldwide for safe food, the OIE is working with relevant organisations to reduce food borne risks to human health due to hazards¹² arising from animal production. The 3rd OIE Strategic Plan (2001-2005) recommended that "OIE should be more active in the area of public health and consumer protection," and noted that this should include "zoonoses and diseases transmissible to humans through food, whether or not animals are affected by such diseases", with the object of improving the safety of the "food production to consumption continuum" worldwide.

In 2002, the Director General of the OIE established a permanent Working Group on Animal Production Food Safety (APFSWG) to coordinate the food safety activities of the OIE. The Working Group's membership includes internationally recognized experts from the Food and Agriculture Organization of the United Nations (FAO), the World Health Organization (WHO) and the Codex Alimentarius Commission (CAC), and reflects a broad geographical basis. The 4th OIE Strategic Plan (2006-2010) supports the continuation of this mandate, recommending that the APFSWG "continue to work with other relevant organisations, especially the Codex Alimentarius Commission, in reducing food borne risks to human health due to hazards arising from animals".

The APFSWG has drawn up a detailed work programme for the development of standards relevant to animal production food safety, covering hazards that arise on-farm and at slaughter, with a primary focus on measures applicable at the animal production level. The APFSWG recognised that the goals of the OIE can only be achieved by working in

¹² In this context, a hazard is defined as a biological, chemical or physical agent in food with the potential to cause an adverse health effect in humans, whether or not it causes disease in animals.

collaboration with the WHO, the FAO and their subsidiary bodies, particularly the CAC. This is essential to avoid contradictory standards, address gaps between current standards and ensure the most effective use of available expertise. To this end, the OIE has strengthened formal and informal relationships with relevant international organisations and expert groups.

The APFSWG identified as priorities an examination of the scope to develop joint OIE and Codex standards to address gaps and duplication in standards, and develop procedures for mutual recognition of standards where appropriate.

2.6 International Plant Protection Convention

The International Plant Protection Convention (IPPC) is an international treaty relating to plant health. The purpose of the Convention is to secure common and effective action to prevent the spread and introduction of pest of plants and plant products and promote appropriate measures for their control. Its application is much wider than the protection of cultivated plants. The Convention extends to the protection of natural flora and plant products. It includes both direct and indirect damage by pests (including weeds). The provisions extend to cover conveyances, containers, storage places, soil and other objects or material capable of harbouring plant pests.

Application of phytosanitary measures should be based on the following principles:

- Necessity - Restrictive measures must be applied only when necessary.
- Technical Justification- Measures must be technically justified.
- Transparency - Measures must be published and rationale made available to contracting parties.
- Minimal impact – Measures must not be an impediment to international movement of people, commodities and conveyances.
- Non-discrimination - Measures must be applied without discrimination between countries of similar phytosanitary status.

The IPPC provides a framework and forum for international cooperation, harmonization and technical exchange between contracting parties dedicated to these goals. Its implementation involves the collaboration of national plant protection organisations which are the official services established by Governments to discharge the functions specified by IPPC and regional plant protection agencies, which may function as coordinating bodies on a regional level for participation in the activities to achieve the objectives of IPPC.

One of the most important activities of the IPPC is the establishment of International Standards for Phytosanitary Measures (ISPMs). ISPMs provide countries with a basis for their national phytosanitary measures. Harmonization of measures at the regional and international levels will substantially reduce the burden of countries to justify their own measures and to meet the measures of their trade partners. Jamaica is not bound by IPPC Standards, but adheres to them.

3 Institutional Framework for Food Safety

The Government’s food safety programme is currently managed by a number of agencies and entities distributed across the Ministries of Agriculture and Fisheries, Health, and Industry, Investment and Commerce. Table 1 below shows the organizations and private companies involved in providing food safety services. Appendix 1 provides details on the functions of these entities.

Table 1: Institutional Framework for Food Safety Programmes and Services

MINISTRIES			Other Institutions	Private Company
Agriculture and Fisheries	Health	Investment, Industry and Commerce		
<ul style="list-style-type: none"> • Veterinary Services Division • Veterinary Diagnostic Laboratory • Molecular Biology (PCR) Laboratory • Residue and Biochemical Analytic Laboratory • Veterinary Epidemiology, Public Health and Food Safety Unit • Plant Quarantine/Produce Inspection Branch • Rural Agricultural Development Authority 	<ul style="list-style-type: none"> • Veterinary Public Health • Regional Health Authorities • Environmental Health Unit • Local Public Health Departments • National Public Health Laboratory • Pest Control Authority 	<ul style="list-style-type: none"> • Food Storage & Prevention of Infestation Division • Consumer Affairs Commission • Scientific Research Council • Bureau of Standards of Jamaica 	<ul style="list-style-type: none"> • Department of Local Government – Local Board of Health • Central Board of Health • Caribbean Food & Nutrition Institute • International Centre for Environmental and Nuclear Sciences • University of the West Indies 	<ul style="list-style-type: none"> • Technological Solutions Ltd. • Food Hygiene Bureau Limited

In order to coordinate food safety activities among the portfolio Ministries, a MOU entitled “*Coordination of the Activities of Agricultural Health and Food Safety Agencies in Jamaica*” was signed in 2005 amongst the three Ministries involved in regulating these activities. Joint work plans developed under this MOU has initiated enhanced collaboration in areas such as food inspection, sampling and surveillance

4 Legislative Framework for Food Safety

The current food safety programme and activities are governed by over 20 Acts and Regulations (see table 2). These Acts and their attendant regulations are administered by the Ministries of Agriculture and Fisheries, Health, and Industry, Investment and Commerce. Appendix 2 provides further details on the provision of these legislations.

Table 2: Food Safety Legislation

MINISTRIES			Office of the Prime Minister (Department of Local Government)
Agriculture and Fisheries	Health and Environment	Investment, Industry and Commerce	
<ul style="list-style-type: none"> • Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) Act 1999 • The Meat and Meat Products and By Products (Inspection, Licensing and Export) Act 1999 • The Conch Levy Act. • The Animals (Diseases and Importation) Act 1948 • The Plants (Quarantine) Act 1994 • The Agricultural Produce Act 1926 • The Bees Control Act 1918 • The Fertilizers and Feeding Stuffs Act 1942 • The Fishing Industry Act 1976 	<ul style="list-style-type: none"> • The Pesticides Control Act 1987 • The Public Health Act 1985 • The Food and Drugs Act 1975 • The Public Health (Food Handling) Regulations 2000 • The Public Health (Tourist Establishments) Regulations 2000 • The Public Health (Meat Inspection) Regulations 1989 • The Public Health (Butchers) Regulation 1989 • The Public Health (Nuisance) Regulations 2001 	<ul style="list-style-type: none"> • The Processed Food Act 1959 • The Food Storage and Prevention of Infestation Act 1958 • Scientific Research Council Act 1960 • The Standards Act 1968 	<ul style="list-style-type: none"> • The Pound Act, 1897 • The Keeping of Animals Act, 1981

5 Rationale for a Food Safety Policy

Today's global food market has placed the onus on Governments to undertake the regulatory responsibility of ensuring that the food being traded within or outside their borders is safe for consumption. Jamaica exported US\$236.9 million of food in 2009 and imported a massive US\$802.3 million in the same year. Therefore the country's trade in food is critical to its food security and export earnings. As a consequence, it is imperative that an adequate food safety programme (including the development of standards) be developed and implemented to protect consumers, including the over 2 million tourists that visit the island annually. Additionally, maintaining access to foreign food markets require the adherence to international food safety standards.

A food safety policy is important to the development of an improved food safety programme as it provides the overarching framework and principles that will guide the requisite interventions. These principles are based on, *inter alia*, the assurance of public health and well being; development of an internationally competitive food production system; promotion of the development, adoption and enforcement of effective and relevant legislation and regulations; and fair efficient and cost-effective recovery systems, etc.

In Jamaica, the responsibility for the food safety programme is shared by three main Ministries (Agriculture and Fisheries, Health, and Industry Investment & Commerce) and their respective department/divisions or agencies. Prior to the establishment of the NAHFSCC and the subsequent MOU agreed upon by three Ministries, there was insufficient coordination of food safety activities carried out by these Ministries. However, the NAHFSCC and MOU have improved the coordination of food safety activities, evidenced by the opening of the Jamaica Import/Export Inspection Centre (JI/EIC) with responsibility for streamlining inspection and document processing at the Ports for greater efficiency.

Despite these efforts, there is still no single Ministry or Agency responsible for coordinating Jamaica's food safety programme. As a result of the fragmentation of activities, there are a number of areas in which there are duplication of effort and facilities by the Ministries/Agencies involved as a result of the legislation under which they operate. Therefore, any plan for implementing an effective food safety programme must take into consideration gaps, limitations and unnecessary duplications in the current system and aim to rationalize these agencies and activities.

In order to improve food safety practices in the food trade, it will require interventions and changes in both the operations and relationship between public and private sectors, and support from academia and research institutions. These actions should be guided by a comprehensive policy, legislative and regulatory framework that has the full support of all stakeholders that form part of the food trade.

6 The Policy

6.1 Policy Vision

To advance the national food safety and food security systems based on national and international standards aimed at safeguarding human, animal, plant and environmental health and the facilitation of trade through the application of science based principles, enabled by an

integrated institutional framework, effective interagency collaboration and appropriate legislation, as well as a strengthened public/private sector partnership.

6.2 Scope of the Policy

The policy will cover all aspects of national, regional, and international practices, principles, guidelines, standards and agreements governing food safety systems. The policy shall include all public and private entities involved in the scientific, technical, operational and management aspects of food safety and control systems in the country.

The policy will be underpinned by a national food control strategy; strengthening of infrastructure and institutional framework; compliance policies which establish specific or general limits to which products, processes and practices must comply, and accompanied by effective and efficient food control systems and legislation.

Ongoing training of stakeholders, public education and awareness are to be considered key elements to the successful undertaking of this policy.

The core component of the policy will be driven by the promulgation and enforcement of appropriate legislation which will impact the following key areas:

- Public health;
- Plant health;
- Animal health;
- Food safety;
- Nutrition; and
- Domestic and international trade.

6.3 Guiding Principles

The principles guiding the food safety policy are:

- Safe food is a public good and a fundamental right;
- Sound science and the application of risk analysis;
- Application of an effective traceability system;
- Utilization of preventive and precautionary principles;
- Cost effective use of resources;
- Transparency;
- Cost recovery for sustainability; and
- Food safety is the shared responsibility of the national Government, food industry and consumers.

6.4 Role of Government

- Implementation of appropriate policies and programmes to regulate and ensure compliance in the food industry.

- Ensuring food consumed locally or traded internationally are safe, sound and wholesome.
- Developing and maintaining a system of surveillance, evaluation and control to inform decision making process;
- Developing and implementing systems that facilitates compliance with bilateral and multilateral trade agreements;
- Active participation in the development of national, regional and international food related standards and guidelines;
- Allocation of adequate resources to develop, implement and sustain an effective national food safety and control system;
- Supporting the application of research to guide evidence based decision for the national food safety system;
- Designing and implementing relevant public education programmes which give consumers access to information on best food hygiene practices;
- Developing appropriate programmes to achieve an acceptable baseline data for food hygiene standards aimed at protecting the most vulnerable segments of the society;
- Developing and maintaining a national food safety information system;
- Developing systems to ensure that safe food is available in times of emergencies and disasters (natural and man-made, such as bioterrorism).

6.5 Policy Goals

The goals of the policy are to:

- Establish one food safety system;
- Ensure that food consumed is safe, sound and wholesome;
- Implement a system of traceability for food from production to consumption;
- Institute a formal risk analysis system to enhance food safety;
- Integrate institutional arrangements and capabilities for the efficient and effective management of the food safety system;
- Promulgate appropriate legislation to support food safety; and
- Effect behavioural change through heightened public awareness about food safety issues.

6.6 Policy Issues and Recommendations

6.6.1 Legislative Gaps and Overlaps

Policy Issues

The current food safety legislation in Jamaica is administered by various Government regulatory Agencies. This situation has led to areas of gaps and overlaps resulting, at times, in

a lack of compliance, enforcement and unclear jurisdiction among Ministries and Agencies involved.

The relevant fines associated with most existing legislations do not serve as a deterrent where breaches occur.

Policy Recommendations

- The Government shall rationalise existing legislation and promulgate modern food safety legislation in keeping with international standards.
- Government shall review and institute harsher penalties for non-compliance to legislation.

6.6.2 *Coordination of the Food Safety Function*

Policy Issues

At present, there are over six main entities/agencies of Government which are responsible for the safety function along the food chain. The fragmented nature of the function has posed difficulties for coordinating and streamlining activities and has resulted in overlaps and gaps in the country's food safety system.

Inter-Ministerial Oversight

Given the wide variety of foods and the complex system of production, processing, transportation, storage, marketing, and use of foods both locally and abroad, the issue of food safety spans different Ministerial portfolios and is governed by various pieces of legislation. An institutional arrangement is needed to facilitate a regular updating of the Ministers on food safety matters and actions, especially when there is a food safety crisis. An Inter-Ministerial Food Safety Committee comprising three Ministers would be appropriate. This committee would meet, say, quarterly, or as necessary in the case of a food safety crisis.

Since its establishment the National Agricultural Health and Food Safety Coordinating Committee (NAHFSCC) has proven to be an effective organ in the coordination of food safety issues.

However there is a need for the NAHFSCC to be accorded the legal underpinning to undertake the necessary oversight and national coordination of food safety issues. ***This Committee should therefore be given legal status and renamed National Food Safety Council (NFSC).***

Policy Recommendations

- There shall be an Inter-Ministerial Food Safety Committee comprising the Ministers with portfolio responsibility for Agriculture, Health, and Industry and Commerce. The Committee will provide high level supervision and coordination of the National Food Safety Council. The Committee will also be responsible for making policy decisions in keeping with the mandate of ensuring the provision of food in its safest form.

- Government shall designate the National Agricultural Health and Food Safety Coordinating Committee (NAHFSCC) as the National Food Safety Council (NFSC) with prescribed representation. This Council shall be constituted of representatives from key regulatory agencies, academia, industry and the Attorney General's Department.
- The Council and the Inter-Ministerial Committee will be supported by a small, technical and administrative Secretariat.

6.6.3 Trade

Policy Issues

Globalization and liberalization of markets have created greater food safety challenges. Governments are now required to comply with the sanitary and phyto-sanitary measures in order to satisfy trade requirements. There is currently inadequate capacity and capability to respond effectively to the globalization of food trade.

Recommendations

- Government shall, where applicable, develop and/or strengthen existing systems in the domestic trade of food and food products and also to meet the requirements of Jamaica's international trading partners.

6.6.4 Traceability

Policy Issues

The current traceability systems to guarantee origin, effect recalls, condemnation and removal from distribution systems of unsafe or questionable food are informal and inadequate, and do not meet all national, regional and international standards.

Policy Recommendations

- The Government of Jamaica shall facilitate the establishment of systems that ensure traceability from 'farm to fork'.
- Adequate procedures to facilitate the traceability of feed and food, inclusive of both animals and plants, and their ingredients shall be implemented.
- The traceability activities will include the obligations of producers¹³, as well as the regulatory agencies.
- Strengthen traceability activities to include movement of animals from all holdings to regulated slaughtering facilities.

¹³ Producers refer to all operators along the critical points of the food chain.

6.6.5 Risk Analysis

Policy Issues

Risk analysis is an integral activity of all modern food safety systems and involves risk assessment, risk management and risk communication.

The capability and capacity to conduct appropriate risk analysis are inadequate. Risk analysis capabilities are required under the WTO/SPS Agreement to which Jamaica is a signatory.

Policy Recommendations

- The Government of Jamaica shall implement measures to strengthen formal risk analysis mechanisms to include capacity building in key agencies. In this regard, Government shall strengthen technical capabilities of its human resources and its infrastructure such as laboratories and research mechanisms.

6.6.6 Participation in International Meetings and the Implementation of Agreements

Policy Issues

There is a need for Jamaica to participate more fully in meetings in which international food safety standards and guidelines are being discussed and developed, for example, CODEX Alimentarius, IPPC, OIE, FAO and WTO/ SPS Agreement. In addition, there is a need for greater collaboration, communication and follow-up among appropriate Ministries/Agencies on food safety matters covered under the relevant international agreements.

Policy Recommendations

- The Government shall ensure Jamaica's participation in relevant meetings at the national, regional and international levels.
- Responsible Ministries/Agencies shall ensure that information gathered at international fora is disseminated among the relevant stakeholders.
- The Government of Jamaica shall ensure the compliance and implementation of international agreements relating to food safety to which it is a signatory.

6.6.7 Research

Policy Issues

Research needs to be an integral part of the food safety system and should be undertaken in a systematic way. There is the need for greater collaboration among National Institutions and Academia in food safety research. Policy decisions on food safety matters should where necessary be guided by adequate research.

Policy Recommendations

- In the national interest, Government shall establish a mechanism for coordinating food safety research within the context of current initiatives addressing science and technology.
- Government shall create a framework for partnerships with the scientific community and other stakeholders in food safety research.
- Government shall use research to inform policy and to advance the expansion of export potential, whilst enhancing efficiency in production.
- Government shall allocate adequate resources to conduct or engage in applied/adaptive research with local and international partners, where relevant and practical.

6.6.8 Surveillance/Epidemiology

Policy Issues

Currently there is significant under reporting of food-borne-related illnesses and intoxication. This has served to impede the undertaking of required responses or corrective measures to address the problem. In addition, there is only a limited early warning system for use by authorities to institute preventative measures for food-borne related illnesses. Access by the public to the information concerning food-borne related illnesses/diseases in Jamaica is very limited and negatively impacts on consumers' decision making.

There is also the need to improve data management and communication to stakeholders.

Policy Recommendations

- Government shall strengthen the current food-borne disease surveillance system and create a more comprehensive database for food-borne related illnesses.
- Government shall develop a comprehensive early warning system for food safety.
- Government shall seek to strengthen the national animal disease and plant health surveillance systems.
- Government shall play a more active role in empowering the Jamaican consumer regarding information on the occurrence of food-borne illnesses in Jamaica.

6.6.9 Lack of Locally Accredited Laboratories for Food Safety Analysis

Policy Issues

It is both a national and international requirement that laboratories used for food safety analysis and testing be accredited by an approved body. Currently, there are a number of testing laboratories which are in the process of seeking accreditation. The lack of accredited laboratories poses tremendous challenges for Jamaica's export trade, as it is now a major requirement for international trade. In order to meet prescribed standards, most laboratories require some form of upgrading. The majority of these laboratories are regulatory in nature and are Government operated. Such requirement demands that resources be made available to

implement procedures aimed at acquiring accreditation for the relevant laboratories. In order to meet the prescribed standards, most laboratories require some form of upgrading, a process which has already begun at several of these laboratories. A network of accredited laboratories should be established as the basis for the laboratory support system.

Policy Recommendations

- The Government shall upgrade relevant regulatory laboratories to meet required standards for accreditation.

6.6.10 Monitoring of Food Production and Distribution Systems

Policy Issues

Food production and distribution systems for local consumption are not adequately monitored for residues and contaminants (biological, chemical and physical). A lack of these controls will impact negatively on food safety. The current system does not allow for adequate traceability, speedy assessment and implementation of corrective measures.

Policy Recommendations

- The Government shall institute food safety systems which places the responsibility for producing safe foods at all critical stages of the food chain.

6.6.11 Ensuring that Imported Food Is Safe for Consumption

Policy Issues

A significant amount of food/feed consumed locally is imported. The current national food control system (inclusive of inspection, monitoring and testing of imported foods) needs to be strengthened to verify safety and quality.

Policy Recommendations

- Government shall strengthen the legislative framework and capacity to ensure compliance to existing standards, stipulated requirements, wholesomeness and disease prevention for all foods.
- Government shall establish systems to ensure that importers of food take responsibility for the safety of food brought into the island for consumption.

6.6.12 National Food Safety Emergency Response Systems

Policy Issues

- Food safety risks tend to be greater in times of disasters and emergencies and there is normally a lack of resources to address such risks in these events. Further, the safety and wholesomeness of food/feed donations and gifts are sometimes of particular

concern. There is also limited coordination among the relevant agencies, including private sector and NGOs to mitigate and manage these risks.

- During periods of economic “down turns” there is the tendency to engage in undesirable food safety practices along the food chain.

Recommendations

- Government shall strengthen collaborative mechanisms to address the current approach to food safety in times of disasters and emergencies.
- Government shall monitor food safety standards by applying appropriate risk assessment measures.
- Government shall provide the necessary resources to address basic food safety requirements during disasters/emergencies.
- Government shall develop appropriate food safety systems to address emerging food safety risks.

6.6.13 Public Awareness and Education

Policy Issues

The lack of awareness of producers and consumers on important food safety issues is of major concern. As a consequence, there is a low level of responsibility exhibited by producers and consumers alike, as it relates to food safety. Some food manufacturers and producers also exhibit this attitude towards food safety issues.

Currently, there is no structured public awareness and education programme dealing with food safety issues.

Policy Recommendations

- The Government shall develop and implement public awareness and education programmes on food safety.
- Government shall infuse the subject of food safety into the curriculum of primary and secondary educational institutions.

7 Implementation

7.1 Institutional Framework

The food safety functions will be coordinated through three institutional arrangements, namely:

- an Inter-Ministerial Food Safety Committee (IFSC)
- a National Food Safety Council
- a Secretariat

7.1.1 Inter Ministerial Food Safety Committee

The Inter-Ministerial Food Safety Committee will comprise the Ministers of Agriculture; Health; and Investment, Industry and Commerce. The Committee will meet quarterly or semi-annually to:

- provide high level oversight, coordination and direction regarding food safety protection and control;
- review and approve work plans and budgets of the food safety agencies;
- review high level reports of performance;
- resolve policy and operational conflicts among agencies as necessary;
- take policy decisions and provide instructions to regulatory agencies as appropriate;
- discharge other high level functions as deemed appropriate.

In case of a food safety emergency, the Inter-Ministerial Food Safety Committee will meet more frequently as appropriate to take policy decisions, monitor agreed interventions and report to Cabinet as necessary. The Inter-Ministerial Food Safety Committee will be supported technically by the National Food Safety Council and administratively by the Secretariat. Costs associated with convening meetings of the Committee will be included in the budget of the Secretariat.

The chairmanship of the Inter-Ministerial Food Safety Committee shall be the Minister of Health given that Ministers mandate to ensure the health of the population.

7.1.2 National Food Safety Council

The National Food Safety Council, the coordinating agency, will consist of the heads of the six food safety regulatory agencies (or their nominees/alternates) along with other relevant technical/policy representatives from relevant stakeholder agencies such as the Universities, the Ministries, etc. The functions of the National Food Safety Council will be to act as a forum to:

- rationalize roles and functions of regulatory agencies to avoid duplication of functions
- monitor agreed roles and functions of each agency to prevent “function creep”
- share work plans and budgets
- agree on sharing of common infrastructure, equipment and personnel
- identify priority interventions in food safety and agree on joint collaborative effort
- provides policy advice to the Inter-Ministerial Food Safety Committee

The broad functions of the NFSC shall include the following areas:

- Provide oversight, coordination and direction to food safety protection and control;
- Rationalize, administer and enforce regulations applicable to food safety;

- Advise the Minister with portfolio responsibility for food safety about developments in the area of food safety;
- Facilitate participation in national, regional and international fora on food safety issues;
- Ensure that appropriate investigations are commissioned on food safety issues;
- Identify and mobilize resources for the operation and sustainability of food safety delivery systems;
- Implement a structured food safety awareness and education programme for the public;
- Coordinate strategies for emergencies and emerging issue relative to food safety
- Direct the undertaking of relevant surveillance activities pertaining to food safety and;
- Coordinate donor funding for food safety.

The chairmanship of the Council will rotate every two years among the three Ministries with the initial chairman being from the Ministry of Health.

In addition, the National Food Safety Council shall be available at a consultative level for the development and monitoring of food safety programmes operated by the Government and other organisations. Such programmes will include:

- The National School Feeding Programme (operated by the Ministry of Education);
- The Programme of Advancement Through Health and Education (PATH – operated by the Ministry of Labour & Social Security);
- Disaster Recovery Programmes (operated by the Office of Disaster Preparedness & Emergency Management); and
- Food Aid Programmes (operated by the Red Cross, Salvation Army, Food for the Poor, etc.).

7.1.3 Food Safety Secretariat

The Secretariat will be responsible for the following:

- organising meetings of the Inter-Ministerial Food Safety Committee and the National Food Safety Council
- prepare minutes of meetings of the Committee and Council
- circulate information as instructed by the Committee and Council
- follow up on common administrative actions as instructed
- other functions as appropriate

The Codex Administrative and Technical Secretariat that is housed in the Jamaica Bureau of Standards will be expanded to include the secretariat functions of the Inter-Ministerial Food Safety Committee and the National Food Safety Council. The Bureau of Standards would fund any

incremental cost of the Secretariat relating to the Inter-Ministerial Food Safety Committee and the National Food Safety Council.

7.1.4 Other Institutions

Other institutions which are critical in the implementation of the policy are:

- Cabinet Office (Public Sector Modernisation Unit)
- Ministry of Education
- Scientific Research Council
- National Accreditation Body
- Ministry of Foreign Affairs and Foreign Trade
- Department of Local Government
- Ministry of National Security
- Ministry of Labour and Social Security
- Ministry of Tourism
- Office of the Prime Minister
- National Environmental Planning Agency
- Ministry of Finance
- Ministry of Justice (Attorney General Department, Chief Parliamentary Counsel)
- Farmers/Producers Organizations
- Jamaica Manufacturers Association/
- Private Sector Organization of Jamaica
- Jamaica Exporters Association
- Rural Agricultural Development Authority
- Academia

7.1.5 Regional and International Organizations

- Pan American Health Organization/Caribbean Food and Nutrition Institute
- Food and Agriculture Organisation
- World Organisation for Animal Health
- Codex Alimentarius Commission
- International Plant Protection Convention Secretariat
- International Organization for Standardization
- Inter-American Institute for Cooperation on Agriculture
- Caribbean Agricultural Research and Development Institute
- CARICOM Regional Organisation for Standards and Quality
- CARICOM Secretariat

7.1.6 Role of Producers

Producers shall take responsibility for the production of safe food. This will entail:

- Recognition and observance of food safety as an important national issue;
- Implementation of on-farm food safety programmes and good agricultural/manufacturing practices;

- Compliance with existing food safety legislation; and
- Establishment of systems of traceability for food/feed products.
 - **Legislative Framework**
- Government shall promulgate new legislation to establish the National Food Safety Council. The new legislative framework will also provide the mandate for the National Food Safety Council to have powers of direction and coordination in the food safety sector, in order to effectively manage national food safety programme.
- Existing legislation will also be rationalised to provide the appropriate framework for the effective governance of the food safety system.
- Complementing the legislative changes, a programme of institutional development and strengthening will be embarked upon.

8 Financing

This policy will be financed by:

- Government of Jamaica Budgetary support
- Cost Recovery mechanisms
- Relevant donor funding

9 Monitoring and Evaluation

Monitoring and evaluation of the implementation of the policy will be the responsibility of the policy division in the portfolio Ministry that will have overall responsibility for food safety. It is anticipated that this policy will require a full review in 3-5 years of its adoption to ensure progress with local and international developments.

10 Linkages with Other Policies

10.1 Vision 2030- Jamaica National Development Plan

The Vision 2030 Jamaica National Development Plan provides the blueprint for the country's strategic development over the next 22 years. It presents the goals, outcomes, strategies and actions, and the implementation, monitoring and evaluation framework that will lead the country to sustainable prosperity by 2030, within the context of the country's economic, social, environmental and governance structures.

Vision 2030 Jamaica is based on the Guiding Principles listed below:

- Jamaica's transformation must have people at the centre of its development.
- Transformation should be directed by an over-arching vision for the society, buttressed by strong, extra-ordinary leadership and guided by a cohesive and comprehensive development plan.
- Sustainability – integrating economic, social and environmental issues
- Fostering balanced development in rural, urban and regional areas
- Equity – ensuring that the Plan facilitates equality of opportunity and equal rights
- Social cohesion and partnerships

In order to achieve developed country status, the Plan will give priority attention to the following key areas of national development:

- Developing Human Resources
- Effective Governance
- Environmental Sustainability
- Gender, Culture & Values
- Health
- Infrastructure
- International Competitiveness
- Law & Order
- Population
- Regional Development
- Science, Technology & Innovation
- Social Protection

10.2 Plant Health Policy

The policy seeks to address the gaps and failures in the current plant health system, in light of requirements of international treaties and agreements of which Jamaica is signatory and food safety and phytosanitary standards of our major trading partners. The policy identifies issues faced by Government that hinder the development of an efficient plant health system. The policy makes provision for the revision of existing legislation, building of institutional capacity, scientific systems, quarantine capacity, surveillance systems, emergency response for pest outbreaks and increased public awareness.

General goals of the plant health policy are to:

- Improve the current plant health system in accordance with international standards and obligations;
- Harmonize national plant health legislative, regulatory and institutional frameworks;
- Facilitate the development of systems that mitigate the introduction and spread of harmful alien pest species;
- Promote the use of sustainable integrated pest management strategies in order to reduce the dependence on pesticides by farmers thus enhancing food quality;
- Protect the natural environment from the harmful impact of invasive plant pests; and
- Increase public awareness and role of stakeholders in protecting plant health.

The National Plant Health Policy was approved by Cabinet No. 26/10 on July 12, 2010 and also laid as a Ministry Paper in January 2011.

10.3 Draft Animal Health Policy

This policy is currently being drafted and will cover the health and welfare of animals of aquatic and terrestrial natures that are used for food, work, sports, companionship, research, teaching and entertainment (equine).

It will determine the core activities for the animal health sector and provide guidance to the veterinary authority in relation to the health, productivity and welfare of animals; the movement of animals or animal products through the use of land, sea or air, locally or for export; the production of animals and animal products; and health regulation and certification of animals and their products.

The policy will seek to address the gaps within the current animal health and welfare system, in tandem with OIE guidelines, and will include provisions for an effective legislative, regulatory and institutional framework for proper functioning of this system.

10.4 Draft Biosafety Policy

This policy seeks to provide, through the establishment and monitoring of standards, a safe and enabling environment for the development, transboundary movement, handling and use of genetically modified organisms, while managing risks to human health and biodiversity.

The main objectives of the National Biosafety Policy are to:

- ensure the effective regulation and management of the importation, exportation and transboundary movement of Genetically Modified Organisms (GMOs), in keeping with international standards;
- ensure that the possible negative effects of GMOs on human health and biodiversity are effectively managed;
- regulate the labelling of GMOs;

- facilitate public awareness and participation in biosafety policy implementation and transparency in decision-making; and
- increase the capacity of national institutions to implement and monitor a national framework for biosafety.

The policy is expected to allow Jamaica to exploit biotechnology and to provide for the protection of the country's human resources and biodiversity against the possible adverse effects of the application of this technology.

CONCLUSION

The implementation of the National Food Safety Policy will play a vital role in ensuring that Jamaica meets internationally recognized food safety standards and guidelines and signals Government's commitment to improving the quality and safety of the food supply systems. The Policy will provide the foundation for a comprehensive and integrated approach to food safety and food security programmes that will result in the protection of the health of consumers in the local and export markets.

The policy will impact on public health, animal health, food safety, nutrition and domestic and international trade. It will include all public and private entities involved in the scientific, technical, operational and management aspects of food safety and control systems, farmers, producers, business operators in the farm-to-fork continuum in the country. Ongoing training of stakeholders, public education and awareness are to be considered key elements to the successful undertaking of this policy.

This policy reviewed the issues affecting food safety in Jamaica and recommended ways in which these problems/issues can be resolved. The Ministry of Agriculture and Fisheries believes that the institutional and legislative changes that have been recommended will ensure utmost safety in the consumption of food.

APPENDICES

APPENDIX 1

INSTITUTIONAL FRAMEWORK FOR AGRICULTURAL HEALTH & FOOD SAFETY ACTIVITIES

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
Ministry of Agriculture and Fisheries		
Veterinary Services Division (VSD)	<ul style="list-style-type: none"> ▪ Safeguards and maintains Animal Health in Jamaica ▪ Safeguard/enhance human (public) health. ▪ Maintains sustainable Animal Production Systems ▪ Promotes and safeguards animal welfare. ▪ Ensures that foods of animal origin is safe for human consumption ▪ Controls and eradicates zoonotic food borne diseases ▪ Facilitates trade in animals and products of animal origin. ▪ Facilitates export of meat, meat products and other animal products: hides, eggs, fish, milk and milk based products, and food supplements ▪ Perform compulsory inspection and quarantine of imported animals ▪ Issues permits for the importation of products of animal origin ▪ Inspects, detains and destroys illegal or otherwise unsafe imported animal products ▪ Develops policies to ensure that Jamaica remains free of all exotic animal diseases ▪ Conducts surveillance and monitoring for animal diseases 	<ul style="list-style-type: none"> ▪ Inspection and certification of meat and meat products <u>for export.</u> ▪ Monitoring of establishments engaged in the processing of animal products for export. ▪ Inspection and registration of food processing establishments. ▪ Auditing of processing establishments. ▪ Permit for importation of animals, animal products and by-products. ▪ Laboratory testing of animal products and by-products. ▪ National Residue Monitoring programme for poultry products, red meat and fishery products and by-products. ▪ Environmental monitoring (monitoring for environmental contaminants such as lead cadmium and mercury. ▪ Monitoring for marine biotoxins and other toxins of public health significance. ▪ Training of Meat Inspectors ▪ Epidemiology, Veterinary Public Health and Food Safety Unit conducting surveillance and monitoring for diseases of public health significance and monitoring of slaughter and processing facilities engaged in export of products. ▪ Monitoring of potable water used in processing establishments.

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
Veterinary Services Division (CONT'D)		<ul style="list-style-type: none"> ▪ Review and authorization of HACCP programmes in processing establishment. ▪ Conducts HACCP audits. ▪ Audit of GMPs, SOPs, SSOPs, Pest Control Programmes, etc. ▪ Conducts Import Risk Assessments. ▪ Public awareness ▪ Livestock/animal husbandry advisory ▪ Port surveillance and monitoring. Inspection of imported animal products. ▪ Seizure and destruction of contraband and unsafe products. ▪ Issues permits for importation of Veterinary drugs, vaccines and biologicals. ▪ Liaises with OIE, FAO, CFIA, FDA, USDA, MOH, BSI, FSPID, PQPI and other local and international regulatory bodies involved in food safety. ▪ Competent Authority with responsibility for the inspection and certification for export of all animals and products of animal origin.
Plant Quarantine / Produce Inspection Unit (PQ/PIU)	<ul style="list-style-type: none"> ▪ Ensures that harmful plant pests do not enter and become established in Jamaica. ▪ Ensures that only the highest quality pest-free produce is exported from Jamaica. ▪ Issues Permits for the importation of plants, plant parts, fresh fruits and vegetables ▪ Inspects and certifies imports and exports of plants, plant parts, fresh fruits and vegetables ▪ Participates in a USDA Pre-clearance Programme for the export of certain fresh 	<ul style="list-style-type: none"> ▪ Inspection ▪ Certification ▪ Detention of produce not in compliance with requirements for export or import

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
	fruits and vegetables to the USA	
Rural Agricultural Development Authority	<ul style="list-style-type: none"> ▪ Provides agricultural extension services (domestic crops, marketing, water management and livestock) ▪ Pest surveillance & monitoring ▪ Social Services/Home Economics extension services ▪ Agro-processing ▪ Product development ▪ General home management ▪ Social Services/ Home Economics extension services ▪ Agro-processing ▪ Product development ▪ General home management 	<ul style="list-style-type: none"> ▪ Training & advisory services in: <ul style="list-style-type: none"> ▪ IPM/ICM, pesticides management; ▪ Food hygiene, processing, nutrition, food quality management, preparation; ▪ Fresh produce post-harvest management & marketing; and ▪ Water management. ▪ Pest & pesticides surveillance/monitoring ▪ Pest, pesticides & crop management technology validation ▪ Public awareness & information product development ▪ Commercial agro-processing ▪ Public awareness & information product development ▪ Distributor training in fresh produce handling, packaging and display ▪ Fresh produce production & market surveillance/ monitoring ▪ Produce quality standards development ▪ Water resources management ▪ Water quality testing ▪ Training & advisory services in livestock management ▪ Providing information on: <ul style="list-style-type: none"> ▪ Pest distribution ▪ Pest & pesticides management ▪ Fresh produce availability/quality ▪ Crop production statistics ▪ Post-harvest

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
		management <ul style="list-style-type: none"> ▪ Agroprocessing ▪ Livestock management
Ministry of Industry, Investment and Commerce		
Food Storage & Prevention of Infestation Division	<ul style="list-style-type: none"> ▪ Inspects food & feed at ports of entry, airports, seaports, bonded warehouses, containers etc. ▪ Regulates monitoring of food processing facilities, distributors and retailers ▪ Treats and certifies durable agricultural products, e.g. pimento, cocoa, etc. ▪ Treats and certifies export cargo, e.g. animal feed ▪ Performs quarantine functions to prevent the introduction and establishment of new stored product pests. 	<ul style="list-style-type: none"> ▪ All work done by FSPID is related directly to food safety ▪ Inspection of foods & feeds (18 Inspectors) ▪ Sampling ▪ Laboratory testing of samples ▪ Public education / Training of farmers and Pest Control Operators ▪ Training of Inspectors, e.g. HACCP
Jamaica Bureau of Standards	<ul style="list-style-type: none"> ▪ Facilitates the development and promulgation of voluntary standards to encourage trade and industry ▪ Ensures consumer protection ▪ Maintains the National CODEX Contact Point ▪ Audits food safety systems 	<ul style="list-style-type: none"> ▪ Registration & inspection of food processing establishments under the Processed Foods Act and the Standards Act ▪ Auditing of food safety systems ▪ Sampling and testing of raw materials and finished products ▪ Issuing of Certificates of Approval for manufactured products categorised as “prescribed foods” for local consumption and export ▪ Issuing of Certificates of Export for foods to be exported ▪ Monitoring of imported feeds & foods for labelling, checking for certificates of analysis, origin, etc. ▪ Conducts market surveys of food products under the Standards Compliance Programme

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
Scientific Research Council	<ul style="list-style-type: none"> ▪ Fosters and stimulates economic development through scientific and technological solutions, with major focus on Agro-Industry ▪ Provides analytical services to the Private Sector on a fee-paying basis. ▪ Promotes good manufacturing practices, proper factory layout, good hygiene and sanitation practices ▪ Conducts training at the local and regional levels. 	<ul style="list-style-type: none"> ▪ Schedule Process Development for low-acid foods e.g. ackee, callaloo ▪ Chemical analysis of foods for protein, fats, hypoglycine, heavy metals & additives. ▪ Microbiological testing of foods
Consumer Affairs Commission	<ul style="list-style-type: none"> ▪ Consumer education ▪ Complaints resolution ▪ Representing consumers 	<ul style="list-style-type: none"> ▪ Provides information on food items that have been recalled through notifications received from such organisations as Consumers International
Ministry of Health		
Pesticides Control Authority	<ul style="list-style-type: none"> ▪ Monitors health and environmental impact of pesticide use ▪ Overall responsibility for pesticides, and establishing links with other regulatory bodies ▪ Develops and implements systems for the safe use of pesticides ▪ Research and public education to raise user and consumer awareness ▪ Trains and certifies Pest Control Operators ▪ Establishes MRLS ▪ Registers pesticides for use in Jamaica Registers sellers of pesticides	<ul style="list-style-type: none"> ▪ Training and certification of users ▪ Promotion of safe pesticide usage ▪ Public Education programmes on health related aspects of pesticide usage ▪ Risk assessment ▪ Pesticide residue monitoring
National Public Health Laboratory	<ul style="list-style-type: none"> ▪ Provides laboratory services for the public health system ▪ Provides clinical laboratory services to KPH ▪ Conducts islandwide investigation of outbreaks 	<ul style="list-style-type: none"> ▪ Microbiological testing & surveillance services for food dairy and egg products ▪ Monitoring potable water
Environmental Health Unit	Responsible for: <ul style="list-style-type: none"> ▪ Policy formulation ▪ Surveillance for food-borne 	<ul style="list-style-type: none"> ▪ Inspection by Public Health Inspectors

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
	illnesses <ul style="list-style-type: none"> ▪ Inspection ▪ Regulation of food-handling premises ▪ Regulation of food handlers 	<ul style="list-style-type: none"> ▪ Risk assessment
Veterinary Public Health	Responsible for: <ul style="list-style-type: none"> ▪ Co-ordination of zoonotic disease eradication programmes ▪ Inspection of foods of animal origin-(meat, poultry, dairy and seafood, eggs) ▪ Policy formulation ▪ Technical training ▪ Regulation of meat processing facilities ▪ Assessment of veterinary pharmaceuticals 	<ul style="list-style-type: none"> ▪ Inspection of slaughtering facilities and meat products by Veterinary Public Health Inspectors ▪ Training Meat Hygiene, Zoonoses (UTECH)
Other Institutions		
Caribbean Food & Nutrition Institute	<ul style="list-style-type: none"> ▪ Works with member countries to improve food and nutrition through technical cooperation and capacity building ▪ Concerned with both food safety and food security issues ▪ Promotion & Dissemination of information ▪ Conducts surveillance & Research activities ▪ Human Resource Development of relevant stakeholders 	<ul style="list-style-type: none"> ▪ Public Education ▪ Training ▪ Assist with Policy & Legislation formulation for food and nutrition issues
International Centre for Environmental and Nuclear Sciences	<ul style="list-style-type: none"> ▪ Conducts inorganic elemental analysis (mainly metals) ▪ Tests for radioactivity in foods ▪ Conducts analyses on soils and foods for approximately 40 elements, e.g. cadmium, mercury, nickel, lead, zinc 	<ul style="list-style-type: none"> ▪ Testing for heavy metal contamination and radioactivity in foods ▪ Present resources do not permit contribution to routine analyses for food safety purposes. Willing to consider special problems and provide advisory services
University of the West Indies- Faculty of Pure and Applied Sciences (Chemistry Department and Life Sciences Department)	Conducts research in Food Chemistry and pesticides & pest control	Conducts research in testing for residues, contaminants and toxic pollutants on water, soil, foods.

MINISTRY/AGENCY/ DIVISION	MAJOR FUNCTIONS	FOOD SAFETY FUNCTIONS
Private Companies		
Technological Solutions Ltd.	<ul style="list-style-type: none"> ▪ Provides analytical testing facilities for foods, pharmaceuticals, chemicals for Industry & Agriculture 	<ul style="list-style-type: none"> ▪ Provides advice and training to government ministries/agencies/department in the Region on food safety issues, for example,- HACCP -WTO-SPS & TBT ▪ Works in close liaison with FDA, USDA & other international regulatory bodies ▪ Equipped to provide advisory service on the establishment of a food safety entity
Food Hygiene Bureau Limited	Provides training in food and occupational health, including HACCP	<ul style="list-style-type: none"> ▪ Training in food safety ▪ Conducts HACCP audits ▪ HACCP implementation ▪ Conducts risk assessments and consultancy

APPENDIX 2

FOOD SAFETY LEGISLATION IN JAMAICA

MINISTRY	LEGISLATION	GENERAL PROVISIONS
The Ministry of Industry, Investment and Commerce	The Processed Food Act, 1959.	The registration of establishments for the processing of food.
Ministry of Industry, Investment and Commerce.	The Food Storage and Prevention of Infestation Act, 1958.	The appropriate storage of food, the cleaning and disinfection of containers and facilities.
Ministry of Health and the Environment.	The Pesticides Control Act, 1987.	Regulating of the importation, manufacture, sale and use of pesticides and the licensing of pest control operators and operations.
Ministry of Agriculture & Fisheries	Aquaculture, Inland and Marine Products and By-Products (Inspection, Licensing and Export) Act, 1999	Advancing public health and safety standards in the export of aquaculture, inland and marine products and their by-products intended for human consumption.
Ministry of Industry, Investment and Commerce.	Scientific Research Council Act, 1960.	The establishment and constitution of a body called the Scientific Research Council.
Ministry of Agriculture & Fisheries	The Animals (Diseases and Importation) Act, 1948.	Regulation of importation of all animals and animal products, biological and feeds intended for veterinary use. Control of diseased or suspected animals. Control of the Importation of animals.
Ministry of Agriculture & Fisheries	The Plants (Quarantine) Act, 1994.	Importation of plants into the island. Declaration of infected areas.
Ministry of Agriculture & Fisheries	The Meat and Meat Products and By-Products (Inspection, Licensing and Export), 1999	The inspection and certification of any carcasses, offals, meat, meat products or meat by-products for export.
Ministry of Agriculture & Fisheries	The Agricultural Produce Act, 1926	Buying, selling and/or exporting agricultural produce.
Ministry of Agriculture & Fisheries	The Bees Control Act, 1918	The importation of bees, honey or beekeepers stock.
Ministry of Agriculture & Fisheries	The Fertilizers and Feeding Stuffs Act, 1942	The sale of fertilizer and feed.
Ministry of Agriculture & Fisheries	The Fishing Industry Act, 1976.	The conduct of the fishing industry.
Local Government	The Pound Act, 1897	
Local Government	The Keeping of Animals Act, 1981	These laws authorises the Parish

MINISTRY	LEGISLATION	GENERAL PROVISIONS
		councils to appoint any authority to capture and impound animals on roadways and after four days dispose of same.
The Ministry of Health	The Public Health Act, 1985.	The inspection and prevention from contamination of food and drink intended for human consumption. Investigation and management of food-borne disease outbreak as well as the certification of food establishments and food handlers
The Ministry of Health	The Food and Drugs Act, 1975.	<ul style="list-style-type: none"> ▪ Issues permit, assesses and/or registers pharmaceutical products intended for use in humans and animals. ▪ Assessment of nutraceuticals, food supplements and food additives for safety. ▪ Regulate imported and locally manufactured cosmetics or chemicals. ▪ GMP audit of pharmaceutical manufacturers and distributors ▪ Initiate and monitor recall of pharmaceutical products.

APPENDIX 3

Glossary of Terms

Aflatoxins	A group of mycotoxins produced by moulds which grow in improperly stored nuts, grains, dried fruits and certain other foods.
Bovine Spongiform Encephalopathy	Bovine Spongiform Encephalopathy is a neurological disorder affecting adult cattle. It is a subacute transmissible spongiform encephalopathy and is believed to be the bovine equivalent of scrapie disease in sheep that has occurred as the result of the exposure of cattle to animal feeds containing the scrapie agent.
Chief Medical Officer	The Chief Medical Officer is the professional head of the Medical Civil Service and Ministry of Health medical staff. He/She is also the Chief Medical Officer for the Government. Responsibilities include preparing and publishing an annual report on the health of the population.
Chief Veterinary Officer	The Chief Veterinary Officer (CVO) is the professional head of the Veterinary Services and principal adviser to the Minister and other Departments and their Ministers on veterinary matters. The CVO plays an important role in representing the country in a wide range of international fora on issues related to the protection of public and animal health, the promotion of animal welfare and the facilitation of trade in animals and animal products. The CVO as head of the State Veterinary Services also has responsibility for ensuring that Government policy in these areas is fully implemented.
Codex Alimentarius	Latin for 'food code' It is a code of food standards for all nations, developed by an international commission established in 1962 when the FAO and the WHO recognised the need for international standards to guide the world's growing food industry and to protect the health of consumers. The standards contain "requirements for food aimed at ensuring the consumer a sound, wholesome food product free from adulteration and correctly labelled and presented".
Communicable disease	A disease, the causative organisms of which are capable of being passed from a person, animal or the environment (which would include food and water) to a susceptible individual.
Competent authority	A body or institution which has the authority to enforce Commission legislation.
Compositional requirements	The minimum legal requirements for manufactured foods.
Deliberate Release	The intentional introduction into the environment of a genetically modified organism.
Dietary supplements	These are products which are generally sold in capsule, pill, powder or tablet form, which are intended to supplement the

sold as food	diet and which are not subject to licensing under medicines regulation.
Due diligence defence	Section 21 of the Food Safety Act 1990 introduced a due diligence defence into food law in GB. The provision can apply differently in different circumstances. Sub-section 1 applies generally. It provides a defence that the person charged took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by himself or by a person under his control. This defence is available to manufacturers and to importers of the food as well as to retailers.
Enabling powers	Provisions in primary legislation conferring powers, usually on a Minister or Ministers, to make secondary legislation.
Executive Agency	An executive agency is a Government Department, or semi-autonomous unit within a Department, which carries out executive functions within a policy and resources framework set by Ministers.
Feed (or Feedingstuff)	Any substance or product, including additives, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals.
Food (or Foodstuff)	<p>“Food” or “Foodstuff” means any substance or product whether processed, partially processed, or unprocessed, intended to be, or reasonably expected to be ingested by humans. “Food” also includes drink, chewing gum, and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment.</p> <p>Food, as defined for this policy, shall include food ingredients and derivatives, i.e. genetically modified organisms; functional foods (foods which claim to have special properties valuable to health, but which do not have a medicinal product licence); food additives; and fortified foods (foods to which nutrients have been deliberately added).</p>
Food Hazard Warning System	A system operated by the Department of Health to alert local enforcement authorities, and where necessary, the EU to any food-borne risk to public health.
Fortified foods	Foods to which nutrients have been deliberately added.
Functional foods	Foods which claim to have special properties valuable to health, but which do not have a medicinal product licence.
Genetically Modified Organism	Genetically Modified Organism is an organism in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination.
Grant-in-aid	This is a payment to a body to assist it in furthering its objectives.
Hygiene	A risk-based method of assessing hygiene standards in licensed

Assessment System	slaughterhouses and cutting plants; generates the HAS score.
Irradiation	Food irradiation is exposure to ionising radiation resulting in a reduction in the levels of bacteria. It can also be used to kill pathogenic organisms, reduce spoilage and delay ripening and sprouting in food.
Legislation (primary and secondary)	<p>Primary legislation is laws enacted by Parliament, known as statutes or Acts of Parliament. In general, statutes contain major policy and legal provisions and often contain enabling powers for Ministers to make secondary legislation.</p> <p>Secondary legislation is instruments made under powers conferred by, or under statute, the commonest forms of which are regulations and orders.</p>
Medical Research Council	The Medical Research Council is a research organisation which aims to improve health by promoting research into all areas of medical and related science. It supports medical research through its research establishments, grants to individual scientists and support for post-graduate students.
Mutual recognition arrangements	Mutual recognition is a procedure under which a pharmaceutical company, having obtained a marketing authorisation for its veterinary medicinal product in one member state, can apply to one or more of the other member states to recognise that approval and grant identical authorisations.
Natural toxicants	These are poisonous substances which occur naturally in a wide variety of foods. Consuming normal amounts of foods containing these substances causes no harm.
Novel Foods and processes	A novel food is one which has not previously been used for human consumption to a significant degree.
Parliamentary Select Committee	A cross-party committee of Members of Parliament "selected" for a particular task, generally one of inquiry, investigation and scrutiny. Amongst the most common Parliamentary Select Committees are the departmentally-related Select Committees which examine the expenditure, administration and policy of government departments and associated public bodies.
Pathogen	Any micro-organism that causes a disease.
Peer review	The process used by the scientific community to assess a scientific paper, report, project, or proposal by seeking comments on it from independent assessors ('peers') working in the same field.
Ring-fencing	Allocating money to local authorities on the basis that it can only be used for funding a specific function.
Risk	Documented guidelines for scientific judgement and policy

Assessment Policy	choices to be applied at appropriate decision points during risk assessments.
Risk Assessment	The scientific evaluation of known or potential adverse health effects resulting from human exposure to food-borne hazards. It usually consists of the following steps: (i) hazard identification, (ii) hazard characterisation, (iii) exposure assessment, (iv) risk characterisation.
Risk Communication	An interactive process of exchange of information and opinion on risk among risk assessors, risk managers and other interested parties.
Risk Management	The process of weighing policy to accept, minimise or reduce assessed risk and to select and implement appropriate options.
Sanitary and Phytosanitary measures	Measures designed to protect animal plant and human health.
Third countries	Any country or territory which is not part of the customs territory of the country.
Zoonosis	An animal disease communicable to man.
Zotechnical feed additives	Antibiotics, growth promoters, coccidiostats and other medicinal substances when used as additives in feedingstuffs.

APPENDIX 4

Illustration of Shared Responsibility

Food Safety by its very nature must be considered one of shared responsibility – government, private sector and public. The figure below demonstrates this concept.

