



AFRICAN UNION
**INTERAFRICAN BUREAU
FOR ANIMAL RESOURCES**

RECOMMENDATIONS

For the Missions, Functions and Structure of African Union Food Safety Authority and a Rapid Alert System for Food and Feed

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ABBREVIATIONS

ALOP	Appropriate Level of Protection
ARFFAM	Africa-wide Rapid Food and Feed Alert Mechanism
AU	African Union
AUC	African Union Commission
AU-FSMCM	African Union Food Safety Management Coordination Mechanism
AU-IAPC	Inter-African Phytosanitary Council respectively
AU-IBAR	Inter-African Bureau for Animal Resources
BTSF	Better Training for Safer Food
CAADP	Comprehensive Africa Agriculture Development Programme
CAC	Codex Alimentarius Commission
DREA	Department of Rural Economy and Agriculture
EU	European Union
FAO	Food and Agriculture Organisation
INFOSAN	International Food Safety Authorities Network
IPPC	International Plant Protection Convention
ISO	International Organisation for Standardisation
MS	Member States
NEPAD	New Partnership for African Development
OIE	World Organisation for Animal Health
PACA	Partnership for Aflatoxin Control in Africa
PANSPSO	Participation of African Nations in SPS Standards Setting Organizations
RASFF	Rapid Alert System for Food and Feed
REC	Regional Economic Community
SMEs	Small and Medium Enterprises
SPS	Sanitary and Phytosanitary
UN	United Nations
UNIDO	United Nations Industrial Development Organisation
WHO	World Health Organisation
WTO	World Trade Organization

I EXECUTIVE SUMMARY

Food insecurity in Africa continues to threaten the lives of millions of people. Food-borne diseases impose an additional burden on healthcare systems, and reduce economic productivity. Furthermore, the implementation of the WTO SPS Agreement poses major challenges to African countries, in ensuring that food-safety conditions are met in the national supply chain for both domestic and export markets. Non-compliance with food safety measures undermines local and regional exchanges and also international trade in food products, by reducing access to markets, reducing buyer and investor confidence and lowering prices.

Ensuring improved food safety conditions in African countries presents significant structural challenges, including overcoming poorly developed infrastructure and services (such as access to clean water) and inadequate knowledge and skills in food workers and significant lack of data. These insufficiencies are compounded by outdated, weak and dysfunctional regulatory systems, often a legacy of a previous era. These challenges were fully recognised at the Lisbon Summit between the AU and EU Heads of State and Government held on 9th December 2007, which set a priority to improve the competitiveness and diversification of African agriculture and industries notably by strengthening African capacities in the areas of rules, standards and quality control. African Heads of State and Government have resolved that the African Union Commission should establish a Food Safety Authority within its structure and a Rapid Alert System for Food and Feed (RASFF), to complement existing pan-African structures on animal health and plant health.

To prepare a framework for implementation of this resolution, the African Union Commission (AUC) through the Inter-African Bureau for Animal Resources (AU-IBAR) organised two continental workshops of food safety experts. The workshop participants were drawn from the AUC, AU Member States, Regional Economic Communities (RECs), UN Agencies (FAO, WHO and UNIDO) and the European Union. The workshops were held in Kigali, Rwanda on 29th and 30th October 2012 and Addis Ababa, Ethiopia on 5th to 7th November 2013. They produced a detailed analysis of food safety challenges, identified where a regional approach can add value, and made recommendations for the mission, structure and functions of an African Union Food Safety Management Coordination Mechanism (AU-FSMCM), incorporating an Africa-wide Rapid Food and Feed Alert Mechanism (ARFFAM), leading up to the establishment of a functional African Food Safety Authority at a future date.

Whilst several RECs and Member States have commenced the implementation of regional and national programmes to build capacity related to food safety, a deeper involvement of the African Union can bring positive benefits by providing leadership, coordinated guidance and increased support towards harmonising and strengthening food safety management systems across RECs and Member States. Strengthening capacity to implement SPS measures to meet the international standards is coherent with the CAADP strategy (specifically Pillar II concerning meeting market access requirements). The AUC has already established structures for Africa-wide coordination of animal and plant health measures, in the shape of AU-IBAR and the AU-IAPC. However, until now, no corresponding structure is in place concerning the establishment of equivalent functions to coordinate food safety management.

The AU-FSMCM mandate, at least in its initial realisation, should be coordination, communication, advisory, and capacity building to allow African Union Member States and food business operators to more effectively meet their food safety management obligations. The performance of this mandate should recognise the vital role of the Regional Economic Communities in supporting and coordinating their Member States in the implementation of effective strengthened food safety management.

Areas where the role of the RECs is considered critical include ensuring sub-regional coherence in strengthening border control capacities, and facilitating private sector access to financial instruments for investment in upgrading of food safety conditions in enterprises (especially for SMEs). Strengthening the engagement with the private sector on food safety matters (through regional apex bodies of producers, processors, exporters) by the RECs will also be essential if material food safety improvements are to be achieved at enterprise level.

The overall objectives of the AU Food Safety Management Coordination Mechanism/Food safety Authority would therefore be to:

- protect public health by reducing the risk of foodborne illness, taking into account relevant animal and plant health issues, and the environment;
- protect consumers from unsanitary, unwholesome, mislabelled or adulterated food;
- increase market access and competitiveness in food trade, including raising production levels;
- promote and facilitate inter-African food trade and exchange between the Member States;
- contribute to economic development by maintaining consumer confidence in the food system, and;
- provide a sound scientific and regulatory foundation for trade in food

Specifically the AU FSMCM/Food Safety Authority would work to advocate and support the adoption by Member States of a coherent and compliant policy and legal framework for food safety; to provide technical, material and logistical support to Member States for the implementation of effective, efficient, valid and reliable food safety control systems (including coordination with development partners); to ensure the provision of an appropriate scientific basis for informed decisions by food safety managers; to provide technical support to laboratories providing testing services for official controls of food safety; to quickly exchange information about food and feed-related risks to ensure coherent and simultaneous actions by all network members with a view to protecting consumer health from imminent public health risks (rapid alert mechanism, building on existing membership of many MS of the FAO/WHO INFOSAN network); to coordinate the development of requisite professional skills, knowledge and expertise for official control; to promote coordinate and support measures to build the food safety capacity of African food business operators; to promote and coordinate research on the assessment of food safety risks affecting African producers and consumers; to strengthen the awareness, knowledge and confidence of African consumers regarding food safety matters; and to ensure the provision of adequate technical and financial support for food business operators to invest in food safety improvements along the food chain.

The internal organisation structure may be developed based on options proposed by the workshops. However, to ensure the scientific integrity of the advice provided, and to reduce potential conflicts of interest, the scientific advice function should be independent and separate from other functions (implying that the appointment of scientific advisers and content of advice should be independent of AUC approval).

Following approval in principle of the mission, structure and functions of the AU FSMCM the African Union Commission is recommended to decide on the location, status and form of organisation, in accordance with the AU Constitutive Act. This decision will need to be followed at an early stage by a detailed time-bound implementation and resource plan (reflecting the development of functions based on technical and economic priorities) for the development of the organisation (containing requirements for establishing an appropriate legal basis, budget, staffing, and material resources). A task force comprising the AUC, major development partners and UN agencies should guide the development of the AU FSMCM.

2 INTRODUCTION

Food insecurity in Africa threatens the lives of millions of vulnerable people, especially for those already weakened from malaria and HIV/AIDS. Whilst policy measures have rightfully been mostly concerned with food sufficiency, attention is also required to the safety and nutritional quality of food. Although the burden of food-borne diseases is difficult to quantify due to inadequate data, serious outbreaks of food-borne diseases have been documented on the African continent in the recent past. Food-borne diseases impose a substantial burden on healthcare systems, and reduce economic productivity. Loss of income due to food-borne illnesses perpetuates the cycle of poverty. Non-compliance with food safety measures also undermines local, regional and international trade in food products, by reducing access to markets, reducing buyer and investor confidence and lowering prices.

The World Trade Organization (WTO) Agreement on the application of Sanitary and Phytosanitary (SPS) Measures safeguards the interests of importing countries to protect their citizens from food safety hazards, and their agricultural production systems from plant health and animal health hazards, through the application of SPS measures based on scientific risk-based principles. The implementation of the SPS Agreement poses major challenges to African countries in ensuring that the SPS principles are applied in a non-discriminatory way to import controls and throughout the national supply chain to ensure that customers in the domestic and export markets alike are equally protected.

Ensuring improved food safety conditions in African countries presents particular challenges, including poorly developed infrastructure and services (such as access to clean water) inadequate knowledge and skills in food workers and significant lack of relevant data. These insufficiencies are compounded by outdated, weak and dysfunctional regulatory systems, often themselves a legacy of a previous era, which are not able to respond to the need for effective controls of the wide and constantly changing range of different food safety hazards present in the global market place. Their deficiencies often include weak foodborne disease surveillance and reporting systems; outdated food standards and regulations; organisation structures with conflicting mandates; weak law enforcement; inadequate technical capacity for food safety management; weak governance and a lack of scientific basis for food safety management decisions.

The weak compliance with international food-safety and quality standards hampers the continent's efforts to increase agricultural trade both intra-regionally and internationally. Weak coherence between domestic public health, agriculture and trade policies means that the developmental benefits of trade opportunities available to African producers cannot be optimised. These challenges are fully recognised by the Member States of the African Union. To address them, at the Lisbon Summit between the AU and EU Heads of State and Government held on 9th December 2007, a Partnership on Trade, Regional Integration and Infrastructure was set up, with a priority to improve the competitiveness and diversification of African agriculture and industries notably by strengthening African capacities in the areas of rules, standards and quality control.

Part of the activities of the Partnership has included Africa and EU jointly implementing "the Better Training for Safer Food (BTFS) in Africa" programme (2009-2010), leading to the preparation of a Reference Framework and guidelines for harmonisation of the food hygiene management in Africa. The African Heads of State and Government summit of January 2011 adopted a decision approving the Reference Framework and guidelines, and asking the African Union Commission to establish a Food Safety Authority within its structure and a Rapid Alert System for Food and Feed (RASFF).

To prepare a framework for implementation of this decision, the African Union Commission (AUC) through the Inter-African Bureau for Animal Resources (AU-IBAR) organised two continental workshops of food safety experts, to specify the missions, functions and structures to be set up, and to prepare a road map for their establishment. The workshop participants were food safety experts drawn from the AUC, African Union (AU) Member States, Regional Economic Communities (RECs), United Nations (UN) Agencies (Food and Agriculture Organisation (FAO), World Health Organisation (WHO) and United Nations Industrial Development Organisation (UNIDO)) and the European Union.

The First Continental Workshop was held in Kigali, Rwanda on 29th and 30th October 2012 and endorsed the need for a food safety management coordination mechanism at the level of the African region, and recommended that this should include a system for alerting all AU Member States of any ensuing food safety concerns. It also discussed the principles to be applied, and outlined the mechanisms and procedures to be developed. The Second Continental Workshop held in Addis Ababa, Ethiopia on 5th to 7th November 2013, undertook a more detailed analysis of the specific food safety challenges. It considered specific areas where and how a regional approach could add value, by providing leadership, creating synergies, avoiding duplication and ensuring a coordinated and coherent approach to strengthening food safety management systems across Regional Economic Communities and Member States.

This Proposal therefore presents the participants recommendations for the establishment of an African Union Food Safety Management Coordination Mechanism (AU-FSMCM), incorporating an Africa-wide Rapid Food and Feed Alert Mechanism (ARFFAM). It also presents the recommended missions, structure and functions of the AU FSMCM.

3 FOOD CONTROL CHALLENGES IN AFRICA

The importance of food safety in Africa is often overshadowed by incidences of food insecurity, political instability, and outbreaks of communicable diseases, which have tended to dominate government focus. The 1996 World Food Summit Plan of Action recognized the importance of food safety, and that food-borne illnesses contribute to decreased worker productivity, disability, and high mortality rates, thus lowering incomes and imposing preventable burdens on health care. On the other hand, practices aimed at improving food safety also tend to reduce food losses and increase food availability. In addition, countries that are able to ensure safe food can take advantage of international trade opportunities, thereby increasing national income levels. However, until now, Governments of African countries have not been able to develop effective regulatory control systems, which are generally weak, fragmented and not well coordinated. They are thus not able to adequately protect the health of consumers and to enhance the competitiveness of food exports, presenting a considerable opportunity cost to the Continent. Some of the challenges to be confronted are set out below.

3.1 National food safety policies

In general in most African countries, food safety concerns have not been adequately addressed in national governmental policies. Food safety management activities are poorly coordinated and with only a few notable exceptions, ineffective. There is little coherence between national trade and public health policies, largely because, most African countries have not appreciated the major public health and economic implications of food safety. Where policies do exist, they may not fully reflect important principles such as risk analysis, transparency, and the need to apply controls to production conditions throughout the supply chain. There is a general lack of proper cooperation between all stakeholders, including governmental organizations, producers, the food industry, relevant research institutions and consumers throughout the policy making process.

3.2 Food legislation

In most African countries, the management of food safety is a multi-sectorial affair, often involving the ministries of health, agriculture (and livestock), trade/industry and at times fisheries, tourism, and local governments. This institutional framework is a legacy of previous eras, frequently characterised by multiple organisations, with overlapping or conflicting mandates resulting in inadequate enforcement of regulations, and misallocation of resources. Furthermore existing food legislation is mostly outdated, inadequate, and fragmented and does not reflect modern principles of risk analysis, traceability, transparency, and governance, as well as being technically out of date. Attempts at piecemeal reviews have not resolved the food safety challenges that prevail. Trade integration is hampered by lack of coherence with the SPS Agreement, and systems are not in line with the requirements of major markets, so that African countries risk being disadvantaged in market access and terms of trade.

3.3 Development of national food standards

The international framework as regards food safety has developed significantly under the SPS Agreement through the enhanced role of the Codex Alimentarius Commission (CAC). Globalization of food markets compels nations to develop food standards that are responsive to the needs of users as well as being in line with CAC standards (unless justified by risk assessments). Although the majority of African countries are members of Codex and signatories to the SPS Agreement, their procedures for setting standards and technical regulations are not well defined, and do not reflect a scientific risk assessment. The Continent's special needs are only weakly represented in the international standard setting process, although the situation is improving with the Pan-SPSO programme.

3.4 Science-based risk assessment of food safety issues

A sound scientific risk assessment is an essential part of the basis for any food safety risk management decision. The risk profile of many African food products is unique, and in many cases not well studied. Risk assessments are needed for establishing relevant food safety legislation, as well as to assist in the establishment of food inspection priorities and other food safety policies, and ensure consumer confidence. However, the need for competent, timely and independent risk assessments presents a considerable challenge to most African countries both technically and financially, with no formal role set out for science, and only limited capacity for preparing scientific advice for risk managers and communicators.

3.5 Inspection mechanisms/schemes

An effective food safety management system requires clear and documented inspection policy and procedures applied by qualified inspectors. Food inspectors in Africa suffer generally from (i) weak formal training and a low professional status (ii) a lack of logistical support to carry out the inspections (transport, inspection equipment, etc.) and (iii) being burdened with several other public health control tasks. Inspection priorities are rarely based on risk, thus wasting scarce resources, and inspection results are not recorded systematically to provide feedback for policy decisions. Weak links to local level inspection bodies (district/municipal) further undermine effectiveness and efficiency of controls. Few countries of the region have efficient national import/export inspection and certification systems at their borders.

3.6 Laboratory testing services

Effective enforcement of food legislation and the implementation of food-borne disease surveillance systems require sound and efficient food analysis capabilities at national and sub-national levels. Unfortunately, food control laboratories in the African region are generally weak. Only a few of the testing laboratories can be considered fully competent, by being accredited for specific tests in accordance with the quality, administrative and technical requirements of the International Organisation for Standardisation (ISO) 17025¹. Technical capacities are limited by inadequate facilities, lack of staff with appropriate skills, and absence of financial capacity on the part of I General Requirements for the Competence of Testing and Calibration Laboratories

Government and private sector operators to pay for such services. As a result most tests undertaken are unreliable and cannot provide a valid basis, for example, for rejection of non-compliant products presented for import. Testing laboratory services need to be consolidated on a financially sustainable basis, and where feasible offered across borders. There are no regional reference laboratories, which can provide method development and validation, training, and laboratory quality control services such as proficiency testing and supply of reference materials.

3.7 Capability of the food industry to supply safe food

Food production, processing, and marketing in most African countries is generally through informal markets and highly fragmented among a large number of small producers and handlers who lack appropriate knowledge and expertise in the application of modern practices and food hygiene. In some countries, the exclusive focus on export controls (for example in fisheries) has resulted in two tier industries, with international food safety standards implemented only in the export sector, an ultimately untenable and unjustifiable situation. Food business operators, and especially Small and Medium Enterprises (SMEs), serving the domestic market do not have access to investment finance or the higher returns to allow them to meet higher food safety standards. Implementing tougher regulations without negative impacts on such businesses and related employment remains an immense challenge.

¹General Requirements for the Competence of Testing and Calibration Laboratories

3.8 Information network on food safety issues

Most African countries only have weak (if any) formal systems for the delivery of food safety information and advice to stakeholders across the farm-to-table continuum, both within the country and in other countries. Few countries have the capacity, nor a rigorously defined system, for following up on food safety alerts notified to them (for example using traceability and recall tools), with the result that dangerous and non-compliant foods may remain in circulation. There is only limited participation in existing international networks (European Union (EU's) RASFF, and the WHO/FAO INFOSAN Network). Consumers therefore remain badly informed of the health risks they face in their food, and confidence in Governments to ensure safe food is low. Export markets lose confidence that African authorities are genuinely in control of the food supply chain, undermining the realisation of the trade potential of African agriculture and food producers.

3.9 Training/education in food safety

The majority of African countries have not established on-going educational programmes for government food control officials, producers, food industry and/or consumers. There is a critical lack of up-to-date knowledge and expertise to provide the professional food inspections services required. Training/education that does exist is sporadic, not focused and not based on actual and/or possible food safety problems. No training institutions have been designated as regional centres of excellence.

3.10 Consumer awareness creation

Consumer education is a vital step in the prevention of food-borne illnesses, but its importance is not reflected in African countries' actions. The catalytic role, which can be played by consumer associations in promoting the quality and safety of food supplies, is not widely recognised, and in most countries such associations are only weakly established, and largely ignored. They have no formal role set out in advising Government, and receive no support to build their capacities to represent the most important stakeholders in the food safety system – consumers.

3.11 Epidemiological surveillance of food-borne diseases

Most cases of food-borne disease in the region are not reported, so the true extent and cost of food safety failures is unknown. Even where a case may be reported and recorded, in most African countries, the surveillance infrastructure to permit follow up investigations is weak or non-existent. Since 2005, the WHO International Health Regulations require the reporting of food-borne diseases, but few countries have strengthened their capacities in this area. This absence of reliable data continues to impede understanding about the costs of food safety failures, and undermines effective responses to food safety system failure.

3.12 Free movement of food and feed

The free movement of food and feed within a region in Africa can be achieved only if food and feed safety requirements do not differ significantly from Member State to Member State. There are important differences in relation to concepts, principles and procedures between the food laws of the Member States. When African Member States adopt measures governing food (certification, monitoring, import, export and trade), these differences may impede the free movement of food, create unequal conditions of competition, and thereby affect the functioning of the internal market in a REC. Accordingly it is important to approximate these concepts, principles and procedures so as to form a common basis for measures governing food and feed taken at regional level. While the BTSF Reference Framework and guidelines for harmonisation of food hygiene management provide a basis for such approximation, it may take time for the adaptation to be effective.

4 SUB-REGIONAL AND CONTINENTAL EFFORTS TO ADDRESS FOOD SAFETY CHALLENGES

The African Union, through the Department of Rural Economy and Agriculture (DREA) of the AUC recognizes the importance of SPS matters, in terms of improving public health, increasing intra- and extra-regional trade, and in particular improving market access for African food and agricultural products. A number of important regional initiatives have been taken to help meet these objectives.

4.1 Comprehensive Africa Agriculture Development Programme (CAADP)

The CAADP is an African Union led initiative to boost agricultural development in Africa, implemented under the New Partnership for African Development (NEPAD). CAADP's goal is to eliminate hunger and reduce poverty through agriculture and African governments have agreed to increase public investment in agriculture by a minimum of 10 per cent of their national budgets and to raise agricultural productivity by at least 6 per cent. The second of CAADP's four pillars aims at increasing market access through improved rural infrastructure and other trade related interventions. The Pillar 2 strategy explicitly seeks to improve competitiveness through sound trade policies at the national, regional and AU levels, and to strengthen capacities to participate in trade negotiations and meet market access requirements for world trade (quality, grades and standards, etc.) Pillar 3, which aims to increase food supply and reduce hunger across the region, is also relevant.

4.2 Collaboration and Support to Development of Regional SPS Frameworks

The AUC, via DREA has cooperated with the RECs and aid agencies in the design and implementation of regional programmes to build SPS capacity, in particular related to food safety. It has supported several RECs initiatives to generate SPS Legislative Frameworks harmonised at the sub-regional level. Since investment in standards compliance infrastructure is costly, AUC works with RECs in a participatory and complementary manner in all SPS programmes and in particular, Food safety. Addressing standards compliance infrastructure at the regional level can stimulate greater market integration can result in penetration of global markets beyond the reach of individual countries.

4.3 Partnership for Aflatoxin Control in Africa (PACA)

Participants in the seventh CAADP Partnership Platform in March 2011 urged the AUC to oversee the establishment of a Continental SPS Working Group that will mainstream SPS matters of strategic importance in the CAADP framework. To this end, the AUC-DREA has set up an SPS Cluster Group that brings together on a regular basis its technical offices to coordinate SPS including food safety issues. Concomitantly, an Africa-led Partnership for Aflatoxin Control (PACA) was created under the leadership of the AUC to provide consistent coordination and coherent leadership to the continental efforts on aflatoxin control. The AUC has been working with a diverse Interim Steering Committee, representing interests across sectors in Africa, to develop structures and approaches for effective functioning of PACA.

4.4 Participation of African Nations in SPS Standards Setting Organizations (PANSPSO)

Participation of African countries in the activities of organizations mandated by the WTO to set SPS standards (notably the OIE, IPPC and CAC)² has remained limited both in terms of numbers and effectiveness. These organisations determine international standards, which may be applied by importing countries, without any further need to justify them. Furthermore, even when they can participate, many African countries lack the technical data and expertise to permit effective assessment of the needs and impacts of technical regulations on their consumers. This means that the trading position of Africa risks being compromised by decisions made in these international fora, which do not fully reflect the uniqueness of African agricultural

²OIE The World Animal Health Organization, IPPC the International Plant Protection Convention, and the CAC Codex Alimentarius Commission

production systems and products.

The ongoing PANSPSO project (funded by the EU) seeks to reverse this scenario and has established a database on African Food Safety Experts for various Codex Committees; it is developing scientific and research information and data on food safety issues/standards and has developed handbooks/guidelines on participation in ISSOs (including Codex) and is supporting review of Food Standards in areas of Common interest to Africa. The project will also organize sensitization and training events at regional level to influence food safety policy.

4.5 Better Training for Safer Food (BTSF)

Following the adoption of the Joint Africa-EU Strategy meeting of AU and EU Heads of State and Government at the 2007 Lisbon Summit, the AU and EU Commissions implemented the EU -funded “Better Training for Safer Food – BTSF in Africa” programme in 2009-2010. The BTSF Africa programme has delivered SPS training courses for public and private sector operators in Africa, as well as technical assistance. It has resulted in the elaboration of Reference Framework and related Guidelines documents for the harmonization of food safety inspections and authorization of food establishments within Africa in line with the Codex principles.

5 AU FOOD SAFETY COORDINATION MECHANISM AND RAPID ALERT SYSTEM

5.1 Justification for an African Regional Approach

Several RECs and Member States have commenced the implementation of regional and national programmes to build SPS capacity, in particular related to food safety. However, these programmes are proceeding at different paces in different regions, and indeed, in some sub-regions there has been insufficient focus in this area. There is a need to ensure a uniform approach across the continent, to avoid distortions of intra- and extra- regional trade (for example, more effective controls in one country can result in the intentional placing of sub-standard food products on others).

Many Member States continue to experience common difficulties in implementing the reforms necessary to meet modern food safety requirements. The RECs remain dependent on aid agencies for the design and implementation of programmes, and until now they have not been able to develop a sufficient depth of technical capacity to provide the leadership necessary to catalyse the substantive continent-wide reforms needed to address the challenges identified above. There is a need to provide clear continental leadership, coordinated guidance and increased support.

Strengthening capacity to implement sanitary and phytosanitary measures to meet the international standards is coherent with the CAADP strategy. The African Union Commission has already established structures for Africa-wide coordination of animal and plant health measures, respectively in the shape of AU IBAR (AU Inter-African Bureau for Animal Resources) and the AU-IAPC (Inter-African Phytosanitary Council). However, until now, no corresponding structure is in place concerning the establishment of equivalent AU-wide functions to coordinate food safety management in AU member States.

The adoption of a coordinated continental-wide approach to food safety management within the AU Commission as proposed in this document can therefore be expected to catalyse and accelerate the paradigm shifts required to bring about a uniform and effective food safety management system in Member States.

5.2 Overall AU Approach to Food Safety Management

5.2.1 Terminology: the AU Food Safety Management Coordination Mechanism

It is proposed that pending the formal establishment of the African Food Safety Authority at a future date, the food safety body should be termed the “AU Food Safety Management Coordination Mechanism” or AU FSMCM. This would allow the commencement of activities within the existing legal framework, leading to the subsequent adoption of the legal acts by the Heads of State, creating a permanent legal status for the African Food safety Authority..

5.2.2 Guiding principles

The specific functions proposed to meet this mandate are set out below following the work of Member State experts in the two regional workshops organised by the AU Commission. The approach adopted by the experts was based on the principles of risk analysis, in which the food safety risk management decisions are based on a scientific assessment of the risks to human life and health, taking into account the protection of animal health and welfare, plant health and the environment. This science-based approach is an obligation of WTO Member States under the SPS Agreement.

Member States shall decide on SPS measures on the basis of scientific advice, in line with the Codex, OIE and IPPC. Of course this is without prejudice to the fact that not all food law requires scientific basis

(e.g. law relating to consumer information or misleading practices), and that scientific risk assessment alone cannot, in some case, provide all the information on which a risk management decision should be based, and that other factors relevant to the matter under consideration should legitimately be taken into account including societal, economic, traditional, ethical and environmental factors and the feasibility of the controls.

The AU FSMCM will support the implementation of this approach in AU Member states, and must therefore reflect these principles in its work and internal structures. This implies, for example, that where the AU will coordinate and provide scientific advice to Member States, it will take steps to ensure that such advice is independent of political and financial influence. This means for example that advice should be issued directly by the scientific advice body, without first being approved by the Commission.

5.2.3 Mandate of the African Union

The delivery of safe food to consumers (whether in export or domestic markets) is the primary responsibility of every food business operator along the supply chain (from farm to fork). To complement and support and ensure that this principle is adequately and effectively fulfilled within its territory is in turn a primary responsibility of each Member State, and requires the undertaking of complex series of multi-disciplinary and inter-linked tasks, which must be implemented at enterprise level. The AU FSMCM should only be involved to the extent that it can provide substantive added value. The AU mandate, at least in its initial realisation, should therefore be coordination, communication, advisory, and capacity building towards harmonised concepts, principles and procedures to allow African Union Member States and food business operators to more effectively meet their food safety management obligations.

5.2.4 Role of Regional Economic Communities

The Regional Economic Communities perform a vital role in supporting and coordinating their Member States in the implementation of effective strengthened food safety management. Their capacity should be therefore strengthened to perform this role, and the AU FSMCM should endeavour to include of the RECs in the delivery of support to Member States throughout its full range of functions. The role of the RECs is set out in each case below. In addition, the RECs have a special interest in facilitating sub-regional trade and development. There will be a need therefore, to ensure regionally coherent approaches to strengthening border control capacities in food safety (and indeed overall SPS matters), and the RECs should be encouraged to develop expertise in this area.

Furthermore, given that strengthened food safety management by MS will impose financial obligations on governments and food business operators for upgrading of infrastructure and facilities, the RECs also have a specific role to play in ensuring access to finance for upgrading of food safety conditions in the supply chain. This is especially important considering the extent of small scale operators at all levels of the food chain (producers, processors and distributors). RECs have a critical role in ensuring that financial instruments adequately reflect these needs.

Strengthening the engagement with the private sector on food safety matters (through regional apex bodies of producers, processors, exporters) by the RECs will be essential if material food safety improvements are to be achieved at enterprise level.

5.3 Overall proposed objective of the AU FSCMC

The overall objectives of the AU Food Safety Management Coordination Mechanism would be to:

- Protect public life and health by reducing the risk of foodborne illness, and taking into account animal

and plant health issues, and the environment;

- Protect consumers from unsanitary, unwholesome, mislabelled or adulterated food;
- Increase market access and competitiveness in food trade, including raising production levels;
- Promote and facilitate inter-African food trade and exchange between the Member States;
- Contribute to economic development by maintaining consumer confidence in the food system and
- Provide a sound scientific and regulatory foundation for trade in food.

These objectives are fully coherent with Pillar 2 of the CAADP, which aims to increase market access through improved rural infrastructure and other trade-related interventions. The objectives of Pillar 2 are to accelerate growth in the agricultural sector by raising the capacities of private entrepreneurs (including commercial and small-holder farmers) to meet the increasingly complex quality and logistic requirements of markets, focusing on selected agricultural commodities that offer the potential to raise rural (on- and off-farm) incomes and to create the required regulatory and policy framework that would facilitate the emergence of regional economic opportunities that would spur the expansion of regional trade and cross-country investments.

They are also coherent with Pillar 3, which aims to increase food supply and reduce hunger across the region by raising smallholder productivity and improving responses to food emergencies. The objectives of Pillar 3 are to improve domestic production and marketing, facilitate regional trade in food staples, and build household productivity and assets.

5.4 Specific missions for the FSMCM

The following specific missions are proposed by the AU Member State Experts for the AU FSMCM:

1. To advocate and support the adoption by Member States of a coherent and compliant policy and legal framework for food safety;
2. To provide technical, and logistical support to Member States for the implementation of effective, efficient, valid and reliable food safety control systems;
3. To ensure the provision of an appropriate scientific basis for informed decisions by food safety managers;
4. To provide technical, and logistical support to laboratories providing testing services for official controls of food safety;
5. To quickly exchange information about food and feed-related risks to ensure coherent and simultaneous actions by all network members with the view of protecting consumer health from imminent public health risks;
6. To coordinate the development of requisite professional skills, knowledge and expertise for official control;
7. To promote coordinate and support measures to build the food safety capacity of African food business operators;
8. To promote and coordinate research on the assessment of food safety risks affecting African producers and consumers;
9. To strengthen the awareness, knowledge and confidence of African consumers regarding food safety matters; and
10. To ensure the provision of adequate technical and financial support for food business operators to invest in food safety improvements along the food chain.

5.5 Proposed functions within the AU FSMCM

5.5.1 Support for Food Safety Policy and Legal Framework

The AU FSMCM should be a strong and leading advocate for reform of the food safety controls in African

Member States, and along with the RECs, promote the adoption of coherent, compliant and, as far as possible, harmonized food safety policies and legal frameworks. In particular, the AU14 FSMCM should advocate Member States to reform their food safety management systems and institutions responsibilities for food safety in line with the principles of the SPS Agreement, and to overcome fragmentation of controls found in many countries. Given this fragmentation, an important task of the AUC in the short term would be to map and benchmark existing systems (the FAO is piloting a situational analysis and relevant food safety capacity assessment tool). The gaps identified would inform the support and capacity building activities required. The AUC would then monitor and evaluate progressive status of MS food safety management systems.

The AU FSMCM would promulgate policy guidelines, recommendations and resolutions for improved food safety governance which may be adopted by Member States (MS). Building on the valuable work undertaken by some RECs, it would promote the adoption of harmonized approaches such as key definitions (feed, food, unsafe food etc.) and technical requirements (such as the AUC BTSF Reference Framework and Guidelines for the harmonization of food hygiene in Africa). The RECs would be key partners in this process, by promoting through regular inspections intraregional uniform implementation of food safety measures, and providing sub-regional fora for exchange of best practices in policy and implementation, legislation, etc. Importantly, they would have a role in encouraging Member States to set aside budgets to prioritize and operationalize national food safety systems.

5.5.2 Liaison with international agencies and development partners

The AU FSMCM should have the capacity and authority to represent Africa in international food safety fora. As such it would liaise with UN Agencies, standard setting bodies and importantly, the community of development partners.

To this end it would also coordinate a panel of scientific experts, to support its engagement in standard setting by Codex (via CCAFRICA) with a view to promoting African priorities and presenting a common position for Africa in such fora.

Establishing the FSMCM and building the corresponding capacity in African RECs and Member States will require considerable investment, and it is clear that development partners' support, both material and technical, will be required, across the whole range of functions proposed here. The AU is expected to be a beneficiary of such support, but also should develop the capacity to promote, implement and coordinate design and implement regional programmes for the benefit of RECs and MS. The AU FSMCM will therefore need to coordinate the engagement of a range of development partners delivering assistance within their mandates across the range of functions foreseen. In the medium term it should therefore develop a project implementation and management function, which works closely with development partners to programme and deliver the intervention support required. The PAN-SPSO project provides a model of the intervention approach that can be applied.

5.5.3 Official Control System Coordination and Support

The AU-FSMCM can provide leadership and technical, material and logistical support to Member States' official control bodies for the implementation of effective, efficient, valid and reliable, food safety control systems. To this end, the AU should aim to specify common competencies of inspectors, and develop and define performance indicators for competent authorities (for auditing purposes). This should reflect the need for flexible approaches, which accommodate lower levels of compliance by small scale operators. It would also, work with RECs to evaluate and review the performance of Member States' inspection

bodies, to identify gaps and needs for capacity building and to ensure a regionally coherent strengthening of controls, so as to avoid distortions to trade caused by differences in control capacities.

Building of the MS control capacity will however be the main work to be undertaken at AU level. Relevant materials (manuals, guidelines, reference materials) are already available (not least FAO and WHO guidelines and the BTSF referential) and the AU FSMCM should adapt and/or encourage the adoption of these, including the application of the principles set out in ISO/IEC Standard 17020:2012 setting out the requirements for the operation of various types of bodies performing inspection. The implication for Member states is that they should be prepared to invest in building control capacity, for example by appointing full-time qualified personnel, and ensuring effective enforcement, for example by setting up full time courts for food safety.

There is a critical role for RECs in this process, and in particular, in ensuring a harmonised approach to strengthening of border controls, to avoid unbalanced impacts of strengthened controls on intra- and extra-regional trade, whilst at the same time ensuring that over-regulation does not hamper sustainable trade. The AU should be concerned with professional standards, and establish guidelines for integrity of food control officers, and support the founding of an African Food Safety Association for food safety professionals.

5.5.4 Scientific advice and risk assessment

Few African countries are able to adopt risk based food safety measures due to the lack of clear scientific advice. MS experts therefore proposed that a specific task of AUC should be to deliver independent scientific advice for informed decisions on food safety to AU, RECS and MS risk managers, by an AU team of scientists and regional network of experts. The AU FSMCM would therefore cooperate with international experts (e.g. EFSA), identify, and monitor global risk assessments and scientific activities according to the relevance for the Africa context. It would collate and disseminate scientific knowledge on food safety hazards and risks to risk managers.

The objective would be to advise on appropriate levels of protection (ALOP) for African consumers (levels which may differ from those considered appropriate for other populations). The advice would be delivered by an independent scientific unit within the FSMCM, which could also draw upon a roster of experts as required. To ensure independence, the scientific function should be in a stand-alone unit, and be permitted to appoint independent experts and issue scientific opinions without the need to obtain approval of the Commission.

In the short-term, the undertaking of comprehensive African risk assessments may not be possible, due to the lack of funding and key data (occurrence of hazards, food consumption and exposure data etc.). However, the scientific unit could commence the steps necessary to identify the data needs and priorities and put in place the necessary data collection framework. One example would be to implement harmonized food consumption survey methodologies across sub-regions, leading to comparable food consumption data for future use in Total Diet Studies. Another proposal would be to advise and ensure a harmonized and risk-based approach to investment in surveillance studies, delivering advice on priorities and sampling design. This work could be in collaboration with specific themed projects, such as the Partnership for Aflatoxin Control in Africa (PACA).

Importantly the AUC would identify the regional risk assessment needs, and develop the capacity to perform selected risk assessments and/or network with international organizations also performing these

assessments, and respond to calls for data on food safety risks from FAO and WHO to be applied during the development of Codex standards.

The scientific function could also be involved in the coordination of academic research on food safety risks in Africa, to avoid duplication and to ensure that the planned research would adequately cover food safety priorities. In the medium term, it could also seek to identify funding sources and manage research commissioning. One possibility is to establish an Africa-wide challenge fund for food safety research.

RECs should help to coordinate risk assessment studies in their sub-regions (for example by identifying regional experts, and supporting and coordinating sampling and surveillance activities). Member States would also need to develop some scientific advice capacity and would need to ensure that scientific advice is acted upon, which in many countries will require adjustment of the legal framework, to ensure that risk management decisions are made on the basis of science.

Experience in other regions indicates that data generation for risk assessment is resource intensive, and longer term budgetary commitments will need to be made if this function is to deliver relevant, valid and reliable data for food safety decisions.

5.5.5 Support for Building Capacity of Laboratories

Although most countries possess food testing laboratories, few are sufficiently competent to generate test results, which meet international standards of validity and reliability (indicated by compliance with ISO standards 17025). Whilst the AU should not establish laboratories under its own name, it should provide technical, and logistical support to Member States in this area. It should promote to MS the designation and uses of laboratories accredited to ISO17025 for official controls, and in collaboration with RECs seek to identify and designate sub-regional and African reference laboratories for each test or group of tests used in food safety analyses. Reference functions include research, development, validation and dissemination of testing methods, training, organisation of proficiency testing, and preparation and dissemination of reference materials. The AU is recommended to consider supporting such functions with budgetary allocations towards designated regional and/or inter-regional reference laboratories.

5.5.6 Rapid Alert System for Food and Feed

An important function within the FSMCM, recognised in the decision of the AU Heads of State and Government in the Summit of January 2011, is the implementation of an African Rapid Alert System for Food and Feed (RASFF).

Among the 54 African Countries only 5 are not members of INFOSAN, a voluntary network of food safety authorities from 181 countries, jointly managed by FAO/WHO. INFOSAN aims to prevent international spread of contaminated food and foodborne diseases by inter alia promoting the rapid exchange of information during food safety events, and sharing information on important food safety issues of global interest. Furthermore, all WHO Member States are obliged by the International Health Regulations (2005) to declare to the WHO all public health emergencies of international concern, including those caused by food. The WHO operates a 24-hour monitoring service and a rapid response facility to support its Member States in emergencies.

Rather than establishing an independent system, AU MS experts considered it appropriate to accept a WHO recommendation and established an “INFOSAN in Africa” Group on the INFOSAN Community website and to base the future development of the Africa-wide rapid alert system on this platform. The AU

would perform the role of group coordinator.

The AU alert function should therefore as an initial step, promote the voluntary participation of Member States in the “INFOSAN in Africa” group, and support the participants in meeting their obligations (as set out in the INFOSAN Membership Rules). The AU would subsequently promote the network expansion and critically, work with RECs and Member States to strengthen communications between the different authorities with food safety mandates in cases of food safety events (which may be defined as an outbreak of a food borne illness, or placing on the market of an unsafe or non-compliant consignment). RECs should be active participants in the network since they will need to monitor and manage trade impacts. At least in the medium term, participation should be voluntary (since some MS may consider that they have insufficient capacity to be effective participants). In the longer term, mandatory participation could be subject to an AU summit decision, setting out the obligations of participation.

The scope of the alert system would be defined initially by the International Food Safety Authorities Network (INFOSAN) conditions. In future the AU could supplement functional elements of the system via the INFOSAN platform or based on the platform, according to needs. As well as requiring Member states to notify outbreaks of food-borne diseases, it should also require notification regarding consignments of food, animal feed and food contact materials which present food safety hazards, and which may present risks to other Member States and third (non-AU) countries. The AU will also ensure effective coordination with international bodies.

Animal and plant health issues in food and feed are addressed by the alert and notification obligations of OIE and IPPC membership, and should be excluded for the AU food safety alert system at this stage; if required these other SPS areas (and specifically including zoonose transmitted by food) can be combined at a future date. The AU can also provide guidance for epidemiological surveillance (both routine, and in case of food safety outbreaks). Harmonization of definitions and standards should be promoted in the longer term, to facilitate communication of alerts.

The AU should support Member States in creating or strengthening their alert information networks for notification and reporting of incidents within their territories (for example strengthening epidemiological surveillance systems). Many Member States will also need to strengthen their governance of food safety, since meeting the non-discriminatory reporting obligations of the alert system will have potential negative impacts on trade, when they concern non-compliant food products of national origin consigned to export markets. To overcome the disincentives to report events, in the longer term the AU alert system, in collaboration with the RECs, may include the establishment of a financial mechanism to compensate for the negative impacts of openness in food safety matters.

The Member States will also need to make a clear undertaking to respond to alerts. This implies that they should implement or strengthen traceability and recall requirements in their food safety systems. The AU Rapid Alert function can also play an important role in helping to build the capacity of the MS (and RECs) to develop appropriate systems to respond effectively to notify events at national and sub-regional level.

5.5.7 Coordination of Professional Education for Food Safety Officers

Africa will need a corps of well qualified professionals to implement more effective, science-based official controls. It follows that there is a need to extend and improve educational provisions for food safety professionals in African universities, to reflect the need for the application of multidisciplinary scientific knowledge in the context of food production technologies. The AU should therefore collaborate with

RECs and MS to identify and support regional centers of excellence for professional education for food safety professionals (to include postgraduate level study), who can serve as official control officers in regulatory authorities, as well as to serve food businesses in safety and quality functions. The possibility of delivering relevant courses in regional centers of excellence through the Pan African University should be considered.

In addition, the AU should support, along with the RECs and Member States, the establishment and functioning of an African Association of Food Safety Professionals, with a regional and Member State branches.

5.5.8 Capacity building for food businesses

Many African food business operators, who include producers and their workers, lack appropriate knowledge and skills to apply food safety principles in their businesses, especially small scale operators. The AU can play an important role in ensuring that the private sector has access to workers with at least basic food safety knowledge, for example by supporting training provision and promulgating common approaches, curricula and materials for food safety (or hygiene) education in schools, and vocational and technical training institutions in Member States. It should also guide and encourage RECs and Member States to establish capacity building mechanisms, and institutions, involving producer and food sector associations, by which food workers and food businesses can introduce relevant skills to their workforce (based on existing food safety operator guidelines, for example published by FAO and WHO or the BTSF Africa program).

5.5.9 Coordination and Support for Food Safety Research

The goal of improved food safety conditions in Africa suggests the need for applied research in two important areas. Firstly, in relation to the development of scientific advice, there is a need for a more detail characterisation and quantification of food safety risks to consumers (risk assessment, as described in Section 4.5.4). Secondly, African food culture includes many traditional processes and products, which may or may not meet modern food safety demands. In such cases, applied research can help to identify solutions by investigating alternative production technologies when necessary for adoption by food business operators. The AU FSMCM, collaboration with RECs, can contribute in both of these areas, by coordinating research to avoid duplication and ensuring research addresses real-world problems, identifying and supporting the emergence of centres of excellence, identifying funding sources, and ensuring that research results are fed into policy decisions. The AUC could also seek to identify funding sources and, in the longer term, manage research commissioning. One possibility is to establish an Africa-wide challenge fund for food safety research.

5.5.10 Communication and Public Relations

The continental leadership role of the AU in food safety should be reflected by a strong focus on public awareness raising targeted through the RECs and Member States at consumers and private sectors. The aim would be to strengthen and promote engagement of consumer and food business operators (including producers) in food safety issues by encouraging the creation or strengthening of their national and regional representative apex bodies, and their participation as partners in food safety initiatives (including consultation on new legislation). Awareness campaigns to promote food safety could be developed for adoption and implementation by RECs and MS (for example consumer material and media, Africa Food Safety Day). There will be a need for regular public relations activities (press releases, media relations, publications, website etc.).

5.5.11 Investment Support for Food Businesses

Unsupported application of new, stronger food safety regulations could bring negative social impacts through reduced employment, especially in small businesses, which do not have the resources to upgrade to modern food safety standards. Ultimately, the success of continental efforts to strengthen food safety regulations will depend on investment by private sector operators in the food supply chain to improve their establishments and processes and for producers to implement good agricultural practices and international standards. The AUC, the RECs and the MS should therefore, take steps to ensure that businesses are provided with an enabling environment and access to finance for investment. There will be a need to liaise closely with RECs and MS to ensure that financial instruments for agriculture developed under the CAADP and other regional and national programmes (e.g. the Grow Africa programme) are made available to food business operators for upgrading to meet food safety requirements.

6 OPTIONS FOR ORGANISATION STRUCTURE

The administrative location of the AU-FSMCM within the Commission should be determined after further deliberations by AU Member States. Options are to place it under the AUC Department of Rural Economy and Agriculture or directly, under the AUC.

AU Member State experts considered that there were three viable options available for the internal structure, in terms of how the above technical functions are grouped. These options are shown below. Non-technical functions (administration, legal, financial) were not considered.

Option 1: 6 Departments/units	Option 2: 4 Departments/units	Option 3: 2 Departments/units
1. Scientific advice and risk assessment	1. Scientific advice and risk assessment <ul style="list-style-type: none"> Scientific advice and risk assessment Coordination and support for Food safety research 	1. Scientific advice and risk assessment <ul style="list-style-type: none"> Scientific advice and risk assessment Coordination and support for Food safety research
2. Support for food safety policy and legal framework	2. Support for food safety policy and legal framework	2. Risk management <ul style="list-style-type: none"> Support for food safety policy and legal framework Official Control System Coordination and Support Support for building capacity of testing laboratories Rapid Alert System for Feed and Food Coordination of Professional Education Capacity building for Food Businesses Communication and Public Relations Investment support for food businesses
3. Risk management <ul style="list-style-type: none"> Official Control System Coordination and Support Support for building capacity of laboratories 	3. Risk management <ul style="list-style-type: none"> Official Control System Coordination and Support Support for building capacity of laboratories Rapid Alert System for Feed and Food 	
4. Rapid Alert System for Feed and Food	4. Food safety services <ul style="list-style-type: none"> Coordination of Professional Education Capacity building for Food Businesses Communication and Public Relations Investment support for food businesses 	
5. Communication and Stakeholder Relations <ul style="list-style-type: none"> Communications and Public Relations Investment support for food businesses 		
6. Training and Research <ul style="list-style-type: none"> Coordination of Professional Education Capacity building for Food Businesses and Producers Coordination and support for Food Safety Research 		

It is important to mention that within the AU FSMCM there should be a functional separation of scientific advice and risk management to the degree practicable, in order to ensure the scientific integrity of the risk assessment, to avoid confusion over the functions to be performed by risk assessors and risk managers and to reduce any conflict of interest³.

Other functions may be grouped according to need.

7 NEXT STEPS

Following approval in principle of the mission, structure and functions of the AU FSMCM set out in this proposal, the African Union Commission is recommended to undertake a policy decision regarding the location, status and initial legal form of organisation of the mechanism within AUC. The AU-FSMCM will need to be established in accordance with the AU Constitutive Act and it should function within the AUC Rules and Procedures.

This decision will need to be followed at an early stage by a detailed time-bound resource plan for the further development of the organisation (containing requirements for a permanent legal basis budget, staffing, and material resources). The plan should reflect the priorities of the AU Commission in terms of areas of greatest concern (for example the support for food safety policy and legal framework, the need to strengthen the official control system coordination and support and the rapid alert function could be considered the most immediate priorities). A task force comprising the AUC, major development partners and UN agencies should guide the development of the AU FSMCM, including the preparation of concrete proposals for formal submission to the AUC.

³In line with “Working Principles for Risk Analysis for Food Safety for Application by Governments”, Codex Alimentarius Commission, CAC/GL 62_2007



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