

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS (CCFICS)
Extension of the deadline for comments on appendix A - List of new emerging global issues
ENCA IBFAN comments. 22.2.26

General comment:

The recent large-scale recalls of commercial formula (including infant formula) products contaminated with difficult to remove spore-forming and toxin producing bacteria – *Clostridium botulinum* and *Bacillus cereus* has eroded parents' trust in commercial food systems. The systemic failures in formula production, regulatory surveillance, recall systems and crisis communication have highlighted the urgent need for consistent, regular, independent and transparent regulatory oversight of manufacturing facilities. Recalls in over 60 countries demonstrate the high-risk nature of commercial formulas that can lead to serious illness and possibly death in a vulnerable population. Border control capacity must be increased and strengthened to manage imports of these high-risk products that are subject to frequent recalls. The lack of regulation of cross-border digital marketing and sale of products for infants and young children, adds to the food safety risks to child health. Parents are pressured into buying potentially contaminated products with idealised, misleading claims that products are manufactured with an 'abundance of caution.' Parents place their trust in manufacturers and when children fall sick, are left with denial, robotic answerphone messages, limited treatment and no access to information or support. During the EB debate on Maternal and Young Child Nutrition about 50 governments and NGOs called for more protection of breastfeeding, highlighted conflicts of interest and stressed the need to bring the International Code and Resolution 78.18 on digital marketing into legislation.

Further comments: The food chain is increasingly complex and globalized with novel processes that the public has no hope of understanding. While food businesses are responsible and must be held accountable for the microbiological safety and quality of both the ingredients and the final product. They should also have verification procedures in place to audit and select ingredient suppliers. However, it is inevitable that there will be negligence and human error within manufacturing facilities that result in health risks. Transparency regarding this is essential.

Regulatory bodies must not shirk their responsibilities to monitor, regularly inspect and audit businesses. There has been a shockingly poor and unequal response from health authorities regarding the recent contamination crisis, with no transparency or explanations about what really happened or how the crises were managed. From a consumer perspective, the dual mandate of Codex – both to protect and consumer health and to facilitate fair trade – compromises the credibility of Codex when it comes to acknowledging and dealing with the safety and quality of highly processed products. The minimal warnings and marketing safeguards in Codex standards have boosted the global trade of addictive, plastic-wrapped products to such an extent that it will be a major challenge for Codex to properly acknowledge their risks – the health risks alongside the fossil-fuel-intensive agriculture, mono-cropping, deforestation and land-grabbing – and follow a One Health approach. Nevertheless, from a human rights and planetary health perspective, this is essential and we strongly advocate that local food producers (none more local than breastfeeding mothers) and traditional cultures are prioritised. The task of import and export operators to ensure that products are safe will be impossible unless these issues are frankly and honestly addressed and there is prior oversight by independent authorities of food safety systems. The system must not be left in the hands of financially interested parties. Last but not least, whistleblowers must be listened to.

New and evolving food production, processing, transport and distributing systems and technologies.

We support the new work proposal submitted by the European Union: Development of principles for the risk analysis of new food sources and production systems (NFPS). The proliferation of innovations in NFPS targeting babies has led to many misleading claims for baby foods illustrating the urgent need for greater due diligence in the scientific process to avoid possible conflicts of interest. Once again the need for this proposal, was questioned by those promoting novel foods.

Evolving role of competent authority and interactions between various government entities.

It is essential that Governments carry out regular inspections, monitoring, inspection and auditing of food business operators. It is inappropriate to trust that for profit businesses will follow the highest standards voluntarily. The system must be fundamentally changed. The patchy response from health authorities regarding the recent commercial formula contamination crises, resulted in no transparency or explanations about what really happened or how the crises were managed. The task of import and export operators to ensure that products are safe will be impossible unless these issues are frankly and honestly addressed and there is prior oversight by independent authorities of food safety systems. The system must not be left in the hands of financially interested parties.

Comment from IBFAN:

The recent large-scale recall of infant formula products contaminated with difficult to remove spore-forming and toxin producing bacteria – *Clostridium botulinum* and *Bacillus cereus* highlights the need for improved independent and transparent regulatory oversight of the producing manufacturing facilities. Recalls in over 60 countries demonstrate the high-risk nature of infant formula products that can lead to serious illness and possibly death in a vulnerable population. Addressing food safety regulations, accountability and transparency is needed to reduce the risks associated with contaminated infant formula products. Inspection reports and oversight reports of manufacturing practices are essential and must be mandatory requirements to protect public health needs and to strengthen border control capacity to manage imports of these high-risk products that are subject to frequent recalls. IBFAN agrees with the proposals for new work taking into account the special oversight requirements for infant formula products intended for infants and young children.

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