

EXPERIENCE WITH RECOGNITION OF EQUIVALENCE

Statement by Thailand at the Meeting of 14-15 March 2001

Current Equivalency Agreement

1. To date, Thailand has one Recognition of Equivalence Audit, which was concluded with Canada. The agreement was between Thailand's Department of Fisheries (DOF) and the Canadian Food Inspection Agency (CFIA), under their 1998 Equivalence Agreement on Fish Inspection and Control Systems. The agreement aimed at facilitating the trade of fishery products between the two countries, through the reduced rate of inspection at port of entry for the processors on the approved list and mutual auditing to ensure equivalency of inspection and control system.
2. To assure mutual understanding and benefits, a joint management committee was established to discuss issues relating to the implementation of the agreement, and a technical committee to discuss and recommend technical solutions to the JMC.
3. In determining equivalence of fish inspection and control systems, the responsible agencies followed the draft guidelines recommended by the Codex Committee on Food Import and Export Inspection and Certification Systems. Close management and technical consultation are maintained, as well as the exchange and review of information between the two agencies. So far, no problem has been reported.

Future work

4. Currently, DOF-Thailand is considering negotiation of equivalence agreements on fish inspection and control systems with a number of countries, e.g. the United States, the European Communities, South Africa, Brazil, Korea, Australia and New Zealand. However, this is still at the initial step as many processes are involved which require careful studies and consideration of the following:
 - Document review and comparison, which is time-consuming for both the document preparation and review on both sides.
 - Different cultures and structures of law, difficulties in identifying a single authority for overall control of the system, especially where more than one regulatory body is involved.
 - Differences in policy, procedures and methods are often the case with different inspection and control systems, while judgement of equivalency is still qualitative. In most cases it cannot be concluded that different procedures can produce the same level of protection. This often results in compromise measures to deal with differences or each party has to still meet another country's standard or use measures as prescribed by the law of another contracting party.

- Judgement of equivalence of food control systems in different countries is a critical issue. It is evident that international guidelines are needed for systematic application. Codex principles and guidelines associated with determination of equivalence will facilitate this process.
- Product standards are still being used as the appropriate level of protection while there does not always exist a standard for every hazard. In addition, meeting standards does not always guarantee safety.

Equivalence: issues for the future

5. One of the most challenging areas in equivalence recognition is the assessment of equivalence through audit of a contracting party. The contracting party must be able to maintain the equivalence. This is usually done by onsite review of the fish inspection and quality control systems of regulatory agencies and review of industry control performance. To date, there are no standard audit procedures and guidelines for assessment of results. Audit procedure is usually based on ISO 10011, and the Codex Committee on Food Import and Export Certification and Inspection System has developed guidelines for audit. The success of an audit will depend on consultation on the purposes, objectives, procedures and scope between the two parties, otherwise this exercise will only serve to assure compliance to the standard or procedures of a single party.

In preparation

6. Equivalence determination is considered by the Thai national SPS Committee to be of great importance to trade facilitation for the country. Realizing that a wholesome equivalence process requires collective understanding and work of all agencies concerned, the Thai Committee has agreed to conduct a seminar on equivalence for interested agencies, hopefully with resource persons from advanced economies who are willing to share their knowledge and experience with Thailand. The country has been in touch with the European Communities on the matter, but would also appreciate assistance or recommendations from all Members.
