

**Achievement of Market-Friendly Initiatives and Results Program  
(AMIR 2.0 Program)**

**Funded by U.S. Agency for International Development**

*Technical Committee Work for Supervising  
the Trial Implementation of RBS –  
Imported Food Control system*

**Final Report**

**Deliverable for PSPI Component, Workplan Activity No. 531.6  
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*July 17, 2002*

*This report was prepared by Anthony Whitehead, in collaboration with Chemonics International Inc., prime contractor to the U.S. Agency for International Development for the AMIR Program in Jordan.*

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## **Final Report on the Technical committee work for supervising the trial implementation of RBS – Imported Food Control system**

### **Introduction:**

Reference to Minister of Health Letter no. S Gh 48/1/15/1564 dated 3 July 2001 concerning the Food Council in its session (112) dated 14 June 2001 approving the RBS- Food Control system according to the technical committee report based on Food council decision dated 12 April 2001 in its session no. 110, in condition that all mandatory requirements have been fulfilled in Clause (D) of the report indicated above.

And with reference to ASEZA letter no. 4/B1/ 6959 dated 5 May 2002 concerning the launching and official implementation of the RBS system starting 12 May 2002, and the invitation of the technical committee for supervision on the system trial implementation phase

The technical committee has started its mission in Aqaba on 13 May 2002, where it has performed the following:

- 1- The committee has met, in the presence of all its members, four times and has discussed in details the elements and procedures of RBS food control system. Additionally, the committee has discussed the availability of the mandatory requirements for RBS implementation and reviewed possible solutions and alternatives for some issues risen during discussions
- 2- The committee has performed site tours to Food Lab./ MoH Aqaba, Food Inspection Center and Food Center and met staff working in these sites.
- 3- The RBS implementation for trial phase has started on Tuesday 21 May 2002, where a call has taken place with Director of Food Hygiene in MoH/Amman regarding approving the Food Channeling results practically, meaning that no samples will be collected on Yellow channeled food consignments that will be subjected to document review and cargo examination only and neither samples collection nor cargo examination shall be done on Green channeled food consignments that will be subjected only for document review. The committee has be notified by the Director of Food Control that the later has consulted the General secretary of MoH and notified the committee the Approval on the food channeling results
- 4- The technical committee has met with wild number of brokers and clearing agents working with imported food consignments in Aqaba City Services meeting room one day before RBS operation, where they have been informed on the basic principles of the RBS imported food control system and the committee listened to brokers inquiries and replied on them.
- 5- RBS imported food control system forms have been reviewed and modified accordingly; i.e. Document review form, Cargo examination form and Sample collection form based on inputs required during trial implementation of the RBS system. The steering committee shall continue in such revisions on the forms whenever necessary and based on the acquired experience during practical implementation of the RBS system.

Based on the above, the committee noticed the following:

### **A) Concerning the mandatory requirements for implementing RBS:**

- 1- The steering committee members have been assigned for managing the RBS food control system, and there is a need for a second MoH and JISM steering committee members.
- 2- Most of the modifications and maintenance works have been done on the infrastructure of the Food Lab/ MoH- Aqaba by ASEZA, but still there is the need for additional maintenance works to be performed by MoH and ASEZA. There is still the need to substitute the PVC tiles in Meat testing section and Microbiological testing section according to the work nature as soon as possible and consider it as a priority
- 3- Two training courses have been done in AQA and Analytical methodologies by specialized experts brought by ASEZA, knowing that training is an ongoing process and must be an essential part from Central Food Laboratories management
- 4- AQA system implementation has taken positive steps in Food lab/ MoH- Aqaba with the supervision of the laboratory manager and the QA officer (Mrs. Mai Adnan). It is clear that a integral AQA system building will be achieved on phased stages and related to improvements continued in Food Laboratory
- 5- MoH- Aqaba has provided sampling committees with one veterinarian and one food technologist with sufficient experience to work in the refrigerated Food Inspection Center  
Additional veterinarian and two other agricultural engineers have been assigned by MoA.  
No staff has been recruited by JISM yet to work in Aqaba sampling committees and there is a need for food specialists to work as JISM representatives providing an appropriate office space  
Currently MoH and MoA sampling committee members are taking samples required by JISM
- 6- ASEZA has renovated and furnished all sampling committee offices in the port. Still, there is a need for more space areas and it has been agreed that AMO office will be given to MoH once AMO evacuate their office.
- 7- No refrigerated car has been provided yet to transfer samples from Reefer container port area to Food lab/Aqaba. The committee has been informed by ASEZA that the mentioned car will be available in a month time duration. Until the ref. Car is available, brokers can still transfer reefer samples using ASEZA iceboxes to Food Laboratory.
- 8- Refrigerated Food Inspection center has been constructed for inspecting refrigerated and frozen food containers, where it includes an inspection area and aseptic samples collection area with hot steam cleaning machine  
There is the need for additional preparations; i.e. office space and rest rooms and checking the suitability of aseptic portion sampling equipment use and the hygienic disposal mean of cleaning wastewater.  
Additionally, there is a need to utilize an appropriate space within the inspection center for diagnostic sensory evaluation that requires thawing frozen blocks for examination instead of being sent to Food Lab for such a purpose. ASEZA will study the possibility of such an issue or finding the alternative suitable in the future.  
Until the above mentioned issue is resolved, the specialized technician will be given the authority to send part of the sample to Food Lab./Aqaba for sensory evaluation purposes based on principles supervised by the steering committee. The steering committee will follow on completion of Food Inspection Center requirements mentioned above.

- 9- Required automated channeling software system was prepared and in place for managing the RBS food control system, where food products are channeled according to their associated health risk  
And during the technical committee presence after the trial implementation has started, no problems or mistakes were detected concerning the electronic channeling of food consignments

**B) Concerning channeling of food products:**

A procedure by which Food channeling results can be verified by steering committee members has been put in place by comparing the channeling result on customs entry form with the documents attached entered on food selectivity server, where daily report with channeling results will be submitted to the steering committee members.

**C) Concerning feedback system on the RBS to increase its effectiveness:**

There is a need to design a post audit feedback on the imported food displayed in the local market by obtaining random samples from such products based on lists provided by ASEZA to Food Control directorate in MoH, MoA and JISM stating imported food consignments details whether to ASEZ or the National Customs territory.

For such a purpose, the technical committee recommends establishing a technical inspection team in Food Control directorate/ MoH-Amman to perform examination and samples collection from imported food at traders warehouses and from domestic market  
Such a system advantages are:

- 1- Identifying the effectiveness of RBS imported food control system and modifying it when necessary in coordination with agencies in relation.
- 2- Identifying the food warehousing practices in place
- 3- Identifying the wrong practices in food handling through analyzing the examination results and analytical samples testing upon food consignments border entry as well as upon storage and handling in the domestic market

**D) Concerning the computerized system for food channeling based on RBS:**

There is a technical and administrative need to provide computer workstations connected to the main food selectivity server for steering committee members

**E) Concerning the Legal side of RBS system:**

There is a need to clarify the legal point in item ( c ) of clause (4) in the new temporary food control law no. (79) for the year 2001 that states “ Prohibiting any food to be handled or entered to the kingdom before being tested and proved fit for human consumption and complying with food safety measures”. It is known that currently there is a committee formulated by MoH and headed by the general secretary to study modifications on the food control law and has almost terminated, where this committee will discuss any notes submitted by ASEZA concerning the mentioned law.

**F) Issues that need to be studied and decision made by Food Council:**

- 1- Specifying the authority of the steering committee members and their work responsibility based on their tasks and terms of reference according to the technical committee report mentioned in the introduction of this report.
- 2- Updating the certification system of imported food in order to specify clearly certificates/ documents required by related agencies to release food consignments.
- 3- Indicating the reference of steering committee members and Sampling committees technically and administratively at Aqaba port food center.
- 4- Studying and approving the below suggested table by the technical committee for the purpose of cargo examination on imported reefer food containers

No. of containers / consignment	No. of containers subjected to comprehensive cargo examination in Food Inspection Center
1-2	All
3-5	2
6-9	3
10-14	4
15-20	5
More than 20	Specified by steering committee

Knowing that all containers/ consignment will be subjected to general cargo examination according to the old system in place.

#### **G) Recommendations of technical committee regarding some technical and organizational issues:**

- 1- Due to the importance of pesticide residue lab analysis in some food products, the committee recommends that decision is left up to MoA representative for samples collection on any imported food consignment regardless its selectivity channeling result
- 2- In case where documents/ certificates are NOT complete for green channeled food consignments, there is a need to study the suitable methodology to permit releasing the consignment by an undertaken based on Prime Ministry decision
- 3- The committee recommends that MoH, MoA and JISM with coordination of Port Authority to establish suitable areas/ facilities within the port to serve the following:
  - Samples collection from food products that require special conditions
  - Cargo examination on food consignment units
  - Reading thermograph temperatures for reefer food containers
  - Filling in the forms and cargo examination reports
  - Resting especially under high temperature in Aqaba
- 4- Incentives to be given to steering committee members as well as sampling committees due to the huge responsibility undertaken by work nature
- 5- Getting the steering committee members and the Sampling committees on exploring tours and training courses to advanced countries in food control in order to acquire new practices to assist in work development
- 6- Study the issue of temperature reading for food reefer containers by the manual electronic thermometers used by sampling committees and its real value and importance in order to take the suitable decision on the reefer consignments.

#### **Conclusion:**

Taking into consideration the technical committee work in supervising the implementation of the new RBS- imported food control system between 13 May 2002 and 23 May 2002 under a “trial phase”, aimed at identifying any loops or constraints in the system and work on overcoming them and approving solutions suggested and placed by the technical committee members concerning RBS system, where the steering committee shall continue on the practical implementation of the system for the “Primary operational phase” after the technical committee terminated its mission in Aqaba and according to its responsibilities.

The “Primary Operational Phase” for RBS- Imported food control system during the first year, shall be subjected to regular evaluation every four months or at any time where issues requires technical committee based on the recommendation mentioned in the committee report that was approved by the Food Council in its session (110) dated 12 April 2001. Additionally, it is the steering committee responsibility to manage the daily system work and take necessary actions to correct and modify and procedure agreed that it is essential, and thus recommending to related National Ministries and agencies whatever suitable to improve the system based on the practical implementation via monthly reports demonstrating notes, modifications and recommendations taken.

Also, the technical committee recommends that a team from the Food Council to visit Aqaba port to get to know closely all facilities and procedures of the new RBS system according to the council suitable agreed time plan

Based on the technical committee and steering committee notes and recommendations, the Food Council shall announce the completion of the “Primary Operational Phase” for RBS- Imported Food Control System.

Signed by:

- **MoH**; Dr. Fathi Saleh, Dr. Hisham AbaZeid, Eng. Ayman Jadeed, Dr. Moh’d Satyah
- **MoA**; Eng. Husam Zreikat, Dr. Riyad Zuhd
- **JISM**; Eng. Omar Abdel Nabi
- **ASEZA**; Eng. Rima Zu’mot

**Abbreviated Summary of the Review of the Risk Based System (RBS) for Import Food Control by the MOH Technical Committee (TC) and the RBS Steering Committee (SC)  
May 14-23 2002  
Aqaba, Jordan**

### **Historical Information**

A Technical Committee (TC) was formed about December 2000 by the Minister of Health to review a Standard Operation Procedures (SOP) for the Risk Based System of Import Food Control and other related activities to RBS. This SOP, developed by this consultant, was the first operational document to describe the entire system and concepts in the application of the RBS adapted to the Jordanian context, after a year of study of the food control system for imported foods and the need for reform of these procedures. The Committee is made up of four Senior Officers who take their lead and direction from Dr. Ahmed Barmawi, Head of the Food Hygiene Directorate, Ministry of Health (MOH).

At this time, MOH had the lead function in food safety and hygiene for human consumption in Jordan. Other relevant agencies coordinating their work with primary products and food standards included the Ministry of Agriculture (MOA) and the Jordanian Institute of Standards and Metrology (JISM). The MOH was not confident that their personnel at the operational levels were prepared to changes from the present 100% sampling and analysis of all imported foods to a risk based system of control. The TC was convened to identify critical steps needed before the RBS could be implemented. AMIR agreed to fund and implement many of the critical activities while other activities were considered MOH responsibilities. A list of the critical and non-critical pre-requisites is attached to this summary for quick reference.

About the same time, ASEZA came into being and agreed to implement the RBS in the Zone, at the Port of Aqaba. ASEZA was willing to accept the terms of the MOH as pre-requisites and non-critical pre-requisites and to work with MOH, MOA, JISM, in the administration and execution of the RBS within the regulatory requirements established by each agency.

The TC became the focal point for all technical matters related to the RBS. It reviewed the SOP for the RBS. It later established the risk classification for the food products imported into Jordan and the criteria for selection of these foods for the three levels of control, release without examination or sampling, examination and release or examination and sample, and sampling. The involvement of the TC in these efforts allowed the MOH to carry some of the MOH polices which may be trade barriers into the RBS. For example, HIGH RISK foods are sampled at the 100% level. Some products are classified as High Risk in order for them to be subject to the 100% sampling requirements.

MOH referred the decision of the implementation of the RBS to the Food Council based on recommendations from the TC following their review of the SOP. The Food Council approved the use of the RBS, in ASEZA, contingent on the completion of the critical pre-requisites, most of the non-critical pre-requisites, and the establishment of a RBS Steering Committee (SC) in Aqaba made up of senior agency personnel of MOH, MOA, JISM and ASEZA. The SC is to be located in Aqaba and is to act for the senior personnel of each agency at there headquarters in Amman. The SC is to serve in an oversight capacity, make periodic evaluations of the operational activities and to provide “recommendations” on

procedural and operational changes as they become necessary. These terms of reference are attached to this report for ready reference and are taken directly from the Food Council Decision Document.

Dr. Hisham Labash, (Dr. Hisham AbaZeid appears to be his full name) was appointed by the Minister of Health to serve as the MOH Representative to the SC.

ASEZA was under obligation to invite both the TC and the SC in Aqaba to observe the implementation of the RBS. It was not anticipated that they would assume the joint role of approving the launch, based on their evaluation of their findings, however that's what occurred, as illustrated by the delay of the launch three times because their review was not yet completed. They assumed the role to assure the RBS was working according to its stated plan, reviewed all the prerequisites (critical and non critical), the procedural set-up developed for the administration of the system, computer selection of risk category for the various foods, and that laboratory and the Customs Sampling Committee performed appropriately.

The TC convened in Aqaba on 14/5/02, two days following the planned launch date of 12/5/02. They were joined by the Steering Committee members. The Joint Committees then proceeded to conduct their review following a meeting with the Commissioner Bashir. The first day consisted of briefings on the procedures and explanations of the entire system from start to finish by this Consultant and by Rima Zu'mot, Head Food Control Division of ASEZA. Marathon meetings and various issues were debated from 14-19 May. Tours of the MOH Aqaba Food Laboratory and the Food Inspection Center were arranged for 15 May, followed by meeting to discuss their findings, objections and recommendation. A tour of the ASEZA Food Control Division Port Office was arranged for 16 May along with a demonstration of the imported food selected for control measures and channeling procedures. This tour was followed by another meeting to discuss their objections and concerns. The rescheduled launch of 14 and 15 May was again rescheduled to 19 May.

On 18 May, the Committees held another meeting with Dr. Bilal Bashir to report their progress and to discuss an abbreviated report the Joint Committees had drafted to send to the parent Ministries. The report serves as a progress report on their findings, seeks information and action by the Ministries, particularly in providing written authorization for the Steering Committee members to execute the necessary actions required in the clearance or refusal of imported food products, and provides abbreviated recommendations.

During this meeting, Dr. Bashir defined the trial period for evaluation of the RBS by the TC to be until their scheduled return to Amman, on May 23 2002. There after, the RBS would officially be in effect and, as would be expected, adjustments to procedures and policy evolution would take place to a point that the system would become a routine activity. This would allow the Committee to observe the events the first few days of the launch of RBS. The formal launch day for RBS was also changed to May 20 2002. This would allow the Ministries to respond to the Committee's report, to be sent to them by FAX on the next day. The TC informed Dr. Bashir that they had no objection to the launch of the RBS on May 20 and felt confident that issues raised by the joint Committees would be resolved shortly. The TC Committee also stated that a more detailed report would be prepared as a final report and submitted to the relevant ministries.

An addendum to the report, prepared solely by Dr. Hisham without the knowledge of the other members of both Committees was attached to the preliminary report and Faxed to Dr.

Ahmed Barmawi, Director of the Food Hygiene Division. The other members of both Committees were informed of the additional pages sometime during the weekend following the meeting with Dr. Bashir.

The Consultant was not informed of the content of the preliminary report, or of the additional pages written by Dr. Hisham.

A draft of the Committees Final Report was received by the Consultant by mail within the day of finalizing this document and is attached. The Consultant intends to prepare a separate document to serve as an analysis of the report and provide those with interest the views and concerns of the Consultant.

**The Committees raised the following primary issues during their review and observations of the RBS system before and after the Launch on May 20 2002, and during their tours of the Port of Aqaba, ASEZA Food Inspection Center, ASEZA Import Food Center, MOH Laboratory during their visit for this purpose from May 14 – 23. 2002. Although other issues were raised from time to time brief explanations and clarifications resulted in there being no issue.**

MOH policy on review of documents and certificates to support the entry clearance process needs to be reviewed, number of certificates required should be reduced and more specific as to the required text.

**(They were informed a couple of years ago that the policy is a trade barrier when they insist on 100% sampling and testing the food for the very same food safety issue they require Certificates. WTO requirements for Certificates are only when needed because the importing country does not have the capacity or capability to test.)**

The SC is to make all decisions required by the RBS; consequently, they should have office space and office amenities such as telephone and fax service, etc.

**(There is some disparity in the role perceived by the SC members and the ToRs as spelled out by the Food Council)**

The SC is in need of mobile telephones, faxes, landline telephone, computers and linking equipment among other things.

More coordination and involvement is needed by JISM to prevent conflicting policies and handling of imported food products. Fees are being charged at 10JD per import consignment, for no apparent service.

**(Meeting with the Dir. Gen. of JISM indicates they are fully prepared to participate in the RBS and to adopt the system for their work in food standards. Meeting with the Minister of Trade and ASEZA also indicates full cooperation.**

MOH Sampling Instructions need clarification and revisions

**(MOH informed at least a year ago that the revised Sampling Instruction was not revised enough and still need studying and revision to comply with international standards.)**

The accuracy of the selectivity module and the channeling of the products need to be verified by the SC for all shipments received each day **(There is one operational step and two verification steps in this process, one of which is a review by the SC already. I see no**

**reason for the SC to be checking themselves. It appears to be a reason to get computers to micro-manage the RBS).**

The Food Inspection Center needs to be used for other purposes including testing meat and fish for Diagnostic and Organoleptic compliance. The Center needs to have office space, telephone communications, sanitary sewer disposal system, rest rooms, and a supply line and propane gas burners are needed, the cleaning devices (steam cleaner) does not work and the sampling corer is difficult to use and is not effective.

**(Many of these items are already in process and some were completed before the Committee finished their review. Expansion of the purpose of the Food Inspection Center to laboratory use is not a good idea due to the heavy traffic of laborers loading and loading the containers and the constant exposure of the facility to foreign goods coming and going. This does not present a suitable environment for performing laboratory analysis).**

Authority is need from the ministries to the members of the SC to sign various papers related to the decisions they will be making. **(Must be obtained by the Member)**

A refrigerated/freezer vehicle is not yet available to transport frozen and refrigerated imported food to the laboratory. ASEZA should also provide the Sampling Committee with transportation in the Port while carrying out there duties. **(Delivery of the vehicle is expected within 30 days)**

#### Critical Perquisites to Implementation of the RBS

1. Assign the Steering Committee members.
2. Maintain and modify the existing Aqaba Food Laboratory building as determined by the engineers and technical staff of laboratory experts.
3. Enhance the capability of the technical staff working in Aqaba Food Laboratory in the field of laboratory analyses, quality control procedures, and laboratory quality assurance.
4. Establish a system to guarantee the quality of the food analyses in Aqaba Food Laboratory.
5. Provide the Customs Sampling Committees with veterinarians and food processing engineers and train them on the nature of food control work.
6. Designate suitable offices to the sampling committees at Aqaba Customs Center and furnish them with all the technical and administrative requirements.
7. Provide a vehicle equipped with refrigeration/freezer storage and insulated storage containers and portable ice packs, for transporting refrigerated/frozen samples to the food laboratory.
8. Establish a refrigerated food Inspection Center at Aqaba Port premises to be used for inspecting the refrigerated and frozen food consignments and taking samples there from under appropriate conditions.
9. Develop computer software and hardware for implementing the selectivity module administration and the staff required for that.

Other requirements, which must be met in the future but not critical to the implementation of RBS:

1. Provide additional technical staff members, noting that the Ministry of Health assigned during the month of May a number of veterinarians and agricultural engineers at the Department of Health in Aqaba and its food laboratory.
2. Provide the required sample collection tools.
3. Complete the training of the sampling committee members including computer training and English language training.
4. Equip a special section within the refrigerated Food Inspection Center at Aqaba Port for portion sampling from refrigerated and frozen food consignments and sample preparation prior to sending them to Aqaba laboratory,

5. Prepare the computer software and hardware required to document and analyze the imported food control information and the staff required to work in this field.
6. Provide the laboratory equipment and instruments for Aqaba Food Laboratory as per AMIR program expert report.
7. Develop a consumer's manual, which shows the food import procedures and requirements.

Assignments and tasks of the Steering Committee:

1. The committee members meet in the morning to receive daily transactions, audit them, determine the sample size, method of sampling and details of visual inspection as per the established instructions and document these activities and other remarks on a special form to be signed and stamped by the committee members. This form will become a part of the customs transaction.
2. Follow up the daily work procedures, provide technical and administrative support to the sampling committee members at the customs center, settle daily work problems and ascertain good performance of the sampling committees.
3. Assess work procedures and their efficiency and effectiveness through weekly and monthly meetings and take the necessary actions to correct any mistakes or enhance the efficiency and effectiveness of the procedures.
4. Set up detailed procedural mechanisms to regulate daily practice within the standard practice document (SOP) with the objective of documenting and expediting the procedures and enhancing performance.
5. Look into consignments of disputed nature to take the appropriate decision in regard thereof, "including the transfer of the transactions to the competent official agency" and to document the consignment details and procedures on the special form of which a copy is to be sent to the competent central agency.
6. Recommend any modifications deemed appropriate by the committee in regard to the standard practice document (SOP) and established procedures to implement it in the light of any new scientific, legal or field developments.
7. Carry out any technical or administrative tasks assigned to it by Aqaba Special Economic Zone Authority and competent ministries within the administrative and technical experience limitations of the committee members.

Decisions are taken with the attendance of the majority of the committee members with the presence of the Ministry of Health representative.

**Summary of the Problems related to the Launch of the RBS  
in Aqaba Special Economic Zone  
May 14-20 2002**

A Technical Committee (TC) was formed about December 2000 by the Minister of Health to review a Standard Operation Procedures (SOP) for the Risk Based System of Import Food Control and other related activities to RBS. This SOP, developed by this consultant, was the first operational document to describe the entire system and concepts in the application of the RBS. The SOP specifically described the system design and the operational procedures to be used, adapted to the Jordanian context, after a year of study of the food control system for imported foods and the need for reform of these procedures. The Committee is made up of four Senior Officers who take their lead and direction from Dr. Ahmed Barmawi, Head of the Food Hygiene Directorate, MOH are lead sections heads in the Directorate.

At the time, the general feelings of the MOH were that they were not prepared for such a changes in their food control system. To make this change required training and experience for their field personnel and technology (laboratory capacity and capability), computers, and overall modernization. The Technical Committee identified the critical steps needed before the RBS could be implemented. AMIR agreed to fund and implement many of the critical activities while other activities were considered MOH responsibilities. There was general agreement to proceed. These pre-requisites are listed below:

Critical Perquisites

1. Assign the Steering Committee members.
2. Maintain and modify the existing Aqaba Food Laboratory building as determined by the engineers and technical staff of laboratory experts.
3. Enhance the capability of the technical staff working in Aqaba Food Laboratory in the field of laboratory analyses, quality control procedures, and laboratory quality assurance.
4. Establish a system to guarantee the quality of the food analyses in Aqaba Food Laboratory.
5. Provide the Customs Sampling Committees with veterinarians and food processing engineers and train them on the nature of food control work.
6. Designate suitable offices to the sampling committees at Aqaba Customs Center and furnish them with all the technical and administrative requirements.
7. Provide a vehicle equipped with refrigeration/freezer storage and insulated storage containers and portable ice packs, for transporting refrigerated/frozen samples to the food laboratory.
8. Establish a refrigerated food Inspection Center at Aqaba Port premises to be used for inspecting the refrigerated and frozen food consignments and taking samples there from under appropriate conditions.
9. Develop computer software and hardware for implementing the selectivity module administration and the staff required for that.

Other requirements, which must be met in the future:

8. Provide additional technical staff members, noting that the Ministry of Health assigned during the month of May a number of veterinarians and agricultural engineers at the Department of Health in Aqaba and its food laboratory.
9. Provide the required sample collection tools.
10. Complete the training of the sampling committee members including computer training and English language training.
11. Equip a special section within the refrigerated Food Inspection Center at Aqaba Port for portion sampling from refrigerated and frozen food consignments and sample preparation prior to sending them to Aqaba laboratory,
12. Prepare the computer software and hardware required to document and analyze the imported food control information and the staff required to work in this field.

13. Provide the laboratory equipment and instruments for Aqaba Food Laboratory as per AMIR program expert report.
14. Develop a consumer's manual, which shows the food import procedures and requirements.

About the same time, ASEZA came into being and agreed to implement the RBS in the Zone, at the Port of Aqaba. ASEZA was willing to accept the terms of the MOH as pre-requisites and non-critical prerequisites and to work with MOH, MOA, JISM, in the administration and execution of the RBS within the regulatory requirements established by each agency.

The Technical Committee then became the focal point for all technical matters related to the RBS and was called upon to review the Standard Operation Procedures for RBS, developed by this consultant to provide a detail description of the RBS concept and the operational and administrative steps in the implementation. Membership was expanded to include MOA, JISM and ASEZA. To my knowledge, Dr. Hisham was not a member of the TC at that time. (Item 2, Charles Krakoff's message related to Dr. Hisham's unilaterally establishing the TC is incorrect). Dr. Hisham AbaZeid –is Dr. Hisham's full name according to the Technical Committee's (TC) report to the Minister of Health.

MOH referred the decision of the implementation of the RBS to the Food Council based on recommendations from the TC following their review of the SOP. The Food Council approved the use of the RBS, in ASEZA, contingent on the completion of the critical pre-requisites, most of the non-critical pre-requisites, and the establishment of a Steering Committee in Aqaba made up of senior agency personnel of MOH, MOA, JISM and ASEZA to act for the senior officials in Amman. The Steering Committee is to serve in an oversight capacity, make periodic evaluations of the operational activities and to provide "recommendations" on procedural and operational changes as they become necessary. There terms of reference are listed below directly from the Food Council Decision Document:

Assignments and tasks of the Steering Committee:

8. The committee members meet in the morning to receive daily transactions, audit them, determine the sample size, method of sampling and details of visual inspection as per the established instructions and document these activities and other remarks on a special form to be signed and stamped by the committee members. This form will become a part of the customs transaction.
9. Follow up the daily work procedures, provide technical and administrative support to the sampling committee members at the customs center, settle daily work problems and ascertain good performance of the sampling committees.
10. Assess work procedures and their efficiency and effectiveness through weekly and monthly meetings and take the necessary actions to correct any mistakes or enhance the efficiency and effectiveness of the procedures.
11. Set up detailed procedural mechanisms to regulate daily practice within the standard practice document (SOP) with the objective of documenting and expediting the procedures and enhancing performance.
12. Look into consignments of disputed nature to take the appropriate decision in regard thereof, "including the transfer of the transactions to the competent official agency" and to document the consignment details and procedures on the special form of which a copy is to be sent to the competent central agency.
13. Recommend any modifications deemed appropriate by the committee in regard to the standard practice document (SOP) and established procedures to implement it in the light of any new scientific, legal or field developments.
14. Carry out any technical or administrative tasks assigned to it by Aqaba Special Economic Zone Authority and competent ministries within the administrative and technical experience limitations of the committee members.

15. Decisions are taken with the attendance of the majority of the committee members with the presence of the Ministry of Health representative.

Along with the review of the SOP, the TC also was involved in the risk assessment of all food products entering Jordan from imported sources, determining the risk level for each food and the criteria for the level of control to be applied. The criteria are used by the ASYCUDA system in selecting foods for control (no control, release, cargo examination, sampling and release or detention based on the results of these activities). In this way, the TC was able to preserve portions of or all of some MOH policies, which may be considered as trade barriers. For example, listing foods, which are not high risk as high risk and establishing criteria for high-risk foods at the 100% sampling frequency level.

During the launch of the RBS, ASEZA was under the obligation to invite the TC to Aqaba to witness the implementation. It was not anticipated that they would assume the role of approving the launch, based on their evaluation of their findings. They assumed the role to assure the RBS was working as was planned, and reviewed all the prerequisites (critical and non critical), procedural set-up, computer selection of risk category for the various foods, and that the entire system met MOH legal and policy related procedures and requirements. The Steering Committee was also invited since they are considered a functional element of the RBS, by virtue of the Food Councils decision document on the implementation of the RBS.

The TC convened in Aqaba on 14/5/02, two days following the planned launch date of 12/5/02. They were joined by the Steering Committee members. The Joint Committees then proceeded to conduct their review following a meeting with the Commissioner Bashir. The first day consisted of briefings on the procedures and explanations of the entire system from start to finish by this Consultant and by Rima Zu'mot, Head Food Control Division of ASEZA. Marathon meetings and various issues were debated from 14-19 May. Tours of the MOH Aqaba Food Laboratory and the Food Inspection Center were arranged for 15 May, followed by meeting to discuss their findings, objections and recommendation. A tour of the ASEZA Food Control Division Port Office was arranged for 16 May along with a demonstration of the selection and channeling procedures for imported food. This tour was followed by another meeting to discuss their objections and concerns. The rescheduled launch of 14 and 15 May was again rescheduled to 19 May.

On 18 May, the Committees held another meeting with Dr. Bilal Bashir to report their progress and to discuss an abbreviated report the Joint Committees had drafted to send to the parent Ministries. The report serves as a progress report on their findings, seeks information and action by the Ministries, particularly in providing written authorization for the Steering Committee members to execute the necessary actions required in the clearance or refusal of imported food products, and provides abbreviated recommendations.

During this meeting, Dr. Bashir defined the trial period for evaluation of the RBS by the TC to be until their scheduled returned to Amman, on May 23 2002. There after, the RBS would officially be in effect and as would be expected, adjustments to procedures and policy evolution would take place to a point of routine activities. This would allow the Committee to observe the events the first few days of the launch of RBS. The formal launch day for RBS was also changed to May 20 2002. This would allow the Ministries to respond to the Committee's report, to be sent to them by FAX on the next day. Dr Bashir made it clear that the system was being carefully scrutinized by his staff and the obligations made by ASEZA were carefully tracked and accomplished. Those items that are not done yet would be done

very shortly. All matters related to the Food Inspection Center would be done within a few weeks in order to bring this on line with the other control functions as soon as possible. This would only effect frozen shipments, which are classified as HIGH Risk products with a small portion of those products classified as MODERATE Risk that will be sampled as frozen shipments. These products will be sampled in the same manner as in the old system until the Food Inspection Center is fully operational and the sample room has been disinfected and environmentally sampled for pathogenic microorganisms by the laboratory before put into service.

The TC informed Dr. Bashir that they had no objection to the launch of the RBS on May 20 and felt confident that other matters would be resolved shortly. Some problems were identified that are related to the policy and procedures of the MOH, (i.e. Certificates and other required documents, sampling instructions, etc.) and they would attempt to resolve them soon after their return to Amman. The TC Committee also stated that a more detailed report would be prepared as a final report and submitted to the relevant ministries.

An addendum to the report, prepared solely by Dr. Hisham without the knowledge of the other members of both Committees was attached to the preliminary report and Faxed to Dr. Ahmed Barmawi, Director of the Food Hygiene Division. The other members were informed of the additional pages sometime during the weekend following the meeting with Dr. Bashir.

The Consultant was not informed of the content of the preliminary report, or of the additional pages written by Dr. Hisham.

A draft of the Committees Final Report was received by the Consultant by mail within the day of finalizing this document and is attached. The Consultant intends to prepare a separate document to serve as an analysis of the report and provide those with interest the views and concerns of the Consultant.

**The Committees raised the following primary issues during their review and observations of the RBS system before and after the Launch on May 20 2002, and during their tours of the Port of Aqaba, ASEZA Food Inspection Center, ASEZA Import Food Center, MOH Laboratory during their visit for this purpose from May 14 – 23. 2002. Although other issues were raised from time to time brief explanations and clarifications resulted in there being no issue.**

#### **Issue item 1: Document review:**

Brokers frequently do not provide required documents/certificates from the exporting country for up to 3-6 months. RBS permits 10 days with a lenient policy for extensions. However, most brokers wish to take the product to premises with an “undertaking” (bond) to assure redelivery if required. (In reality most brokers are willing to pay the 100 JD fine metered out by Customs in lieu of redelivery and sell the food without release if documents are not obtained.

The whole system of Document Review needs review and revision. MOH has a list of 12 or more different Certificates required for food shipment. WTO international rules indicate Certificates can be requested, however only when necessary. Since the MOH policy has been

100% sampling and testing, it makes the Certificates redundant and unnecessary. Too many Certificates are required. All must be sent through the Jordanian embassy or Consulate's office in the exporting country, requiring inordinate amounts of processing time. They serve no useful purpose if the product is going to be tested or analyzed anyway. The committees decided that a review was in order.

The Committees also proposed sampling the products without suitable Certificates if the owner wishes to go to his premises with the product. For some moderate and all high-risk products, which are subject to sampling, it is not necessary to require certificates. For the rest of the products, this sampling in lieu of presenting Certificates, circumvents the RBS, since all low and some moderate risk food are released without examination or sampling. MOH wishes to give the Broker/Owner an option of either present the Certificates or subject the product to laboratory testing. This should not be an option if the RBS is to work as intended. Many brokers may find themselves intimidated into the sampling option just to get out from under meeting the document requirements eliminating the benefits of RBS. The RBS will permit the food to enter without sampling and examination. There is little to no danger to human health from most of the foods entered at low and moderate risk levels, with or without certificates or testing or examination.

An Issue Paper has been prepared and provided to ASEZA for their benefit in dealing with this issue when it comes up for further discussion as to appropriate revisions following the report of the Committee to the MOH.

### **Issue item 2: Steering Committee Responsibility**

Dr. Hisham pointed out that the Steering Committee is responsible for making all decisions in the process of clearing import food products (a matter that may not be supported clearly by the TORs). Yet, the Committee is not being provided with private office space by ASEZA. The present office provided for the Customs Sampling Committee is not sufficient to house these operational employees and the Steering Committee member.

The committee was informed that the building in which the Food Center is presently located is under the control of the Customs National Territory Department and the space allocated is under their jurisdiction and not ASEZA. ASEZA was responsible for the cost of the renovation of the office space allocated to the Customs Sampling committee. These facilities were quite unsuitable. ASEZA has completed the renovation, supplied all new office furnishing for each agency to provide a pleasant and modern workspace. for the committees. The offices now have permanently assigned people to maintain and clean the facilities the office space, and full time Security Officers to maintain proper control of the public and visitors to the center. The Committees were informed that additional needs should be considered by the individual Ministries.

In the future, one of the MOA agencies is anticipated to be vacating their office in the Center; consequently, MOH can expand into this office space when it is vacated.

### **Issue item 3: Communications Capability**

Dr. Hisham indicated that communications with the Steering Committee members is paramount for the Ministry of Health representation. Dr. Hisham requires that telephone and

fax and mobile phone capability be provided by ASEZA to the Steering Committee members and to the Custom Sampling Committees.

The committee was informed that all agencies have already provided telephone lines and mobile phone capability to their staff with the exception of the Ministry of Health. The Ministry of Health should address this problem. Related to the Sampling Committee, a mobile telephone system is currently being arranged to provide telephone service to the Committee. The system would provide messaging service from the Committee to the ASEZA Center and the Center would respond by telephone to the Committee.

#### **Issue item 4: Coordination with JISM**

The Technical Committee pointed out that JISM collects food samples for labeling, quality standards and for compliance with JISM technical regulation. These samples are released by JISM independently of any other agency that may have sampled the product for other reasons. What efforts are being made to coordinate these procedures with RBS to prevent conflicting decisions on release or refusal of imported food products?

The committee was informed that a meeting was held with Dr. Ahmad Hindawi, Director General of JISM and this consultant and an AMIR Project representative. During that meeting, Dr. Hindawi expressed complete cooperation with ASEZA and the procedures involved with the RBS. This includes the process of split sampling, where one sample is collected to suit all the needs of all the agencies. JISM will be taking a more active role in the process in the future. Ms Zu'mot reported on a recent meeting with ASEZA and the Minister of Trade in which many decisions were made on the role of JISM and their cooperation and coordination with RBS, including contracting with the MOH laboratory to do the sample analysis in Aqaba instead of shipping the samples to Amman. Senior staff will be added to the limited number of JISM personnel presently in Aqaba. JISM will also be arranging for office space in Aqaba in the near future as well.

#### **Issue item 5: Authority for Steering Committee**

Dr. Hisham indicated that the steering committee is responsible for signing documents on behalf of the Ministry that related to the release, detention, or refusal of import food. Up to now there is no written authority provided by the ministries to members of the Steering Committee authorizing them to sign these documents.

The committee was informed that with the exception of the Ministry of Health, none of the other representatives requires such authority in writing. They have been signing import paper work for release and or refusal under the existing system of import control for their ministries all along.

#### **Issue item 6: Sampling Frozen Foods**

Dr. Hisham pointed out that there might be as many as twenty containers of frozen meat entered under one consignment. What are the procedures under RBS for collecting samples of this meat if all 20 containers are of one species, one production day and manufacturing code? At present, the ASEZA Food Inspection Center is only equipped with two cargo loading and unloading bays, the frozen cargo is usually not palletized and must be unloaded by hand and may take 3 or more hours to unload and an additional 3 hours to load. This will

take an inordinate amount of time if all containers are to be opened, unloaded, sampled and re-loaded.

The discussion was widened in scope by Dr. Hisham when he indicated that sampling of frozen meat for diagnostic and organoleptic testing requires considerably more sample per unit than microbiological samples, they must be in intact packaged units (usually range from 5-25 Kgs., and must be thawed before they are tested. Consequently, portion-sampling technique is not applicable to this testing procedure.

The discussion was protracted and argued from all sides. The suggestion to collect one sample for both purposes was not a consideration due to the portion sampling consideration. The ultimate decision was made, after discussion with the Laboratory personnel, who perform this test. A single sample as prescribed in the MOH Sampling Instructions for Diagnostic/Organoleptic testing will be divided by the laboratory for Microbiological testing as well. Although the sample size can be large, it still will not be anywhere the size as is presently collected.

#### **Issue item 7: Fees**

The issue of collecting fees was brought up and it was confirmed that JISM is collecting a 10 JD fee on all consignments. The fees are not associated with any particular services being provided. It was also learned that the MOH has currently under consideration a similar requirement, however no action has been taken and no amounts have been specified.

The committee was informed that this matter of charging fees for each consignment of imported food is not a matter related to the implementation of the RBS or for ASEZA or should the committee be concerned about such matters. These are legal matters to be resolved by the legal staffs.

#### **Issue item 8: Channeling Accuracy**

Dr. Hisham raised the point of “Channeling” accuracy. The committee was provided a description of the channeling process during the informal presentations on this RBS. At present the Channeling results cannot be printed. In the interim, the channeling would be done and the results would be indicated on the Declaration copy to the Broker by use of a color marker, (Green, Yellow or Red) for the broker’s information. Dr. Hisham wanted to know what assurances were there that the Document Officer would not make a mistake in this transfer of information that would go unchecked.

The committee was informed that the Document Officer receiving the original portfolio from the broker must first check each harmonized code against the product description to assure the proper harmonize code is used. Following this verification of the harmonized codes, the channeling is then performed and is indicated to the broker using colored markers on their copy of the Declaration, which is returned to them for their information. Should there be an error in that transfer of information, the Document Review Committee could also verify the same information and to assure that the broker has been informed correctly. A second verification should also take place at the time the file is reviewed for release of for further control procedures following the document review, by the Steering Committee at the time they sign the Release Notice. **(At the time of this writing, a method was developed to print the channeling results on a daily basis for review each day.)**

Dr. Hisham then insisted that ASEZA provide the Steering Committee with computers with access to the ASYCUDA system and the channeling process in order to assure and verify these procedures.

#### **Issue item 9: Office Hours for processing food entries.**

During the informal presentations, it was mentioned that the business hours of the ASEZA Office for processing imported food consignments would be from 0800 hours until 13:00 hours. Although filing information would be accepted after that time, it would be treated as if it was presented the following day.

It was suggested that the hours be shortened to 1200 hrs to provide the Steering Committee time to complete the decisions and paper work processing of the entries for the day, and to allow for the availability of the ASEZA system computers to verify the computer activities and any other thing they wish to check on. Before that time the ASEZA computers are engaged in the computer activities required for the early processing steps of the entry clearance procedures.

#### **Issue item 10: Inspection Center and Meat Diagnostic Testing.**

Dr. Hisham pointed out that the Food Inspection Center should be used for the Diagnostic and Organoleptic testing of meat and fish. This would require an area of the large inspection room to be isolated into separate rooms, each equipped with floor drains into a sanitary sewer to allow for thawing waste of fish and meat to be disposed, and examination tables to perform the testing. The Committee is of the opinion that the testing for Diagnostic/Organoleptic compliance of fish and meat should be performed at the Inspection Center due to the lack of adequate space in the MOH Food Laboratory, where the laboratory room used for this purpose has just been renovated.

The Committee was informed that the Inspection Center was constructed using the specifications provided by the MOH. It was never mentioned to be an extension of the Aqaba Laboratory, or to be used for any analytical purposes. It was built with the approved specifications of the MOH to sample in a proper environment and using aseptic portion sampling of refrigerated and frozen foods in the sampling room. It was also built to examine cargo from refrigerated and frozen food shipments in reefer containers, since the cargo from these containers cannot be adequately examined under the present conditions at the port without risk to the product and subsequently to consumers. All the requirements put forth by the MOH have been met in this facility.

#### **Issue Item 11: Lack of Sanitary Sewer and other features at Food Inspection Center**

Dr. Hisham pointed out that the Food Inspection Center lacked a sanitary sewer and has no bathrooms, no working space for the Customs Sampling Committee to write reports, and no telephones or fax or other office communications equipment. He indicated the Steering Committee needed to know the results of the cargo examination findings directly from the Customs Sampling Committee to assure samples were collect when warranted. The Steering Committee intends to make these decisions rather than the Sampling Committee. Sewer facilities are critical for the Diagnostic/Organoleptic testing to be done at the Inspection Center **(there was no agreement that these tests would be carried out at the Center)**

The committee was informed that a system of filtering out solid waste would be included along with Septic tank sewage system to deal with this issue pending the availability of sewer lines at the Port. Related to the workspace for the Sampling Committees, the activities at the Inspection Center include sampling from frozen and refrigerated foods. Cargo examination is likely to be rare since most frozen and refrigerated foods are classified as high risk and are presently sampled at 100% frequency. As for office space, this Food Inspection Center is to be used in the same manner as flat storage warehousing facilities are used in the rest of the Port. It is a temporary work station for a specific purpose, not a place to conduct business, write reports or to work on daily basis all day long. For these activities, the Sampling Committee has their dedicated office space in the ASEZA Food Center Office facilities. The Sampling Committee can continue to function as they do now when they collect samples outside on the open flat storage area of the Port. A telephone is to be installed at the Center in the next few days, however, office space or fax machine were not planned and will not be arranged. Landline telephones are to be installed in a few days. Customs Sampling Committees will be provided on the following day messaging mobile telephones to communicate with the Food Center and receive calls from the Center or any communications needed. In the next few days a Caravan is to be moved to the outside parking area at the Food Inspection Center to serve as a personnel comfort center for the refrigeration technician and the security personnel working at the center full time. It will be available to all authorized personnel. Rest rooms are located approximately 50 meters or less from the Food Inspection Center in a separate building.

#### **Issue Item 12: Food Corer Sampling tool does not work**

Dr. Hisham pointed out that the Food Sampling tool used to cut out a core sample from solid and frozen food did not work. The Customs Sampling Committee indicated they were too difficult to use. They blamed it on design flaws

The Committees were informed that the refresher course for the Customs Sampling Committee devoted an entire session to the use of this tool and allowed each person (20+) to use the tool. Some had more difficulty than others did. The Instructors (this Consultant and Consultant Parker had no difficulties in using them. The difference is primarily practice and experience, trial and error and skill development. Alternative methods are available should this become a major problem, including stainless steel sanitary meat saws, knives, electric knives with removable blades for sterilizing etc.

#### **Issue Item 13: The method of portion sampling for frozen food needs to be improved.**

Dr. Hisham reported the Custom Sampling Committee states the method of collection portion samples for frozen meat needs to be improved. The fault was identified as the meat spins around when the core drill is turned on; consequently, the meat needs to be anchored during the sampling. An alternative would be to fix the drill in place and hold the meat while the drill is on.

Technique and skill are still the problem, which should disappear with experience.

#### **Issue Item 14: The Food Inspection Center is not equipped with Propane Gas or Burners.**

Dr. Hisham pointed out that the Food Inspection Center has no Propane Gas supply or regular Bunsen Burners to be used for sterilization of sampling tools. Portable Propane Gas burners are not suitable according to Dr Hisham.

The Committees were informed that the Portable Propane Burners were quite suitable since their only use is to flame sterilize, a process which will not be needed often in the Food Inspection Center since other sterilization equipment is already available. Permanently fixed Bunsen Burners were not necessary for the limited use they would get. The portable burners have their value in aseptic sampling outside the Food Inspection Center for aseptic sampling of dry food products.

**Issue 15: ASEZA should be responsible for replenishment and cost of consumables and for maintenances of the facilities.**

Dr. Hisham indicated that the cost of the daily consumables and the maintenance should be a responsibility of ASEZA.

Dr. Hisham was reminded that these matters were covered by a Memorandum of Understanding and were not a concern for the Committee.

**Issue 16: ASEZA should arrange for transportation for the Custom Sampling Committee around the port while performing their duties and to go to the Food Inspection Center.**

Dr. Hisham stated that ASEZA should be responsible for transportation of the Customs Sampling Committee.

The committee was informed that up to this time, there has been no concern for transporting the Committee by any of the National Ministries and the Committees have relied on the Brokers to provide the transportation. Due to recent findings that a lot of time is wasted when the Brokers are late and do not keep appointments as schedule, ASEZA is reviewing the situation and will responds as necessary. In the mean time, Brokers have been put on notice to keep their appointments, or else forfeit their turn and will be required to reschedule.

**Issue Item 17: There is no refrigerated/freezer vehicle to transport frozen samples from the sampling area to the laboratory.**

Dr. Hisham pointed out that the refrigerated/freezer vehicle is not available to transport the frozen and refrigerated food samples from the Food Inspection Center or any other location to the food laboratory

The Committees were informed that the vehicle is to be delivered with the next 30 days. In the meantime, insulated containers are available for this purpose. In addition, the Food Inspection Center is now equipped with a Freezer Chest that will be used to store frozen samples at freezing temperatures while held in the Center before delivery to the laboratory.

**Issue Item 18: The High Pressure Water and Steam Cleaner does not generate steam.**

Dr Hisham stated that the High Pressure Water and Steam Cleaner located at the Food Inspection Center for the purpose of maintaining cleanliness does not function correctly and is not generating steam.

The Committees were informed that the Supplier has already been contacted and has indicated repairs and will be made as necessary.

**Issue Item 18: Frozen Bulk Meat Shipments are more frequent.**

Dr. Hisham request if ASEZA has considered what it will do with the circumstance that involve the shipment of large blocks of frozen meat being shipped in Freezer Compartments and are units too large handle (in excess of 100 Kgs blocks). These shipments are becoming more frequent.

The Committee was asked what is being done now and was informed that the samples are taken at their location on the ship. The obvious answer is that ASEZA would expect the sampling to be carried out as presently being done and if there are changes needed in the sampling procedure, MOH should advise ASEZA to assure the appropriate method is carried out.

The TC insisted on the decision responsibility for everything including each step in the food control process, all technical matters, and all administrative procedures. Dr. Hisham is reported to have been critical of the agency nameplates placed by ASEZA on the entrance to each agency's offices (MOH, MOA, JISM) in the Customs Food Center by ASEZA, because they had not been given prior approval by the Steering Committee.

The planned dates for the launch of the RBS as delayed twice so the TC could complete their review before the launch. It was only anticipated that the TC would be a witness to the process, however they immediately took the position they were there to assure the RBS system before it would be implemented. The Joint Committees then proceeded to evaluate every procedure, process, and facility involved in RBS. They reviewed the accomplishment of the critical pre-requisites and non-critical pre-requisites. In order to proceed with the launch, the TC prepared a preliminary report to the respective ministries and all signed as agreeing to the terms of the preliminary report. The preliminary report stated in general that the RBS should proceed since the critical prerequisites were completed and most of the non-critical prerequisites were far enough on the way to assume they would be completed. Dr. Hisham, who appeared to have the most to say in all of the marathon meetings held from May 14-19, mostly objections, prepared a two page addendum to the report without agreement from the other members and faxed it immediately to Dr. Barmawi, Head of the Food Hygiene Division of the MOH.

## ISSUE PAPER

### Use of Certificates to Support the Quality and Safety of Imported Food in Jordan

#### Introduction:

The competent authority in Jordan for hygiene and safety of imported foods for human consumption is the Ministry of Health (MOH). For some number of years the MOH has required all imported foods to be supported by various Certificates for various purposes related to safety issues and some quality aspects of food. The Ministry does not appear to have codified these requirements in official regulations or instructions of other guidelines and it also appears that the requirements are set on an “as needed basis”.

The MOH controlled imported foods using a 100% sampling policy. During the Jordan accession process to WTO membership, the WTO Accession Working Group addressed many policy issues considered as unnecessary constraints and barriers to trade. Among them was the length of time for processing imported products that ranged from 20 to 30 days for products, which met Jordanian requirement (Para 138 of Working Party report to WTO). Other problems identified included the sampling methods and the size of the amount of the sample required to be taken (sometimes amounting to a ton of meat from one consignment). In addition, the policy of MOH to reject consignments of frozen food shipments, particularly frozen meat, based solely on manual temperature measurements, even when computer records show the product to be shipped within temperature requirement during the entire journey. The MOH program of 100% sampling for all imported food products was also considered unnecessary and domestic products do not receive the same level of control.

To address these issues and others identified problems, the AMIR Project assisted the Government of Jordan (GOJ), particularly MOH, to develop internationally acceptable policies and procedures and to improve the import food control program. Some regulations were changed however, may still need further review and revisions to completely comply with WTO requirements. A Risk Based System of Import Food Control, as designed and recommended by an AMIR Consultant, has been put in place as a pilot program in the Port of Aqaba and may go a long way in bring Jordan into the upper echelon of modern and progressive import food control.

The MOH has had and continues to have a long-standing requirement for Certificates to support the quality and safety aspects of imported food, the policy is also in direct conflict and inconsistent with the international principles established for these documents. At present, the Ministry has an unofficial policy with an official regulatory outcome related to required Certificates. The requirement to provide certain certificates to support the entry of food products appears to be unofficial with no apparent regulations that set forth these requirements. However, the outcome is regulatory since the failure to produce acceptable Certificates may result in rejection of the consignment. Every consignment of food is subject to the review for required Certificates.

The concept of certification used by MOH is that the official foreign certifying agent (third party or unofficial agent Certificates are unacceptable to MOH) is to assure the food product in the consignment meets Jordanian requirements for a multitude of quality and safety parameters. Since most of these certificates are general in nature, they do not specifically apply to the food product, production day and codes, in the consignment under consideration

for entry. In addition, the number of different Certificates indicates a broad level approach for general assurance of compliance for nearly all aspects of food quality and safety.

The MOH policy continues to control imported food products by sampling and testing 100% of all imported food, by product and by production day at all entry points (except the Ports of Aqaba, where a risk based system is currently being applied). This level of control, with few exceptions, negates the need for Certificate requirements. 100% sampling and analysis provides direct ‘prima fascia’ evidence of compliance or non-compliance, with the Jordanian requirements. Certificates are therefore redundant and unnecessary when this level of control is applied. Exceptions may be for those circumstances that cannot be verified by analytical testing, i.e., the source of the Bovine meat is from non-BSE farms in a BSE infected country. To require Certificates for food quality and safety requirements that are going to be determined by analytical testing by the importing country is an unnecessary burden on the exporting country and the exporter/importer. The value of a Certificate is in not having to perform the testing for the quality and/or safety issue that the Certificates assures to be compliant.

### **International Principles**

The international principals that govern the use of Certification to assure food safety and quality, while at the same time facilitates fair and free trade without unnecessary constraints or barriers, is expressed in the guidelines issued by the Codex Alimentarius Commission. The following principals apply:

- Certificates should contain essential information that meets the objectives of the importing country's requirements in respect of food safety and facilitation of fair trade in food.
- The level of information required should be adequate for the importing country's purpose and not impose unnecessary burdens on the exporting country or exporter, nor should there be a requirement for the disclosure of information that is commercial-in-confidence unless it is of relevance to public health.
- Certificates should only be required in cases where it is necessary to ensure product safety or to ensure fair trade practices.

Other relevant documentation includes the text of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS), Articles 3, 5 and Article 8 specifically.

Article 3 requires in Para 4, that the application of any sanitary measure (certification procedures are defined as a sanitary measures in Annex A of the agreement) must take into account the objective to minimize negative trade effect. Requiring unnecessary certificates in light of the existing control level of 100% sampling and laboratory testing may be considered as a negative trade effect by member countries.

Article 5 also indicates in Para 6, that measures taken should not be more trade restrictive than required to achieve the appropriate level of protection. When sampling follows certification, the certification is unjustifiable and may be considered by trading member countries as inappropriate. If certification is suitable to establish the level of protection, as is the case when the importing country does not have the capability or capacity to tests for the

safety aspects, then it may be an appropriate option. This would be less restrictive to trade than requiring both certificates and intensified sampling and laboratory testing at the 100% level. It does not appear that Certification requirements for safety aspects that will eventually be the subject of laboratory testing by the importing country are justified or necessary.

Article 8, establishes “Control, Inspection and Approval Procedures”. The requirements are detailed in Annex C of the Agreement. Para 1 of this annex states that all control procedures must be completed without undue delay and in no less manner for imported food than for domestic food products. Further, standard operation procedures are to be published with anticipated processing times for the control measure to be applied. This information is to be communicated to the traders. The other processes of control should continue to the extent possible while any documentation deficiencies are being corrected by the trader. In addition, any requirement for specific products are to be limited to what is necessary and reasonable.

The AMIR Program assisted the GOJ in establishing a Risk Based System for Imported Food (RBS). The Jordan Food Council approved the RBS to be implemented by the Aqaba Special Economic Zone Authority (ASEZA), under the oversight of a Steering Committee consisting of equally representation of the MOH, Ministry of Agriculture (MOA), Jordan Institute of Standards and Metrology and ASEZA. The RBS includes a step in the clearance process for document review by a Document Review Committee consisting of members of the same agencies as the Steering Committee. This procedure replicates the standard operating procedures that have been in place for some number of years, which has been dominated by the MOH since they have the largest share of the requirements for certificates and are the principle agency for food safety and hygiene. Efforts to abandon or streamline these procedures during the development of the RBS with the MOH failed to reach any change in either the requirements or approach to this procedure.

The list of Certificates currently required by MOH is attached. Certification requirements are established “ad-hoc” as the need arises. It does not appear to be codified as any part of any regulation or instruction issued by the Ministry. There does not appear to be any review of these requirements to assure they continue to be necessary. Since they are not generally codified as a regulation, there is no specific format or required texts identified as being required. The concept of MOH is to have generalized Certificates that certify food safety in total and additional Certificates that further certify compliance on specific items or groups of item. As examples, the list requires general sanitary certificates but also requires certificates that specifically deal with contaminants and residues such as radionuclide, hormones in meat, etc. These requirements are redundant and may not be necessary.

The RBS does not envision an intense review and scrutiny of Certificates to support the food product entry. It has its foundation in the risk assessment process, which identifies those food products that represent a potential risk to consumers, and the assessed severity of that risk dictates the level of control to be imposed. Resources are dedicated to those with the highest risk and the potential for the greater severity. Those products with a low risk level and represent the lowest level of severity are considered for the minimal level of control and only then for monitoring purposes in cases of emerging or new risk concerns. Certificates justifiably could be required for those risk factors for which there is a limited or no capability for testing within the importing country. The RBS also relies on the statistical occurrence and frequency of food being rejected for severe risk factors. When statistical review reveals increases in import food rejections for severe risk factors, control measures are intensified.

Likewise, control measures are relaxed when there are few rejections of foods with severe risk factor. Certificates play a minor role in this type of approach to food control.

The MOH has insisted that the Document Review procedures be an integral part of the RBS. Consequently, the process is incorporated in the RBS in the clearance procedures. A recent experience by a Technical Committee evaluating the RBS before and at the startup of the program by ASEZA in the Port of Aqaba, revealed the Document Review process to be very troublesome. The procedures were not in question, however making decisions on the suitability of the Certificates pointed out the redundancies, the overlapping requirements and the lack of clear policy by MOH on the documents. It was agreed by the Technical Committee and so stated in their final report that the entire document requirements needed to be reviewed with change in mind to streamline both the requirements and the process of reviewing these document. This would require MOH headquarters consideration and approvals.

### **Recommendations**

In view of the above conclusion by the Technical Committee reviewing the RBS, the Consultant recommends strongly:

#### **1. MOH should adopt the Codex Guidelines for the Use of Certification using the RBS system procedures.**

The guidelines indicate that Certificates should be required only for specific reasons and only when necessary. They should be specific to the consignment and serve specific purpose(s). They should facilitate trade by reducing unnecessary controls for which the Certificates provides the needed assurances. An example of a justified Certificate is for bovine products from BSE infected countries to assure the products specifically in the consignment are not from BSE infected animals, herds or farms. Other certificates may be required for food safety assurances for which Jordan does not have the capability to analyze food products.

#### **2. Certification requirements should be codified by regulation or instruction and made official since it is a sanitary measure and must be notified to the WTO.**

The WTO requires the notification of the implementation of any new or modified sanitary measure. WTO members had a right to dispute any measure that affects their trade adversely for unjustified, arbitrary or discriminate reasons. The system of mandatory requirements to meet sanitary measures should be formalized under the transparency requirements of the SPS Agreement.

#### **3. MOH should consider Certification of food safety aspects as a means to reduce the level of food control.**

The current requirements for Certificates for food product that will be subject to laboratory analysis at the 100% level negates the need for the certificates and imposes an unnecessary burden on the officials of the exporting country. The sample analysis provides all the evidence needed to assure compliance, yet the certificates are required for all food in the HIGH RISK category, which are tested at the 100% level. Food which are at the lowest risk level are required to have food safety certificates, when in fact the foods are considered safe regardless of the assurance by a Certificate. The certificates in either of the above case serve

no purpose, except for specific justified purposes as indicated above in the BSE example (Recommendation 1).

**4. MOH should consider eliminating the requirement for Certificates and for Document Review procedures, except as indicted above (Recommendation 1), for low risk and high-risk products.**

Food products that have been assessed as posing the lowest possible level of health risk to consumers are not made any safer by requiring them to be certified as safe by the foreign country officials. They are safe by virtue of their characteristics or the technology used in the production. High risk foods are tested 100% of the time, consequently, the sample results tell you the compliance level which is worth more than a general certificate which states the product is safe.

**5. The current list of Certificates should be reviewed, purged of redundancy, identifies for which product they should apply, considered in light of their purpose, necessity and specificity.**

**6. Required documentation and other food control assurances for imported foods should be more appropriately addressed by Mutual Recognitions Agreements.**

Documentation requirements should be the subject of the terms of a Mutual Recognition Agreement between the trading countries. These agreements provide assurances for equivalent food control procedures in each country to avoid unnecessary controls at each country. They also eliminate the need for certification of general sanitary and veterinary certificates for food products and for specific assurance on specific food safety concerns.

**7. Delays in Document arrivals frequently result in movement of the food consignments to broker/importer premises, under an “undertaking” (bond), which has an extremely affordable penalty.**

There are concerns for brokers who were unable to provide the Certificates in a timely manner. In some cases, it may take 3-6 months to obtain these Certificates. In these cases, the MOH has allowed the owner to move the product from the Port to their own premises pending the receipt of the appropriated documents. In these cases, the owner pays for an “undertaking” (a bond) which can be forfeited should he sell the product without formal release (the fine is relative small and affordable). A sample is normally collected by MOH under their 100% sampling program.

Under the RBS low risk, products are released without sampling and examination and are only required to meet the Document Review requirements. Consideration should be given to eliminating document requirements for low risk foods by virtue of their safety characteristics. There is no reason to hold up the shipment or to require undertaking, and to sample and analyze low risk products. These products are not made safer by testing them or by holding them.

High-risk and moderate risk products should be required to have only specific certificates for specific reason and identified for each food for which the requirements apply. The need for General Certificates are negated by the sampling and testing done on 100% of the consignments in the High Risk category and the 25% sampling of the moderate risk category.

### **Current List of Certificates for Imported Foods**

Certificate of Licensed Establishment and Compliance with Health requirements

Slaughterhouse Health Certificate

Certificate of Acceptable Pesticides Levels

Certificate of Compliance with Jordanian Standards and Health Regulations related to Antibiotic, Hormone, Irradiations, Parasites, Pathogenic Bacterial

Certificate of Country of Origin with packaging and labeling information

Certificate of Pre-shipment Inspection (frozen and refrigerated products) related to thermometer calibration

Certificate of the Manufacturer of the Shipping Container that Container meets ISO Std 1496/11

Certificate of free from BSE – Milk manufacturing facilities

Certificate of Country of Origin manufacture of product are sourced from BSE free farms

Certificate of Food Additive Compliance

Labeling identification of the product

Detailed bill of lading for consignment

Veterinary Health Certificates

HALAL certificates according to Islamic rites

Certificates that fishing & fish harvesting areas free from chemical, metal & radiation contaminants.

Certificate of compliance with the Jordanian technical rules.

Import License from MoA (specified to National territory)

Certificate that fish before smoking or salting was frozen on -20C for 60 h.

Certificate that jelly fish from Eastern Asia countries is free from Saxitoxin.

Cleanness certificate for raw vegetable oil ship tanks

Thermograph Temperature readings through transportation of shipments

Others: Specify -----

## Scope of Work

### I. Specific Challenges Addressed by this Consultancy

In negotiations for membership to the World Trade Organization, the government of Jordan agreed to streamline its procedures and instructions for inspecting, testing, and sampling of imported food by June 30, 2000 (WT/ACC/JOR/33 para. 141-151).

At present, Ministry of Health inspectors collect physical samples from each imported food consignment (a 100% sampling program). Each sample is randomly collected and units are collected from each production day, each batch within the production day and for each brand or species of animal, if it is a meat product, represented in the cargo. The size and number of samples from a single consignment can be considerable. Because the 100% sampling program for imports cannot be justified scientifically, and is a significant source of the delays and costs in importing that were noted in WTO negotiations, AMIR Program consultants recommended to the Ministry of Health that it adopt a system of import inspection based on risk-assessment principles.

Effective January 1, 2001, the government of Jordan established a "special economic zone" centered on the seaport of Aqaba. Under the law establishing the ASEZ, the Aqaba Special Economic Zone Commission has authority, notwithstanding any other law, to carry out health inspections at the international borders, which would include inspection of food imported through the port of Aqaba.

In June 2001, the national Food Administration Council (an inter-ministerial committee, with private sector participation, chaired by the Minister of Health) approved a proposal by the ASEZA to implement the risk-based system of import inspection with respect to all food imported through the port of Aqaba. This will affect both food imports that are cleared for consumption within the ASEZ, as well as food cleared for consumption in the national territory. Therefore, because most of Jordan's food imports enter the country through Aqaba, the new system will affect most of Jordan's import food supply.

The Food Administration Council's approval, however, was expressly conditioned upon ASEZA's fulfillment of certain pre-requisites. These included, for example, renovation of offices for the sampling committee (the committee responsible for taking samples from import shipments, and includes representatives from Customs, Ministry of Health, Ministry of Agriculture, and Ministry of Agriculture); construction of a container stripping station; implementation of a quality assurance program at the Food Safety Laboratory in Aqaba; and training and upgrading food control officials to include veterinarians and food technologists. As of January 2002, the pre-requisites have, or soon will be, fulfilled.

The ASEZA Commission representatives have advised AMIR that they intend to start actual use of the new system in early April 2002. The purpose of this consultancy is to continue to provide the Aqaba Special Economic Zone Commission and the Ministry of Health with technical expertise to support the government's start up and implementation of the system.

### II. Objective

To assist the Aqaba Special Economic Zone Commission and the Ministry of Health successfully start up the system of control of imported food based on risk-assessment principles.

### III. Specific Tasks of the Consultant(s)

Under this Scope of Work, the Consultant(s) shall perform, but not be limited to, the tasks specified under the following categories:

#### A. Background Reading Related to Understanding the Work and Its Purposes

Consultant(s) shall read, but is/are not limited to, the following materials related to fully understanding the work specified under this consultancy:

1. Anthony Whitehead, A Risk-Based System of Food Control in Jordan (Sep. 2000)
2. Anthony Whitehead, Briefing Paper on the Issue of Slow Processing Times for Approvals of Imported Food Shipments
3. John Weatherwax, Ministry of Health Import Food Sampling and Re-Testing Procedures (Oct. 2000)
4. John Weatherwax, SPS Technology Assessment (Aqaba Laboratory) (Sept. 2000)

#### **B. Background Interviews Related to Understanding the Work and Its Purposes**

The Consultant(s) shall interview, but is/are not limited to, the following individuals or groups of individuals in order to fully understand the work specified under this consultancy:

1. Bilal Bashir, Commissioner, Aqaba Special Economic Zone
2. Mazen Khalil, Director Environmental Protection, Aqaba Special Economic Zone

#### **C. Tasks Related to Achieving the Consultancy's Objectives.**

The Consultant(s) shall use his/her education, considerable experience, and additional understanding gleaned from the tasks specified in A. and B. above

Assist the Aqaba Special Economic Zone Commission/Ministry of Health in start up of risk-based system for control of imported food at the port of Aqaba. This work shall include the following:

1. Provide day-to-day, on site technical advice to ASEZA Commission for its start up of the new risk-based system of import food control in Aqaba;
2. Assist the MOH/ASEZA Commission in implementing the standard operating procedures and import operations manual that have been designed for administration of the risk-based system, and assist MOH/ASEZA in identifying and drafting any changes required as the system is implemented;
3. Present a two-day workshop in Amman, Jordan to business representatives (logistics to be arranged by AMIR) for purposes of educating importers and traders on the new system (including any changes in procedures, and advantages and requirements of the system);
4. Present a one-day workshop in Aqaba, Jordan to business representatives (logistics to be arranged by AMIR), including in particular customs brokers, for purposes of educating importers and traders on the new system (including changes in procedures, and advantages and requirements of the system)
5. Advise AMIR Program Policy Component Leader on any additional technical assistance or commodities that may be needed to ensure successful operation of the risk-based system in Aqaba.

#### **Work Product:**

In addition to the general requirements of Annex A, Section 4, the consultant shall provide the following work product at the completion of the phase:

1. A short report summarizing the results of the consultant's work. The report should state in summary what was accomplished with respect to the task(s) listed above, and proposals for follow-on work, if any.
2. Copies of all analyses, recommendations, proposals, reports or other documents developed by or with the assistance of the consultant.

**IV. Time frame for the Consultancy.**

Name	Start	Finish	To Post	From Post	Field	3rd Country	USA
Anthony Whitehead	March 20, 2002	May 2, 2002	March 21, 2002	May 2, 2002	40		

**V. LOE**

Name	Travel Days	Field Days	USA Days	3rd Country	Total Days
Anthony Whitehead	2	40			42

**VI. Consultant Qualifications**

The Consultant(s) shall have the following minimum requirements:

- Anthony Whitehead
  1. Educational Qualifications
    - Degree in related field (biology, food, etc.) and advanced training in related field.
  2. Work Experience Qualifications
    - Minimum 5 years experience with sanitary/phytosanitary (food)
    - Thorough knowledge of WTO Sanitary/Phytosanitary Agreement (food aspects)
    - Excellent training skills
    - Excellent communication skills, both presentation and writing