



# ด่วนที่สุด

## บันทึกข้อความ

ห้องรองปลัดกระทรวงฯ  
 นพ.ธงชัย กีรติหัตถยากร  
 เลขรับ 9435  
 วันที่ ๓๗ เมษายน ๒๕๖๔  
 เวลา 14.06

ส่วนราชการ... ศูนย์ปฏิบัติการต่อต้านการทุจริต ฯ กลุ่มงานป้องกัน ฯ โทร. ๐ ๒๕๕๐ ๑๓๓๐

ที่ สธ ๐๒๑๗.๐๑/๖๕๕๔ วันที่ ๓๗ เมษายน ๒๕๖๔

เรื่อง... ขออนุเคราะห์ความเห็นต่อร่างเอกสาร เรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้องกับมาตรการ

สุขอนามัยและสุขอนามัยพืช

เรียน ปลัดกระทรวงสาธารณสุข

### เรื่องเดิม

๑. สำนักงาน ป.ป.ช. ขอทราบข้อมูลเกี่ยวกับมาตรการเพื่อป้องกันและปราบปรามการทุจริต ในด้านการสาธารณสุขและมาตรการในด้านสุขอนามัยและสุขอนามัยพืช ตามข้อมติของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (UNCAC) ที่ ๘/๘ เรื่อง การติดตามการดำเนินการตามปฏิญญามาร์ราเคชว่าด้วยการป้องกันการทุจริต (Follow to the Marrakech declaration on the prevention of corruption) ที่ได้รับการรับรองจากที่ประชุมรัฐภาคี UNCAC สมัยที่ ๘ ณ กรุงอาบูดาบี สหรัฐอาหรับเอมิเรตส์ ซึ่งบรรดารัฐบาลของรัฐภาคีมีความสนใจต่อประเด็นการบังคับใช้มาตรการที่เกี่ยวข้องกับการสาธารณสุข โดยข้อมติดังกล่าวกำหนดให้ฝ่ายเลขานุการ ฯ รวบรวมข้อมูลเกี่ยวกับแนวปฏิบัติที่ดีในการป้องกันการทุจริตของรัฐภาคีอย่างต่อเนื่อง สำนักงาน ป.ป.ช. ขอความอนุเคราะห์ให้กระทรวงสาธารณสุขส่งข้อมูลเกี่ยวกับประสบการณ์และแนวปฏิบัติที่ดี รวมถึงมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืช ไปยังสำนักงาน ป.ป.ช. ภายในวันที่ ๓๐ กรกฎาคม ๒๕๖๓ ทางไปรษณีย์อิเล็กทรอนิกส์ [alisa.nacc@gmail.com](mailto:alisa.nacc@gmail.com), [patt.leelahawong@gmail.com](mailto:patt.leelahawong@gmail.com) ตามหนังสือสำนักงาน ป.ป.ช. ด่วนที่สุดที่ ปช ๐๐๒๗/๐๑๒๗ ลงวันที่ ๒๔ กรกฎาคม ๒๕๖๓ เพื่อเป็นการสนับสนุนการดำเนินการตามข้อมติของการประชุมรัฐภาคี UNCAC

๒. ศูนย์ปฏิบัติการต่อต้านการทุจริต กระทรวงสาธารณสุข ได้จัดส่งข้อมูลมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืช ไปยังสำนักงาน ป.ป.ช. ตามหนังสือกระทรวงสาธารณสุข ที่ สธ ๐๒๑๗/๓๐๔๘ ลงวันที่ ๑๓ สิงหาคม ๒๕๖๓ นอกจากนี้ กรมวิทยาศาสตร์การแพทย์ ได้จัดส่งข้อมูลมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านสุขอนามัยและสุขอนามัยพืช ไปยังสำนักงาน ป.ป.ช. ตามหนังสือกระทรวงสาธารณสุข ที่ สธ ๐๖๒๐/๓๐๗๓ ลงวันที่ ๑๗ สิงหาคม ๒๕๖๓

๓. สำนักงาน ป.ป.ช. ได้นำข้อมูลที่เกี่ยวข้องกับประสบการณ์และแนวปฏิบัติที่ดีเพื่อแก้ปัญหาทุจริตเกี่ยวกับมาตรการสุขอนามัยและสุขอนามัยพืช ส่งไปยังสำนักงานว่าด้วยยาเสพติดและอาชญากรรมแห่งสหประชาชาติ (United Nations Office on Drugs and Crime : UNODC) ซึ่งเป็นฝ่ายเลขานุการของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (United Nations Convention against Corruption : UNCAC) ปัจจุบันสำนักงาน ป.ป.ช. ได้รับการประสานจากกระทรวงการต่างประเทศ แจ้งว่า หน่วยงาน UNODC ได้จัดทำร่างเอกสารเรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้องกับมาตรการสุขอนามัยและสุขอนามัยพืช (Something's Off – Introduction to Corruption Risk Related to Sanitary and Phytosanitary (SPS) Measures) ซึ่งมีที่ มาจากการรวบรวมข้อมูลจากรัฐภาคีอนุสัญญา UNCAC ข้างต้น และขอความอนุเคราะห์รัฐภาคี (ประเทศไทย) ตรวจสอบความถูกต้องและมีความเห็นจากรัฐภาคีต่อร่างเอกสาร ฯ เพื่อปรับปรุงแก้ไขก่อนเผยแพร่อย่างเป็นทางการต่อไป ซึ่งร่างเอกสาร ฯ ดังกล่าวจัดทำขึ้นโดยมีวัตถุประสงค์เพื่อให้เจ้าหน้าที่ผู้ปฏิบัติงาน ตลอดจนภาคส่วนที่เกี่ยวข้องกับมาตรการสุขอนามัย

และสุขอนามัยพืช ...

และสุขอนามัยพืช สามารถวางแนวทางปฏิบัติงานได้อย่างเหมาะสม ทั้งนี้ ร่างเอกสาร ฯ ประกอบด้วยข้อมูล บทวิเคราะห์  
ข้อเสนอแนะสำหรับผู้กำหนดนโยบายและหน่วยงานด้านสุขอนามัย และข้อมูลแนวปฏิบัติที่ดีของรัฐภาคี ซึ่งรวมถึงข้อมูล  
ของประเทศไทย ตามหนังสือสำนักงาน ป.ป.ช. ที่ ปช ๐๐๒๗/๐๐๘๒ ลงวันที่ ๓๑ มีนาคม ๒๕๖๔

### ข้อพิจารณา

ศูนย์ปฏิบัติการต่อต้านการทุจริต กระทรวงสาธารณสุข พิจารณาแล้วขอเรียนว่า เห็นควรประสาน  
กรมวิทยาศาสตร์การแพทย์ ตรวจสอบความถูกต้องของร่างเอกสาร ฯ ทั้งนี้ ได้จัดส่งร่างเอกสาร ฯ  
ไปยังกรมวิทยาศาสตร์การแพทย์แล้วทางไปรษณีย์อิเล็กทรอนิกส์ เมื่อวันที่ ๒ เมษายน ๒๕๖๔ และได้ประสาน  
ไปยังสำนักงาน ป.ป.ช. ในเบื้องต้นเมื่อวันที่ ๒ เมษายน ๒๕๖๔ ประเด็นการตรวจสอบร่างเอกสาร ฯ อาจไม่เป็นไปตาม  
ระยะเวลาที่สำนักงาน ป.ป.ช. กำหนด คือกำหนดส่งภายในวันที่ ๙ เมษายน ๒๕๖๔ ทางไปรษณีย์อิเล็กทรอนิกส์  
alisa.nacc@gmail.com, nattida.khorn@gmail.com

### ข้อเสนอ

จึงเรียนมาเพื่อโปรดพิจารณา หากเห็นชอบขอได้โปรดลงนามในหนังสือถึงอธิบดี  
กรมวิทยาศาสตร์การแพทย์ ต่อไปด้วย จักเป็นพระคุณ

X

(นายธงชัย กิริติหัตถยากร)

รองปลัดกระทรวงสาธารณสุข

หัวหน้ากลุ่มภารกิจด้านสนับสนุนงานบริการสุขภาพ

หัวหน้าศูนย์ปฏิบัติการต่อต้านการทุจริต กระทรวงสาธารณสุข

X

(นายธงชัย กิริติหัตถยากร)

รองปลัดกระทรวงสาธารณสุข

หัวหน้ากลุ่มภารกิจด้านสนับสนุนงานบริการสุขภาพ

ปฏิบัติราชการแทนปลัดกระทรวงสาธารณสุข

- ๗ เมย. ๒๕๖๔



กลุ่มสารบรรณ  
เลขรับ 6218  
วันที่ 02/04/64  
เวลา 09.42 น.

กระทรวงสาธารณสุข  
เลขรับ 95684  
วันที่ 02 เม.ย. 2564  
เวลา 09.38

ที่ ปช ๐๐๒๗/๐๐๗๒

ห้องรองปลัดกระทรวงฯ  
นพ.ธงชัย กีรติหัตถยากร  
เลขรับ 3303  
วันที่ - ๒ เม.ย. ๒๕๖๔  
เวลา 11.05

สำนักงาน ป.ป.ช.  
ถนนนนทบุรี อำเภอมือง  
จังหวัดนนทบุรี ๑๑๐๐๐

๓๖ มีนาคม ๒๕๖๔

เรื่อง ขออนุเคราะห์ความเห็นต่อร่างเอกสาร เรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้องกับมาตรการสุขอนามัย และสุขอนามัยพืช

เรียน ปลัดกระทรวงสาธารณสุข

อ้างอิง ๑. หนังสือกระทรวงสาธารณสุข ที่ สธ ๐๒๑๗/๓๐๔๘ ลงวันที่ ๑๓ สิงหาคม ๒๕๖๓  
๒. หนังสือกระทรวงสาธารณสุข ด่วนที่สุด ที่ สธ ๐๖๒๐/๓๐๗๓ ลงวันที่ ๑๗ สิงหาคม ๒๕๖๓

ศูนย์ปฏิบัติการต่อต้านการทุจริตฯ  
เลขรับ ๓๒๓๓  
วันที่ - ๒ เม.ย. ๒๕๖๔  
เวลา ๑๐:๑๐ น.

สิ่งที่ส่งมาด้วย ๑. ร่างเอกสาร เรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้องกับมาตรการสุขอนามัยและสุขอนามัยพืช  
๒. ประเด็นเพื่อพิจารณาประกอบการจัดทำความเห็นต่อร่างเอกสารฯ

ตามหนังสือที่อ้างถึง กระทรวงสาธารณสุขได้นำส่งข้อมูลที่เกี่ยวข้องกับประสบการณ์และแนวปฏิบัติที่ดีเพื่อแก้ปัญหาทุจริตเกี่ยวกับมาตรการสุขอนามัยและสุขอนามัยพืช เพื่อสำนักงาน ป.ป.ช. รวบรวมนำส่งต่อสำนักงานว่าด้วยยาเสพติดและอาชญากรรมแห่งสหประชาชาติ (United Nations Office on Drugs and Crime: UNODC) ฝ่ายเลขานุการของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (United Nations Convention against Corruption: UNCAC) ความละเอียดทราบแล้ว นั้น

สำนักงาน ป.ป.ช. ขอเรียนเพิ่มเติม ดังนี้

๑. สำนักงาน ป.ป.ช. ได้รับการประสานจากกระทรวงการต่างประเทศ แจ้งว่า หน่วยงาน UNODC ได้จัดทำร่างเอกสาร เรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้องกับมาตรการสุขอนามัยและสุขอนามัยพืช (Something's Off - Introduction to Corruption Risks Related to Sanitary and Phytosanitary (SPS) Measures) ซึ่งมีที่มาจากการรวบรวมข้อมูลจากรัฐภาคีอนุสัญญา UNCAC ข้างต้น และขอความอนุเคราะห์รัฐภาคีตรวจสอบความถูกต้องและมีความเห็นจากรัฐภาคีต่อร่างเอกสารฯ เพื่อปรับปรุงแก้ไขก่อนเผยแพร่อย่างเป็นทางการต่อไป

๒. ร่างเอกสารฯ จัดทำขึ้นโดยมีวัตถุประสงค์เพื่อให้เจ้าหน้าที่ผู้ปฏิบัติงาน ตลอดจนภาคส่วนที่เกี่ยวข้องกับมาตรการสุขอนามัยและสุขอนามัยพืช รวมถึงการสาธารณสุข ได้มีความรู้ความเข้าใจเกี่ยวกับความเสี่ยงของการทุจริตในการดำเนินมาตรการด้านสุขอนามัยและสุขอนามัยพืช และสามารถวางแนวทางปฏิบัติงานได้อย่างเหมาะสม ทั้งนี้ ร่างเอกสารฯ ประกอบด้วยข้อมูล บทวิเคราะห์ ข้อเสนอแนะสำหรับผู้กำหนดนโยบายและหน่วยงานด้านสุขอนามัย และข้อมูลแนวปฏิบัติที่ดีของรัฐภาคี ซึ่งรวมถึงข้อมูลของประเทศไทย รายละเอียดปรากฏตามสิ่งที่ส่งมาด้วย ๑.

๓. สำนักงาน ป.ป.ช. ได้หารือกับคณะทำงานของหน่วยงาน UNODC พร้อมสรุปประเด็นเพื่อพิจารณาประกอบการจัดทำความเห็นต่อร่างเอกสารฯ ดังกล่าว รายละเอียดปรากฏตามสิ่งที่ส่งมาด้วย ๒.

/เพื่อให้...

เพื่อให้การจัดทำความเห็นของประเทศไทยต่อร่างเอกสารฯ ข้างต้นเป็นไปอย่างครบถ้วนสมบูรณ์ สำนักงาน ป.ป.ช. จึงขอความอนุเคราะห์หน่วยงานของท่าน ซึ่งเป็นหน่วยงานที่มีภารกิจเกี่ยวข้องกับประเด็นดังกล่าว ตรวจสอบความถูกต้องและมีความเห็นต่อร่างเอกสารฯ และแจ้งไปยังสำนักงาน ป.ป.ช. (ไปรษณีย์อิเล็กทรอนิกส์ alisa.nacc@gmail.com, nattida.khorn@gmail.com) ภายในวันศุกร์ที่ ๙ เมษายน ๒๕๖๔ เพื่อรวบรวมประกอบการดำเนินการที่เกี่ยวข้องต่อไป

จึงเรียนมาเพื่อโปรดพิจารณาดำเนินการข้างต้น จักขอบคุณมาก

ขอแสดงความนับถือ



(นายนิติพันธุ์ ประจวบเหมาะ)

ผู้ช่วยเลขาธิการฯ ปฏิบัติราชการแทน

เลขาธิการคณะกรรมการ ป.ป.ช.

สำนักกิจการและคดีทุจริตระหว่างประเทศ

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ประเด็นเพื่อพิจารณาประกอบการจัดทำความเห็น  
ร่างเอกสารเรื่องประสบการณ์และแนวปฏิบัติที่ดีเพื่อแก้ปัญหาทุจริตเกี่ยวกับ  
มาตรการสุขอนามัยและสุขอนามัยพืช

Something's Off – Introduction to Corruption Risks  
Related to Sanitary and Phytosanitary (SPS) Measures

ร่างฉบับวันที่ ๑๙ มีนาคม ๒๕๖๔

- บริบทและขอบเขตของเนื้อหาของร่างเอกสารฯ มีความเหมาะสมหรือไม่
- ร่างเอกสารฯ สามารถสื่อสารถึงกลุ่มเป้าหมาย (เช่น เจ้าหน้าที่หน่วยงานภาครัฐ ภาคเอกชน ตลอดจนหน่วยงานภาคประชาสังคมที่เกี่ยวข้อง) ได้อย่างเหมาะสมหรือไม่
- โครงสร้างของเนื้อหาในเอกสารมีความเหมาะสมหรือไม่ หรือสามารถปรับปรุงได้อย่างไร
- ควรเพิ่มเติมเนื้อหาของร่างเอกสารฯ หรือไม่ หากมี ควรเพิ่มเติมเนื้อหาใด
- ร่างเอกสารฯ ให้ข้อมูลอย่างเพียงพอเพื่อเสริมสร้างความตระหนักรู้ในเรื่องความเสี่ยงของการทุจริตที่เกี่ยวข้องกับมาตรฐานและมาตรการสุขอนามัยและสุขอนามัยพืชหรือไม่
- การระบุความเสี่ยงของการทุจริตที่กล่าวถึงในร่างเอกสารฯ มีความครบถ้วนสมบูรณ์หรือไม่
- ร่างเอกสารฯ สามารถทำความเข้าใจได้ง่ายหรือไม่
- ร่างเอกสารฯ ให้ข้อมูลผู้อ่านอย่างเพียงพอในการทำความเข้าใจเรื่องมาตรการที่ต้องดำเนินการเรื่องความเสี่ยงของการทุจริตที่เกี่ยวข้องกับภาคส่วนสุขอนามัยและสุขอนามัยพืชหรือไม่
- ข้อมูลแนวปฏิบัติที่ดีที่นำเสนอในร่างเอกสารฯ มีความเหมาะสมหรือไม่
- ข้อเสนอแนะอื่นๆ หากมี

**Something's Off**

-

***Introduction to Corruption Risks Related to  
Sanitary and Phytosanitary (SPS) Measures***

**Draft 19 March 2021**

DRAFT DOCUMENT

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## Acronyms and Abbreviations

ALOP	Appropriate level of protection
CAC	Codex Alimentarius Commission
CCFA	Codex Committee on Food Additives (CAC)
CEB	Corruption and Economic Crime Branch (UNODC)
COSO	Committee of Sponsoring Organizations of the Treadway Commission
CoSP	Conference of the States Parties to the UNCAC (UNODC)
CPM	Commission on Phytosanitary Standards and measures (IPPC)
DDA	Doha Development Agenda
DSB	Dispute Settlement Body (WTO)
FAO	Food and Agriculture Organization
HACCP	Hazard analysis and critical control points
IPPC	International Plant Protection Convention (FAO)
ISO	International Standards Organization
ISPM	International Standards for Phytosanitary Standards and measures (IPPC)
ISSOs/ISSBs	International Standard-Setting Organizations / International Standard-Setting Bodies
JECFA	Joint FAO / WHO Expert Committee on Food Additives
OIE	World Organization for Animal Health
SPS	Sanitary and Phytosanitary
STDF	Standards and Trade Development Facility
TORs	Terms of Reference
UNCAC	United Nations Convention against Corruption
UNODC	United Nations Office on Drugs and Crime
USDA	United States Department of Agriculture
WB	World Bank
WHO	World Health Organization
WTO	World Trade Organization

## Executive Summary

- The global food and agricultural industries are highly lucrative and international trade in these industries continues to grow globally.
- The effective enforcement of sanitary and phytosanitary (SPS) measures throughout the value chains for food, animal and plant products is essential to reduce the risk of adverse impacts caused by diseases, pests or contaminants on public health, animals and the environment. However, the reach and complexity of these value chains provide numerous opportunities for corrupt practices to occur if appropriate controls and enforcement are not in place.
- To date, there has been limited concentrated policy guidance on how to address corruption risks in this area. Accordingly, this introductory paper aims to raise awareness amongst policy makers and other relevant stakeholders on corruption risks related to the adoption and implementation of SPS measures.
- There are a number of international SPS regulations and agreements that can guide governments, relevant authorities and industries on appropriate standards and practices. They, however, require uptake, resource allocation and effective implementation at national levels of governance.
- National governments need to consider how well they monitor the adoption and implementation of SPS measures within value chains for food, animal and plant products. Implementation of these measures generally require significant financial, technical and human investment. This may incentivize unscrupulous individuals to try bypassing the required investments by engaging in corrupt practices. Corrupt practices such as bribery, payoffs that allow for fraud and embezzlement associated with SPS measures can pose a clear and present danger to health of humans and animals and the economic well-being of a country.
- As foods, animals and plants must undergo inspections, testing and processing at different stages of the value chain, corruption at any point in the chain can negatively impact the entire system and create health risks for consumers and animals. Corruption risks may be systemic or individual and can vary greatly depending on the national context and what is being produced for domestic consumption and for export. What further complicates matters is that the same industries and sectors in which corruption risks may lie, may also be responsible for the health and food safety measures. Lastly, weaknesses in any parts of value chain may present opportunities for corruption to occur, and may have a ripple down effect along the chain.
- To better understand these risks and how they may be addressed, it is necessary to understand the pathways of the value chains for food, animal and plant products. For example, societal, environmental and industrial elements related to the production, processing and distribution of foods must be considered in efforts to manage corruption risks associated with SPS measures. Furthermore, the whole of the food value chain

that may include agriculture and farming, food processing, wholesale and distribution and food retailing all have particular and varying corruption risks.

- Consistency in standards can help minimize risks of corruption at all stages of the value chains for food, animal and plant products through minimizing individual discretion and gaps with regard to SPS measures. Although there are several regional efforts seeking to harmonize SPS standards across countries, they are met with a number of challenges. These challenges include unstructured and scattered legal and regulatory frameworks, and selective and limited employment of international standards.
- Centralized decision-making has also been found to be helpful in advancing standard setting, policy research, monitoring and enforcement. Additionally, national anti-corruption plans, strategies and programmes can help reduce corruption risks if they are well integrated into the adoption, implementation and monitoring of SPS measures. Good practices in anti-corruption efforts also include the use of information and communications technology (ICT) to reduce the risks of corruption through increasing transparency and reporting.
- Interagency cooperation and coordination on SPS measures is another critical means of reducing risks of corruption through supporting consistency in measures. Finally, promoting transparency and raising public awareness about SPS standards and measures can increase government and industry accountability. Transparency efforts can include publishing relevant government agency activities, hosting awareness raising meetings on corruption-related issues, and displaying key information about SPS measures in strategic locations.
- Corruption risk assessment and management is highlighted in this introductory paper as an effective method for preventing and countering corruption. It will provide countries with a solid understanding of how their SPS measures are vulnerable to corruption, and sufficient information to develop preventive anti-corruption strategies that can best protect the value chains for their food, animal and plant products, and therefore the health of consumers, animals and the environment.

## Introduction

### The Value of the International Trade in Food and Agriculture

International trade in food and agriculture is growing in terms of its value. According to the Food and Agriculture Organization (FAO), international trade in food and agriculture has more than doubled in real terms since 1995 and was estimated at US\$1.5 trillion in 2018. Emerging economies and developing countries are increasingly involved in global agricultural and food markets and presently comprise over one-third of global exports.<sup>1</sup> High value horticultural crops, followed by oilseeds and cereals are the heaviest international traded products. In addition, even though by volume only about 5% of the world's food trade is comprised of animal products (e.g., meat, fish, dairy, eggs, live animals), they account for as much as US\$314 billion in international trade.<sup>2</sup>

International trade is undeniably critical for global food security. However, the trading of food and agriculture is complex, requires interdependence and a degree of trust between countries, and it also carries evident health risks. For example, if proper standards and controls are not in place, trade can result in the importation of pests, diseases, food-borne pathogens and contaminants into countries. Governments can reduce or eliminate risks to the health of populations and the environment by adopting and implementing sanitary (human and animal health) and phytosanitary (plant health) (SPS) measures.

Governments also need to ensure that there are sufficient processes in place **to enforce these measures throughout the value chains for food, animal and plant products**, such as the proper licensing and inspections of relevant industries and organizations, their proper enforcement and monitoring, and sanctions for any breaches. Given the lucrative nature of these value chains and their complexities and reach from the international to national and local levels, corruption risks may be present particularly with regards to the implementation of SPS measures. Corruption is by nature hidden; it may or may not exist. Still, corruption risks are always present. It is therefore important to understand which parts of the value chains are most vulnerable to corruption and how to best address those vulnerabilities.

SPS measures are vital because they allow countries to benefit from international trade while lowering the risk to potential harm from a lack of control of pests, diseases and unsafe food<sup>3</sup>. However, measures are complex and high in cost to operate for national authorities. This creates challenges, particularly for low-income countries to ensure that effective systems are in place. What is more, the monitoring of SPS measures by national authorities may be limited or not take place at all, given that there are no international performance indicators in this area<sup>4</sup>. Figure 1 below illuminates the key industries where SPS standards-apply.

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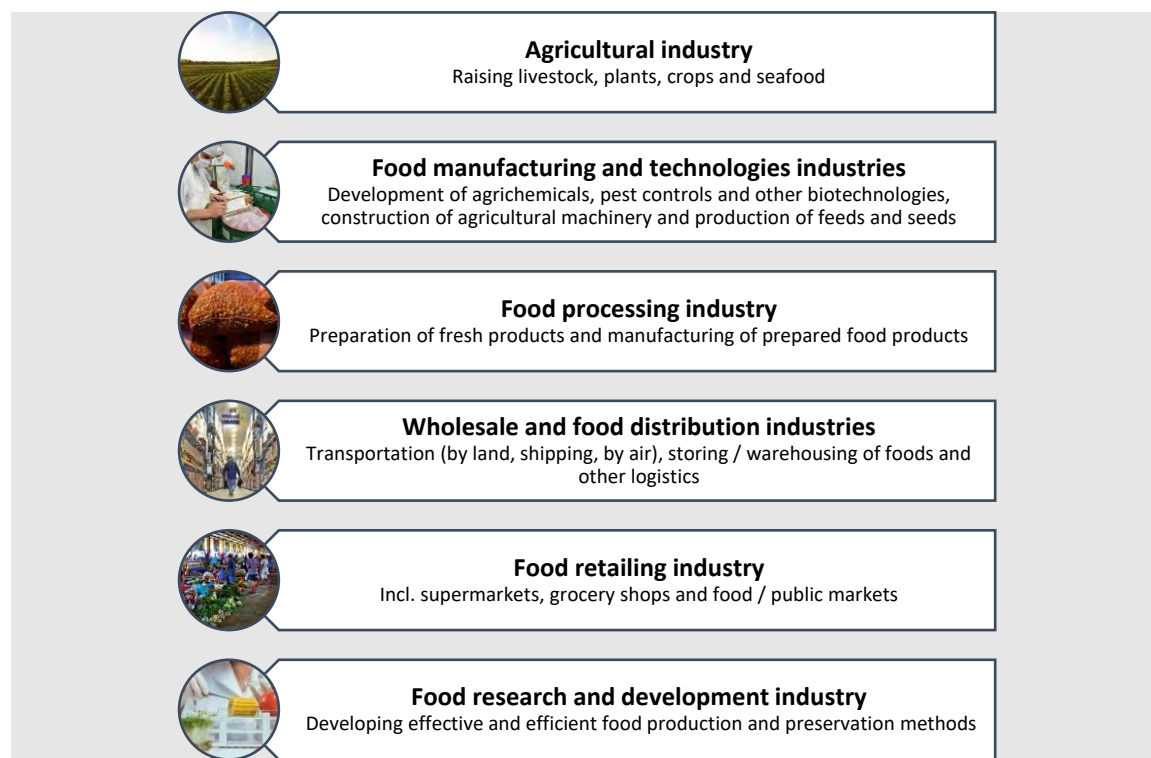
<sup>1</sup> Food and Agriculture Organization (FAO), "*State of Agricultural Commodity Markets 2020*", 2020, accessed on 15 February 2021.

<sup>2</sup> Tim Benton, "*Food security, trade and its impacts*", Resource Trade.Earth, Chatham House, 24 April 2017.

<sup>3</sup> Needs, D. & Van Der Meer, K. *Developing National SPS Systems: Common Principles and Diverse Needs*

<sup>4</sup> Ibid.

Figure 1 Key industries where SPS standards apply



## The Role and Mandate of UNODC

UNODC, as the guardian of the United Convention against Corruption (UNCAC), has the mandate and expertise to deliver technical assistance and build the capacity of States to address corruption. To that end, UNODC has produced a number of publications and technical tools in support of countries' efforts to assess and manage the risks of corruption<sup>5</sup>.

UNCAC is the only legally binding universal anti-corruption instrument. It embodies innovative and globally accepted anti-corruption standards and provides a comprehensive approach both to corruption prevention and enforcement. The Convention recognizes that there is no single, agreed definition of corruption and acknowledges that it is a **continuously evolving phenomenon** that is affected by various factors. Legal frameworks can thus differ in their descriptions of corruption. Considering this, the Convention offers a list of universally agreed manifestations of corruption (described below), **leaving each State free to go beyond the measures set forth in the Convention<sup>6</sup>.**"

<sup>5</sup> See, for example, UNODC, *State of Integrity – A Guide on Conducting Corruption Risk Assessments in Public Organizations* ([https://www.unodc.org/documents/corruption/Publications/2020/State\\_of\\_Integrity\\_EN.pdf](https://www.unodc.org/documents/corruption/Publications/2020/State_of_Integrity_EN.pdf))

<sup>6</sup> Corruption offences as per the UNCAC

Figure 2 Various manifestations of corruption

Active bribery	<ul style="list-style-type: none"> <li>•The promise, offering or giving to a national public official, a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, in order to act or refrain from acting in matters relevant to official duties</li> </ul>
Passive bribery	<ul style="list-style-type: none"> <li>•The solicitation or acceptance by a national public official, a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, in order to act or refrain from acting in matters relevant to official duties.</li> </ul>
Embezzlement	<ul style="list-style-type: none"> <li>•Theft, diversion or misappropriation of property, funds, securities or any other item of value entrusted to a public official in his or her official capacity.</li> </ul>
Bribery in the private sector	<ul style="list-style-type: none"> <li>•active or passive bribery, directly or indirectly, to or by any person who directs or works, in any capacity, for a private sector entity, to act or refrain from acting in breach of his or her duties</li> </ul>
Embezzlement of property in the private sector	<ul style="list-style-type: none"> <li>•Embezzlement by any person who directs or works, in any capacity, for a private sector entity</li> </ul>
Abuse of functions	<ul style="list-style-type: none"> <li>•Performance of, or failure to perform an act, in violation of the law, by a public official in order to obtain an undue advantage</li> </ul>
Trading in influence	<ul style="list-style-type: none"> <li>•Abuse of a public official's real or supposed influence with an administration, public authority or State authority in order to gain an advantage or influence particular outcomes</li> </ul>
Illicit enrichment	<ul style="list-style-type: none"> <li>•A significant increase in assets of a public official or that cannot reasonably be explained as being the result of his or her lawful income</li> </ul>
Money-laundering	<ul style="list-style-type: none"> <li>•The concealment of the origins of proceeds of crime, often by means of conversion or transfers involving foreign banks or legitimate businesses</li> </ul>
Concealment	<ul style="list-style-type: none"> <li>•Hiding or continued retention of property, knowing that it has resulted from corruption</li> </ul>

To date, there is no compelling evidence of a link between the COVID-19 pandemic and the violation of SPS measures due to corruption. Even so, the pandemic has underscored the urgent need for governments to prevent corruption risks related to public health management in order to respond effectively to public health emergencies. In the aftermath of the virus outbreak, UNODC has published a number of policy papers to underscore the importance of anti-corruption safeguards in response to the COVID-19 and similar pandemics<sup>7</sup>. Given that SPS measures are central to public health management, the need to ensure that corruption risks related to them are addressed is timely and essential for the health of populations. Accordingly,

<sup>7</sup> UNODC, *Good Practices Compendium on Combating Corruption in the Response to COVID-19*, October 16, 2020 and UNODC, *COVID-19 Vaccines and Corruption Risks: Preventing Corruption in the Manufacture, Allocation and Distribution of Vaccines*.

this introductory paper aims to highlight corruption risks related to the adoption and implementation of SPS measures, building on the experience of the States parties to UNCAC, the international organizations involved in anti-corruption, bodies involved in the elaboration or implementation of SPS standards at the national and international level, as well as the meeting of experts conveyed by UNODC to review drafts of this paper.

### **Defining SPS Standards and Measures**

There is a large body of international **SPS standards** for governments to be respected at the national level, in order to protect the life and health of humans, animals and plants. . The organizations involved in their development include: the FAO/WHO *Codex Alimentarius* Commission (CAC); the FAO's Commission on Phytosanitary Standards and measures (CPM); the World Organization for Animal Health (formerly the Office International des Epizooties) (OIE); the FAO's Secretariat of the International Plant Protection Convention (IPPC), as well as relevant national organizations.. In order to ensure the respect of these standards, while avoiding unnecessary barriers to international trade, the *WTO SPS Measures Agreement* and other international instruments encourages countries to adopt and implement **SPS measures** compliant with international standards. How such measures are designed may have impacts beyond national borders by affecting global public health and international trade.

#### **Box 1 Definition of Sanitary and Phytosanitary Measure**

Any measure applied:

- (a) to protect animal or plant life or health within the territory of a State from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms;
- (b) to protect human or animal life or health within the territory of a State from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs;
- (c) to protect human life or health within the territory of a State from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests; or
- (d) to prevent or limit other damage within the territory of a State from the entry, establishment or spread of pests.

Sanitary or phytosanitary measures include all relevant laws, decrees, regulations, requirements and procedures including, inter alia, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments, including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labelling requirements directly related to food safety.

*Excerpt from the World Trade Organization, SPS Agreement, Annex A, para. 1.*

## Chapter One: Scope and Context

### 1.1 Purpose, audience and structure

This introductory paper highlights corruption risks related to SPS measures in relevant value chains and is aimed for policy makers, authorities and other relevant stakeholders. Public institutions, private industries and organizations involved in the value chains described in this paper are typically required to comply with SPS measures. These measures will, however, be applied differently depending on where the institution/industry is located within the value chain, and may also vary country-by-country. Examples of the impacted industries and institutions are diverse; they include multinational food production companies but also public schools or even small village cafés.

Given the wide reach of SPS measures, it is critical to understand how value chains for different commodities work, what they look like, and how SPS measures are applied and enforced in given country contexts. If systems are weakly regulated, corruption risks can arise; hence, the need for checks and balances.

This introductory paper is organized as follows:

- First, a brief **overview of international and regional SPS instruments and regulatory frameworks** is provided (Chapter 1);
- Second, as an example, the paper describes the different stages within the **food value chains and the possible corruption risks at each stage** (Chapter 2);
- Third, an overview is provided concerning **good practices and challenges** related to addressing corruption risks in SPS measures. The paper also gives an overview of corruption risk assessment and management process (Chapter 3);
- Lastly, **policy recommendations** are made (Chapter 4).

### 1.2. Corruption Risks in SPS measures

Even if governments implement SPS standards satisfactorily into national law, regulations and other (SPS) measures, relevant industries and organizations within a country need to comply with them throughout all of their operations. This may require that these industries/organizations make significant financial, technical and human resource investments. It may also create vulnerabilities to corruption throughout the value chains, if individuals responsible for making those investments seek to circumvent them and appropriate controls are not in place to prevent this from happening. The global reach, complexity of the value chains and the many stakeholders and large sums of money involved may also contribute to corruption risks related to SPS measures. Some examples of corrupt practices associated with SPS measures may include:

- A meat processing plant representative bribing public officials for a license for a factory despite unsanitary conditions;
- A health inspector failing to take action against the illegal sale of wildlife, in exchange for a percentage of its sales from vendors;
- An importer and distributor of cereals bribing a customs officer to clear a shipment that is not in line with SPS measures put in place;
- A fruit and vegetable exporter bribing a quarantine plant inspector for a phytosanitary certificate for a consignment that fails to meet required SPS standards;



- An accountant of a sanitary district embezzling public funds by manipulating data on water and sewer bills.

Box 2 depicts a case of bribery related to SPS measures.

**Box 2.**

**Bribery of Food Regulators for the Issuance of Certificates**

A major food scandal involving a regional food regulator branch was uncovered by authorities in China in 2011. The investigation found that one of the largest cooking oil producers in Yunnan province had committed long-term and large-scale fraudulent schemes in the production and sale of adulterated cooking oil. The company paid bribes to two senior public officials in the Food Safety Standards Unit in Songmin County, in return for turning a blind eye to the adulterated cooking oil during inspections.

The corruption scheme included the discovery by inspectors of substantial amounts of hazardous raw material. The inspectors, however, only seized and classified a small amount of it as “inferior” in order to impose a smaller penalty on the company. The remainder of the hazardous raw material was not removed and continued to be used in the production of adulterated cooking oil by the company. Both senior officials were found guilty of corruption and sentenced with imprisonment.

*Source:*

Hongyan Lawyer, Classic Case (accessed on 28 February 2021). Available at [https://www.12309.gov.cn/12309/gj/zdajxx/201911/t20191104\\_6975040.shtml](https://www.12309.gov.cn/12309/gj/zdajxx/201911/t20191104_6975040.shtml)

Corrupt practices like the above can result in serious public health consequences. They may pose serious and, in cases, life-threatening health risks to populations and even lead to the outbreak and spread of diseases, creating additional burdens on public health systems. For governments, corruption undermines the integrity of its regulatory and enforcement frameworks, weakens public trust in the government’s ability to ensure food and health security, and can negatively impact a country’s economy and international trade. It can also disrupt the production, trade and distribution of essential agricultural products to populations, thus threatening food security.

**1.3. Why Address Corruption Risks in SPS Measures?**

**Corruption in SPS Measures Threaten the Right to Health**

Corruption in SPS measures directly undermines compliance with sanitary and phytosanitary standards designed to protect the life and health of humans, animals and plants. As such, it is a threat to the right to health, that is recognized as a human right in Article 12 of the International Covenant on Economic, Social and Cultural Rights (1966). Since then, also other international human rights treaties have recognized or referred to the right to health or elements of it, such as the right to medical care. Human rights bodies and scholars, however, recognize corruption as an “enormous obstacle to the realization of all human rights”<sup>8</sup> and in particular to the right to health, because it takes away services, products and other critical

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<sup>8</sup> United Nations Human Rights Office of the High Commissioner (2013). *The Human Rights Case Against Corruption*.

resources necessary for the realization of this right.<sup>9</sup> The United Nations Special Rapporteur on the Right to Health has indeed called for all States to consider anti-corruption laws and policies when regulating the health system.<sup>10</sup>

### **Managing Corruption Risks in the Health System is Critical for the Sustainable Development Goals (SDGs)**

Addressing corruption risks associated with SPS measures are vital for country efforts to reach the targets of the Sustainable Development Goals (SDGs), central to the 2030 Agenda for Sustainable Development. For example, SDG #3 ‘*Ensure healthy lives and promote well-being*’ is of relevance. Efforts to address corruption risks related to SPS measures are also linked to SDG #16 to “*Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*” particularly its focus on reducing bribery and corruption and developing effective, accountable and transparent institutions at all levels. Lastly, it has relevance to SDG #2 ‘*Zero hunger*’ that addresses how we grow, share and consume our food, and requires policy makers to implement adequate health standards and processes in the food and agriculture industries.

### **Additional Benefits of Addressing Corruption Risks Related to SPS Measures**

When SPS measures are breached, there are potentially large scale economic, health, environmental and economic costs. While public officials may be familiar with some of the corruption risks associated with SPS measures, their responses have generally been responsive rather than preventative in this area. Consequently, the purpose of this introductory paper is to raise awareness about corruption risks associated with SPS measures and, equally important, how to reduce or eliminate these risks. Accordingly, the application of a corruption risk assessment and management to address these risks is novel/unprecedented. Its benefits include:

- ***Improved sustainability and reputation of the agri-food sector and other industries:*** Addressing corruption risks can improve the reputation of the country’s agriculture and food sectors. This can also result in greater public trust in the quality and safety of products from these industries and help support the economy.
- ***Increased transparency and efficiency of SPS measures monitoring mechanisms:*** Corruption risk assessments allow authorities to identify and eventually address systematic weaknesses/vulnerabilities, to build integrity mechanisms and controls into their processes and regulatory frameworks, and to increase the transparency of processes and decision-making. This can help improve the efficiency and accountability of organizations associated with SPS measures.
- ***Reduction of corruption opportunities means better protection of health and environmental sustainability:*** By reducing the risk of corruption associated with compliance to SPS measures, human, animal and plant health and environmental sustainability are better protected.

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<sup>9</sup> Forman, L. and Kohler, J.C. (2020). “Global health and human rights in the time of COVID-19: Response, restrictions, and legitimacy.” *Journal of Human Rights*, 19(5), 547-556.

<sup>10</sup> Sekalala, S., Masud, H., and Thomas Bosco, R., (2020). “Using human rights mechanisms to address corruption within the health sector”. *Global Health Action*, 13(S1), 1699343.

- **Maximize public expenditure:** Systematic corruption risk management process can help to ensure that public expenditure allocated to areas relevant to the application and enforcement of SPS measures is not wasted.

#### **1.4. What behaviours are we dealing with?**

To plan an effective anti-corruption response to corruption related to SPS measures, it is helpful to understand what types of behaviours may be encountered. Three main behaviours that may be encountered are described below.

##### **Behaviour 1: Seeking the veneer of legitimacy**

The first behaviour is characterized by established businesses, such as meat processors and other food industry companies, that may use illegal means, where the opportunity exists, to increase their profits or to remain in business. Given the lucrative nature of the food and agricultural sectors, this is a behaviour that may be common. The individuals exhibiting this behaviour may be tempted to pay bribes at the highest levels of government to obtain certifications of their products for export without proper standards in place. They may also try to bribe inspectors to turn a blind eye to infractions linked to their manufacturing practices or to sell food as “organic” when it is not.

##### **Behaviour 2: Hiding from authority**

The second behaviour is typified by organized criminal groups who operate criminal enterprises, such as those involved in the production of food crops and in retail. These groups focus on the high-value food and agricultural products. These groups tend not to invest heavily in industrial assets, but rather focus on developing systems to facilitate and ensure continuity of their illegal operations. They may rely on bribery to facilitate their schemes, for example bribing law enforcement to turn a blind eye to their illegal operations, undercutting competition through bribes and payoffs to relevant authorities, or paying off border control officials to secure unwarranted certification of products for export.

##### **Behaviour 3: Corruption within Social Networks**

The third behaviour – corruption within social networks – can take place at the point of product delivery to the consumer and within a particular community. The social relationships between the actors may make corrupt behaviour easier. This may involve a local retailer being paid off by a food supplier to sell rotten food products. The retailer and supplier may be part of the same social network in a community. It may also involve a food retailer and a public health inspector who are part of the same social network. The food retailer may seek to pay off a public health inspector to turn a blind eye to any infractions.

From a corruption risk management point of view, these distinctions of behaviour are important. For the first and third behaviours, the primary focus of anti-corruption work is likely to be preventive. To address issues linked to the first behaviour (seeking the veneer of legitimacy), efforts would mainly be targeted at health regulatory authorities, both through preventive and law enforcement measures. For the third behaviour (corruption at the retail level), the main focus may be on strengthening transparency and accountability mechanisms, as well as awareness-raising amongst consumers. To address the second behaviour (hiding

from authority), it is probable that the primary approach would be enforcement-based, although closing loopholes using preventive measures would also be crucial.

For the first and third behaviours, the actors, for the most part, are operating within the confines of the regulatory and public health systems. Therefore, they are more likely to respond to preventive measures that aim to bring about a behavioural shift. Law enforcement strategies can also foster this behavioural shift by providing a deterrent in the form of a “criminal backstop”, putting operators off circumventing the rules by increasing the perceived risk of prosecution and penalties. By implementing corruption prevention measures, tightening the regulatory framework and bringing about a behavioural shift, States gain the added benefit of forcing into the open criminal actors they may not have been aware of earlier. In some countries, two or all of these behaviour groups will be present and, at times, will be difficult to differentiate. Care should be taken to treat the issues separately as the responses they require are likely to be very different<sup>11</sup>.

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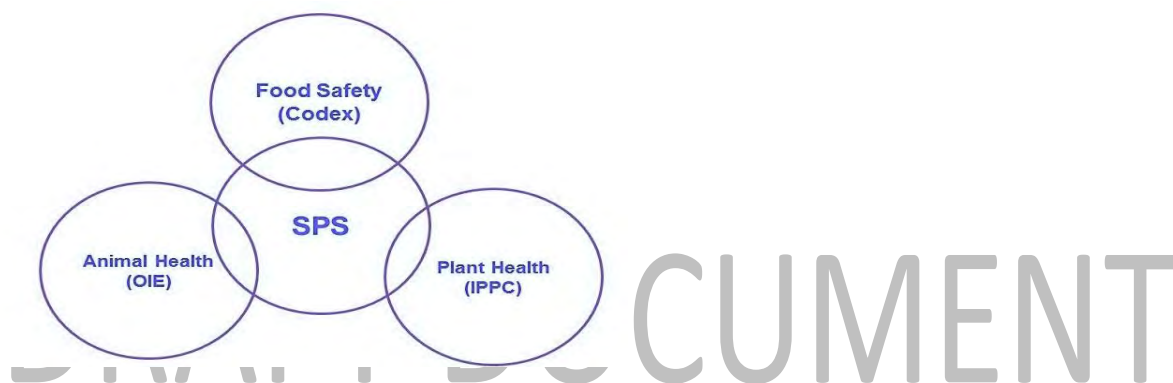
<sup>11</sup> These arguments are based on. UNODC, *Rotten Fish: A Guide on Addressing Corruption in the Fisheries Sector*, 2019, pp. 9 -12.

## Chapter Two: International SPS Standards

### 2.1. Introduction

Given the global reach of plant and animal products and how their respective value chains can affect public health, there are a number of critical international regulations and instruments to govern them. In large part, these regulations and instruments aim to facilitate the establishment, harmonization, implementation and assessment of international SPS standards by governments. There are four general levels of standard setting organizations: the international level (e.g., the WTO) (see Figure 3), multilateral standard setting organizations (e.g., the European Union), national standard setting organizations and private industry and trade organizations.<sup>12</sup>

Figure 3 SPS International Standard Setting Bodies/Organizations (ISSBs/ISSOs)



### 2.2. International SPS standards

#### 2.2.1 International Standard Setting Organizations and Bodies (ISSOs / ISSBs)

##### The Codex Alimentarius Commission (CAC)

The Codex Alimentarius Commission (CAC) is the body responsible for all matters relating to the implementation of a joint WHO / FAO Food Standards Programme, including the consolidation of food standards adopted by the CAC. The Codex Alimentarius is, in effect, a collection of internationally adopted food standards and supplementary texts. The purpose of consolidating these standards is to ensure these are presented altogether in a uniform manner. The food standards contained under the Codex are not only aimed at protecting public health and ensuring fair practices in food trade, but also to promote the elaboration and establishment of definitions and requirements for foods in order to promote harmonization and, consequently, international trade.<sup>13</sup>

In order to ensure harmonization and consistency for the purposes of international trade, the Codex includes standards for all foods, be it processed, semi-processed or raw. The Codex issues the corresponding guidelines, codes of practices, and standards for, among others, the food manufacturing and food processing industries, as well as the food distribution, wholesale

<sup>12</sup> O Aloui, L Kenny. "The Cost of Compliance with SPS Standards for Moroccan Exports: A Case Study." The World Bank. 2005.

<sup>13</sup> Text of the General Principles of the Codex Alimentarius.

and retailing industries.<sup>14</sup> It also provides practical guidance and recommendations to address the most commonly encountered SPS issues in the industry. For example, recognizing foodborne parasites as the major public health burden worldwide, the CAC promulgated the Guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites to provide guidance on the prevention, reduction, inactivation and control of foodborne parasite hazards in the food chain.

Based on the guidelines, CAC has also issued codes for several main food categories in order to set out more concrete and industry-specific SPS standards. Codex standards and related texts are not intended to substitute national legislation, but rather serve as requirements that ensure that food aimed at consumers is safe and free from adulteration.

### **The International Plant Protection Convention (IPPC)**

The IPPC is an intergovernmental treaty aiming to protect the world's plant resources from the spread and introduction of pests, as well as promoting safe trade, effective as of 3 April 1952.<sup>15</sup> As the only global standard-setting organization for plant health, the Convention's primary tools are the International Standards for the Phytosanitary Measures (ISPMs)<sup>16</sup> which provide contracting parties of the IPPC with references for the implementation of phytosanitary measures, such as the performance of pest risk analysis, the identification of pest-free areas and areas of low pest prevalence, the collection and recording of data on pest occurrence and absence to support phytosanitary certification, etc.

The governing body of the IPPC is the Commission on Phytosanitary Measures (CPM), which is responsible for the full implementation of the IPPC's objectives, including the review of the state of plant protection in the world and preparing actions to control the international spread of pests, the establishment and review of the necessary institutional arrangements and procedures for the development and adoption of international standards, as well as the adoption of international standards. As of December 2019, 42 ISPMs were adopted, 29 diagnostic protocols and 32 phytosanitary treatments, that aim to protect sustainable agriculture, enhance global food security, protect the environment and global biodiversity and assist trade development.<sup>17</sup>

### **World Organization for Animal Health (OIE)**

Established through the ratification of an international agreement in 1924, the OIE (formerly Office International des Epizooties) is responsible for the improvement of animal health worldwide. The OIE's is focused on helping to promote transparency in the detection of global animal diseases, collect, analyze and disseminate veterinary scientific information, encourage international solidarity for the control of animal diseases, safeguard world trade by publishing health standards for international trade in animals and animal products, and improve the legal frameworks of national veterinary services. The objectives are, therefore, intended to result in a better guarantee of food safety through the promotion of animal welfare.<sup>18</sup>

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<sup>14</sup> The relevant guidelines, codes of practices, and standards at Annex of this guide refers

<sup>15</sup> Text of the International Plant Protection Convention (1997).

<sup>16</sup> More details are available at the Annex of this guide.

<sup>17</sup> The IPPC's List of Adopted Standards (ISPMs).

<sup>18</sup> The OIE's Mission section.

To this end, the OIE introduced the Terrestrial Animal Health Code and the Aquatic Animal Health Code for setting standards for the improvement of terrestrial and aquatic animal health worldwide. Through the adoption of the sanitary standards contained in both codes, the competent authorities of importing and exporting countries manage to set up general measures and systems for early detection, reporting and control of pathogenic agents in terrestrial and aquatic animals. This helps to prevent their spread via international trade and protect public health.

## **Standards and Trade Development Facility (STDF)**

In a joint statement issued by the heads of WTO, WHO, FAO, OIE and the World Bank (WB) at the <sup>19</sup>Fourth WTO Ministerial Conference<sup>[OIE]</sup> (November 2001), the five organizations committed to increasing their collaboration to further support the participation of developing countries in the global trading system (the Doha Development Agenda (DDA)). More specifically, the joint statement focused on the need to establish and apply international SPS standards by developing countries. Pursuant to this, the STDF was established as both a financing and coordinating mechanism. The programme's goal is to increase capacity of developing countries to implement international SPS standards, guidelines and recommendations, hence allowing them to gain and maintain market access<sup>20</sup>.<sup>[OIE]</sup> The purpose and work of the STDF is: (i) to act and, (ii) to develop and deliver sanitary and phytosanitary projects.<sup>21</sup>

### **2.2.2 The World Trade Organization's Sanitary and Phytosanitary (SPS) Agreement**

*The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement)* entered into force with the establishment of the WTO in January 1995.<sup>22</sup> The SPS Agreement recognizes that member countries are responsible for adopting and enforcing their own national measures for the protection of human, animal and plant health and safety. Even so, the Agreement also underscores the need for “*a multilateral framework of rules and disciplines to guide the development*” of such measures that would ensure consistency across borders and minimize any potential negative impacts on international trade. The SPS Agreement thus encourages countries to apply national sanitary and phytosanitary measures<sup>23</sup> **that are consistent with established international standards, guidelines and recommendations.**

More specifically, the SPS Agreement states that each country has the right to protect itself by determining its own “appropriate level of protection” (ALOP). In determining the ALOP and establishing the corresponding SPS measures, each country should ensure that such measures

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<sup>19</sup> Joint Statement Circulated by the Directors-General of the Food and Agriculture Organization of the United Nations, the Office International des Epizooties, the World Health Organization, the World Trade Organization and the President of the World Bank entitled “Participation of Developing Countries in the Development and Application of International Standards, Guidelines and Recommendations on Food Safety, Animal and Plant Health” (11 November 2001).

<sup>20</sup> The STDF's “Vision and Goals”.

<sup>31</sup> The STDF's “Presentation 2018”; and “External Evaluation Report of the STDF” (Executive Summary)

<sup>22</sup> World Trade Organization (WTO) Agreement on Sanitary and Phytosanitary Standards and measures;

<sup>23</sup> This includes: laws, regulations, requirements, decrees and procedures (e.g., production and processing methods, risk assessments, product and quality testing, inspection, certification, packaging and labeling requirements, etc.) that governments may implement to protect human, plant and animal health and life from pests, diseases and unlawful additives and contaminants (toxins, microorganisms, etc.) in food and feedstuffs.

are justifiable, in other words, based on scientific evidence and recognized information, that they are consistently applied to all other countries and that they do not discriminate or create unnecessary barriers to trade.

Governments are expected to publish and notify the WTO of any new SPS measures they propose. In doing so, all countries are expected to provide a justification for any revisions or new measure. The WTO's role is twofold: to register the change and to disseminate the relevant information about these new SPS measures to trading partners. In establishing SPS standards, measures and requirements, governments must be able to demonstrate that these were created or adopted following a risk assessment that was conducted based on scientific evidence and other relevant information.

Regulatory revisions to SPS standards typically require the evaluation by regulatory scientists. While science is central to the development of SPS standards and implementation of SPS measures, the reality is that economics and politics also factor into them. SPS measures include strategic choices related to when, where and how to apply them. The regulatory process may thus be vulnerable to 'state capture' by particular industry groups that seek to influence laws, policies and regulations that affect them. In other words, they seek to ensure that regulators protect the interest of their companies instead of the public interest<sup>24</sup>. To help counter these risks, transparency measures are included in Annex B (Transparency of the SPS Regulations) of the SPS Agreement. These measures require that, amongst others, the WTO is notified of all proposed changes to existing SPS regulations or any new SPS regulations that may have an impact on international trade. In addition, these measures are supported by Article 7 of the SPS Agreement that requires member states to adhere to Annex B.<sup>25</sup>

Additionally, Annex C of the SPS Agreement sets out rules for control, inspection, and approval procedures of products subject to health regulations, serving as a check on procedural arbitrariness. Article 3 requires WTO Members to base their SPS measures on international standards, guidelines or recommendations. In doing so, it reduces the discretion of national authorities to impose arbitrary health standards of traded products, thus reducing corruption risks<sup>26</sup>.

The SPS Agreement also encourages countries to harmonize their SPS measures to the standards developed by the three primary inter-governmental "*standard-setting*" organizations / bodies (ISSOs/ISSBs):

- The World Health Organization (WHO) and Food and Agriculture Organization (FAO) joint **Codex Alimentarius** in respect of food safety<sup>27</sup>, adopted by the Codex Alimentarius Commission (CAC);
- The Secretariat of the **International Plant Protection Convention (IPPC)** in respect of plant health<sup>28</sup> that is part of the FAO's Plant Protection Service;
- The **World Organization for Animal Health (OIE)** in respect of animal health.

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<sup>24</sup> Borup R, Traulsen JM, Kaae S. Regulatory Capture in Pharmaceutical Policy Making: The Case of National Medicine Agencies Related to the EU Falsified Medicines Directive. *Pharmaceut Med.* 2019 Jun;33(3):199-207. doi: 10.1007/s40290-019-00277-0. PMID: 31933284.

<sup>25</sup> D Roberts (1998). "Preliminary assessment of the effects of the WTO Agreement on Sanitary and Phytosanitary trade regulations" *Journal of International Economic Law.* pp. 377-405.

<sup>26</sup> K Nadakavukaren Schefer. "Corruption and the WTO Legal System." *Journal of World Trade.* 2009. 43(4): pp.737-770

<sup>27</sup> The Codex Alimentarius – [International Food Standards](#);

<sup>28</sup> The IPPC's [International Standards](#);



Each of the above is described in further detail below. Note that governments may also choose alternative or equivalent SPS standards and corresponding requirements that are capable of reaching the same ALOP.<sup>29</sup> In addition, importing countries must allow exporting countries to make use of or apply the least trade-restrictive measures readily available to them.

### 2.3. Adoption and implementation process

SPS standards apply to domestically produced food, local animals and plants as well as imported products, in particular how goods are produced, processed, stored, and transported<sup>30</sup>. SPS standards, as noted earlier, require adoption into national legislation that, in turn, gives specific authorities key responsibilities for SPS controls. National authorities should turn to the WTO Agreement on Sanitary and Phytosanitary Measures as a reference for their SPS measures.

Aiming to comply with international standards, and considering national characteristics of the market and particularities of the goods at a national level, SPS measures may include:



Figure 4 Examples of SPS measures

The table below further describes specific examples of international SPS standards and the means of control that national authorities may seek to use in order to inspect and control compliance with SPS standards.

**Table 1: Examples of SPS Standards and Means of Control**

SPS Standard	Means of Control
The source of water used for primary production and the method of delivery of the water can affect the risk of contamination of food during production. Growers should	Inspection, require certification

<sup>29</sup> The [Food for Thought](#) blog series.

<sup>30</sup> Simonetta Zarrilli, WTO Agreement on Sanitary and Phytosanitary Standards and measures: Issues for Developing Countries, available at: [https://www.ceintelligence.com/files/documents/WTO\\_Agreement\\_On\\_Sanitary\\_and\\_Phytosanitary\\_Standards\\_and\\_measures.pdf](https://www.ceintelligence.com/files/documents/WTO_Agreement_On_Sanitary_and_Phytosanitary_Standards_and_measures.pdf)

<p>seek appropriate guidance on water quality and delivery methods to minimize the potential for contamination by viruses.</p> <p><i>Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food - CAC/GL 79-2012</i></p>	
<p>Principles of Meat Hygiene Applying to Establishments, Facilities and Equipment: (i) Establishments should be located, designed and constructed so that contamination of meat is minimised to the greatest extent practicable.</p> <p><i>Code of Hygienic Practice for Meat - CAC/RCP 58-2005</i></p>	Inspection
<p>Products should be stored at temperatures preventing growth of Salmonella</p> <p><i>Guidelines for the Control of Campylobacter and Salmonella in Chicken Meat - CXG 78-2011</i></p>	Implement national standards, develop risk-based control standards and measures

## 2.4. Importance of effective implementation and addressing corruption risks

### Protection of human life

Corruption risks associated with SPS measures in the food, agricultural, manufacturing and retail sectors can have particularly damaging effects on public health. Corruption thrives if there is limited transparency and accountability within the food value chain systems.<sup>31</sup> In 2019, for instance, Spain had an outbreak of listeria after 17 tonnes of food were infected with bacteria. Individuals still continued to sell the food products despite **having knowledge about the contamination**. 193 people were infected throughout the European Union.<sup>32</sup>

In a South American country, laboratories were accused of fraud after pathogen tests were falsified to hide proof of salmonella in products from a well-known company. The fraud led to the inaccurate reporting of results to health inspectors and notification to the relevant public authorities of 410 cases of salmonella across 12 countries that had imported the meat products. In early March 2017, investigations found that there was widespread corruption as health inspectors had accepted bribes in exchange for certifying the contaminated meat. Another example of the tragic public health consequences of corruption in SPS is the milk scandal that unfolded in an Asian country. After milk powder was purposely adulterated with melamine, a toxic compound meant to boost protein intake, an estimated 300,000 babies fell sick across the country. The contaminated milk led to kidney damage, resulting in six deaths.

Corruption related to SPS measures can have life-threatening consequences on public health, leading to widespread illness and, in some cases, mortality.<sup>33</sup>

### Prevention of Economic Losses

<sup>31</sup> Van Der Meer, K. (2018). Developing National SPS Systems: Common principles, diverse needs. Standards and Trade Development Facility Working Group, Geneva. Retrieved at: [https://susu.sr/wp-content/uploads/2020/12/Developing\\_SPS\\_systems\\_Kees\\_van\\_der\\_Meer-1.pdf](https://susu.sr/wp-content/uploads/2020/12/Developing_SPS_systems_Kees_van_der_Meer-1.pdf)

<sup>32</sup> EUROPOL. (2019). 17 tonnes of food infected with listeria seized in Spain.

<sup>33</sup> Van Der Meer, K. (2018).

The implementation of detailed sets of SPS measures is vital to reduce or eliminate the possible risks of animal, plant and public health threats as well as animal and plant diseases at national and international levels. This implementation process signifies high economic costs for countries as they are required to devote human and economic resources for their implementation, monitoring and control, as illuminated by the two cases below. Corruption enables the deliberate overlook of the SPS measures established to safeguard public health; therefore, making countries' investments profitless. Moreover, high corruption risks in exporting countries may translate into stronger importing controls as other countries fear weak or non-existent controls of the implementation of SPS measures. Furthermore, national and international consumers may opt to not acquire the goods, fearing that they do not comply with the standards. This behaviour change will reflect in extended financial consequences.

**Poland:** through the Programme of Community Aid to the Countries of Central and Eastern Europe (PHARE program), the European Union invested an estimated €175 million to help upgrade public food safety and SPS capacity in Poland before its accession in 2004. A further €1.2 billion was needed in order to restructure Poland's private industry sector. PHARE's budget was directed towards strengthening agricultural administration institutions in the country. This amounted to approximately €178.5 million and as much as 26% (€46.7 million) of this amount was used in order to pay for improvements in veterinary services and 17% (€29.9 million) in plant protection institutions. In order to help Poland to complete its transition after joining the EU, PHARE also provided “[...] €450 million to the food and agriculture sector in annual transfers, which offset the costs of the consolidation of the country's food industry.”<sup>34</sup>

**Lithuania** made substantial efforts to improve its food safety and SPS management to meet the European Union's accession requirements and obligations of the WTO, including: “*the reorganization and streamlining of the administrative framework for food safety and agricultural health, with a very clear division of responsibilities; the creation of the State Food and Veterinary Service (SFVS) to serve as an official food control and animal health agency, along with the related strengthening of administrative capacities; the introduction of the HACCP system in all food establishments; the consolidation of the laboratory system, including a reduction in the number of laboratories from 50 to 10 by 2001; and the establishment of effective border controls.*”<sup>35</sup> To support its efforts, the EU provided substantial funding and technical assistance and included €30 million for the construction of new and renovation of existing laboratory facilities and equipment. From 1997 to 2003, PHARE provided an estimated €40 million to the Lithuanian agriculture industry, €30 million was targeted to SPS-related improvements. Lithuania also undertook further changes, including merging three of government agencies associated with food safety controls. It defined the functions and responsibilities of relevant ministries and agencies and reduced the number of required inspections and, consequently, the number of government inspectors.<sup>36</sup>

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<sup>34</sup> Central Asia Regional Economic Cooperation (CAREC) and the Asian Development Bank (ADB), “[Modernizing Sanitary and Phytosanitary Measures to Expand Trade and Ensure Food Safety](#)”, 2<sup>nd</sup> CAREC Trade Facilitation Learning Opportunity: Sharing the Baltic Experience, 6-8 October 2014, Mongolia, accessed on 15 February 2021. p.12.

<sup>35</sup> Ibid. p.13.

<sup>36</sup> CAREC and ADB, op. cit. pp.13-14, 19.

## **Chapter Three: Corruption risks related to SPS measures along the food value chain**

Commensurate with SPS measures, foods, animals and plants must undergo inspections, testing and processing throughout the food value chain before they reach consumers. Corruption at any point within the value chain can negatively impact and undermine the whole of it, and create health risks for consumers and animals. Corruption risks in the value chains may be systemic, whereby national government officials may be captured by an industry group so that regulations benefit their particular industry. Or, corruption risks may be found at the individual level, such as through food adulteration schemes.

The following are examples of corruption risks that could occur throughout the value chain:

- A company representative of a food processing plant bribes food inspector to overlook a food adulteration scheme;
- Companies bribe inspectors responsible for enforcing SPS standards to issue a license or permit for export, when standards are not met;
- A supplier pays or accepts a bribe that relates to his/her role in the supply chain, such as a retailer accepting meat from supplier that does not conform with food safety standards, in exchange for a payoff.

**Corruption risks will vary depending on the national context, where the value chain is located, and what foods are being produced for domestic consumption as well as for export.**

### **3.1. Understanding the Food Value Chain**

Corruption risks are possible throughout all industries and sectors involved in the food value chain. Complicating this further, the same industries and sectors are normally responsible for ensuring public health and food safety by integrating SPS measures into their standard operating procedures. Additionally, both public and private entities that manage food products are responsible for making sure that compliance with SPS measures is monitored on a regular basis. Understanding the pathways of the food value chain and production lines can help illuminate where corruption risks exist. By knowing where these risks are, the appropriate anti-corruption measures can be identified to address them.

Certainly, no “one size fits all” value chain exists; as no single chain (or order of events in a value chain) can correctly describe the process across every country and across producers to consumers. Each stage of the value chain can occur multiple times, in a different order, or in a different manner across borders. Participants at each stage of a value chain may not know what is taking place in the broader context; they might not see why or how the other stages are relevant to them or their work, or how their corrupt practices can have additional effects further up the chain. For instance, the payoff by a supplier to a customs official allowing for adulterated food to enter into a market will have an impact at later stages. This effect could be particularly felt at the consumer level and may result in public health consequences. In short, each step of the value chain will include interactions with a unique set of public authorities, including licensing bodies, inspectors and auditors, customs authorities and public health authorities as well as private sector actors. Each interaction can give rise to unique types of corruption risk.

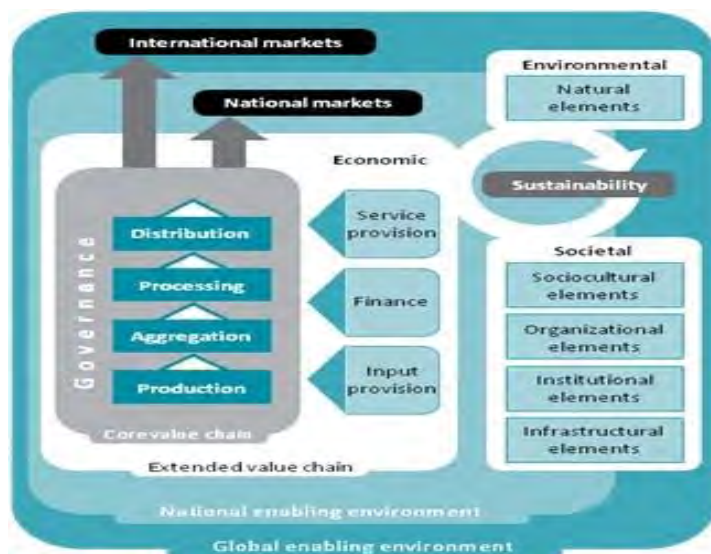


Figure 5 The Sustainable Food Value Chain Framework<sup>37</sup>

The food value chain pictured in Figure 6 illuminates how societal and environmental elements are relevant for the production, processing and distribution of foods. They also need to be considered in efforts to control corruption risks associated with SPS measures. Societal elements can range from socio-cultural elements such as language, history and religion, institutional elements such as policies, customs, private industry-specific voluntary standards and rules, organizational elements such as government institutions, research and development facilities, as well as infrastructural elements such as roads, electrical and other grids, and waste management. Environmental or natural elements are also relevant to consider and include relevant biodiversity, climate, freshwater sources, soils and terrain.

The role of industries within the value chain also needs to be considered in any assessment of corruption risks. These include:

- The agricultural and farming industries that raise livestock, grow plants and crops;
- The food manufacturing and technologies industries involved in the development of agrichemicals, pest controls and other biotechnologies, the construction of agricultural and/or farm machinery, and the production of feeds and seeds;
- The food processing industry that prepares fresh products and manufactures prepared food products;
- The wholesale and food distribution industries responsible for the transporting (by land, shipping, by air), storing and/or warehousing of foods, as well as other logistics;
- The food retailing industry that stores and sells foods and plants directly to the consumer and include supermarkets, grocery stores and food and/or public markets; and,
- The food research and development industry that develops new effective and efficient food production and preservation methods.

<sup>37</sup> The FAO's "Sustainable Food Value Chains Knowledge Platform", (Figure 3 – The Sustainable Food Value Chain Framework).

The movement of food and money between key stakeholders in the food value chain is shown in Figure 7 below: <sup>38</sup>



Figure 6 Movement of Food and Money in the Food Value Chain

The integrity of the food value chain depends on the appropriate implementation of SPS measures and guidelines throughout it. **To reiterate, the-whole-of-the-food value chain is at risk of being undermined by corruption schemes and practices at any of the above points, if appropriate controls are not in place.** This underscores the importance of ensuring a comprehensive approach to corruption risks in this area.

The institution or institutions responsible for the enforcement and monitoring of SPS measures differ depending on the country. They may even consist of a number of public and private organizations given the different industries involved. Enforcement may be the responsibility of the Ministry of Agriculture, Environment or Trade or some combination of these. Each of the responsible institutions may encounter risks of corruption in relation to the SPS standards, measures and guidelines. These may include state capture by affected industry, accepting bribes from industry representatives that seek to influence how regulations are expressed and how inspections are carried out.

Another consideration is the value that end consumers place on certain food products and how these are classified and certified. Although SPS standards are typically harmonized internationally for global trade, some consumer groups are more likely to place a higher value on certain certifications over others. This may include having food certified or classified as “fair-trade”, “ethical”, “organic”, “halal” or “kosher”. These types of certified products are usually higher priced than ordinary products. If requisite controls and oversight are not in place, the opportunity for greater profit may motivate unscrupulous individuals to carry out corrupt practices, such as mislabeling the products as certified in order to charge the consumer higher prices.

All types of food production systems have corruption risks associated with SPS measures. However, large-scale operations are likely more at risk given that they tend to generate more profits and also require more resources for the monitoring of SPS measures. This can allow for more opportunities for breaches if appropriate controls are not in place. To better understand the role of SPS measures along products’ value chain, Figures 9 and 10 describe SPS measures along the banana value chain from the Philippines to the United States and beef from Brazil to China.

### **Banana Value Chain: An Example from the Philippines to the United States**

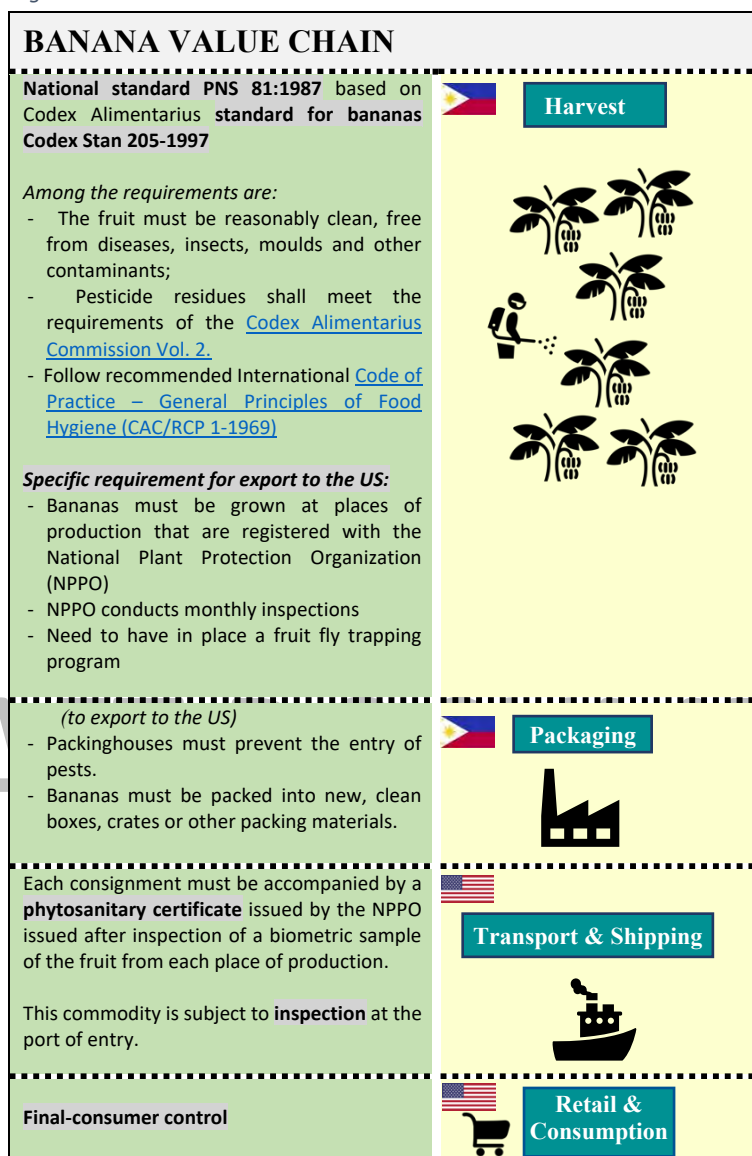
In 2017, the Philippines was the second biggest banana exporter in the world. However, banana production in the Philippines has been affected by weather conditions, pests and diseases<sup>39</sup>. In 2013, the banana trade between the Philippines and the United States generated USD 17.9

<sup>38</sup> Harvard Web Publishing, “Lesson 4: What is the Food Supply Chain?” (Figure 1).

<sup>39</sup> <https://www.da.gov.ph/wp-content/uploads/2019/06/Philippine-Banana-Industry-Roadmap-2019-2022.pdf>

million. In 2019, it only generated USD 1.2 million<sup>40</sup>. The United States has in place specific requirements for banana imports from the Philippines as means to control pests<sup>41</sup>.

Figure 7 Banana Value Chain & SPS measures



### Beef Value Chain: An Example from Brazil to China

Brazil, as a member of the World Trade Organization (WTO), is obliged to adhere to the Sanitary and Phytosanitary (SPS) Agreement and to Codex Alimentarius (CODEX) principles. The Ministry of Agriculture, Livestock, and Food Supply (MAPA) oversees and enforces a large number of regulations pertaining to production, marketing, import, and export of animal origin products. The Ministry of Health (MS) - through its National Agency of Sanitary Surveillance (ANVISA) enforces most regulations regarding processed food products. The Secretariat of Agricultural Protection (SDA), through its six central departments, is responsible for enforcing regulations related to domestic and imported plants and animals, including their respective products and by-products, and other inputs such as feed (including pet food),

<sup>40</sup><https://resourcetrade.earth/?year=2019&exporter=608&importer=842&category=380&units=value&autozoom=1>

<sup>41</sup> [https://epermits.aphis.usda.gov/manual/index.cfm?action=cirReportP&PERMITTED\\_ID=10596471](https://epermits.aphis.usda.gov/manual/index.cfm?action=cirReportP&PERMITTED_ID=10596471)

fertilizers, pesticides, and contaminants<sup>42</sup>. Brazil is among the biggest beef exporters in the world. It has the world's second-largest cattle herd — 232 million head — and its production is largely based on grass<sup>43</sup>. China is a key destination country for beef and derivate products. In 2018, China spent \$US1.5 billion on Brazilian beef<sup>44</sup>. China has in place strict SPS standards for Brazilian beef. For example, in June 2019, when a case of Bovine Spongiform Encephalopathy (BSE) was reported in Brazil, China was the only country to issue an export ban on Brazilian beef<sup>45</sup>. The restriction was in place for 15 days. The below diagram shows the SPS measures required for beef trade from Brazil to China:

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<sup>42</sup> USDA Foreign Agricultural Service (2018) “Brazil: Food and Agricultural Import Regulations and Standards :Narrative, GAIN Report Number: BR17010

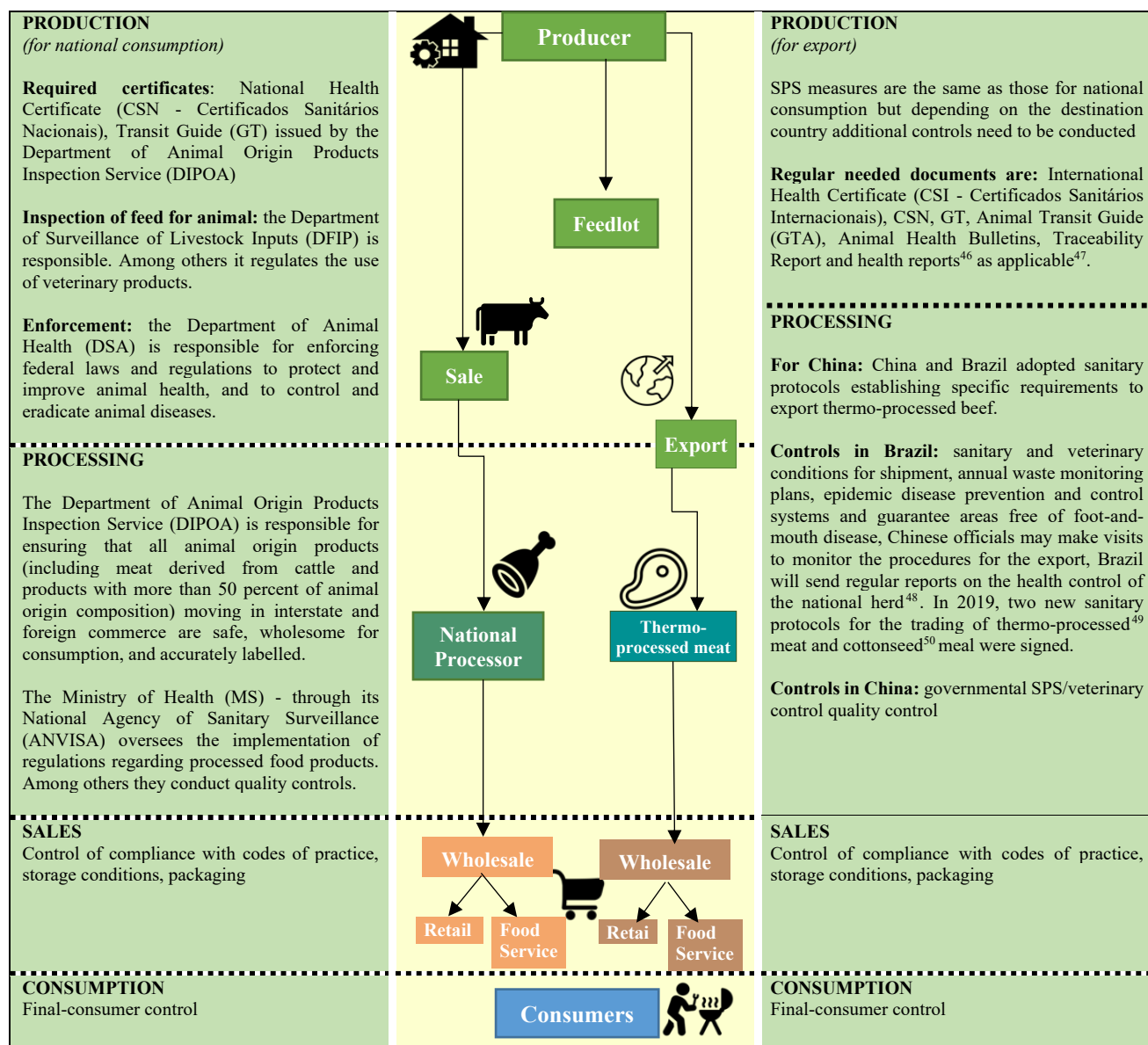
<sup>43</sup> <https://www.ers.usda.gov/amber-waves/2019/july/brazil-once-again-becomes-the-world-s-largest-beef-exporter/> (Accessed March 8, 2021).

<sup>44</sup> <https://resourcetrade.earth/?year=2018&exporter=76&importer=156&category=12&units=value&autozoom=1>

<sup>45</sup> <http://spsims.wto.org/en/PredefinedReports/ListOfSpecificTradeConcerns>



Figure 8 Beef Value Chain & SPS Measures



## 3.2. Corruption risks in the Value Chain

### 3.2.1. Stage One – Agriculture and Farming

The first stage of this value chain is the raising of livestock, plants and crops. For example, in many countries, cattle are raised and bred for meat and dairy farming. In other countries, the

<sup>46</sup> For example: Salmonella health certificates in the case of products destined for Finland or Sweden, documents relating to carcass classification.

<sup>47</sup> [https://www.gov.br/agricultura/pt-br/assuntos/inspecao/produtos-animais/empresario/manual\\_sigsif2013v.pdf](https://www.gov.br/agricultura/pt-br/assuntos/inspecao/produtos-animais/empresario/manual_sigsif2013v.pdf)

<sup>48</sup> <https://exame.com/economia/acordo-permite-ao-brasil-exportar-carne-bovina-china-549793/> (still looking for an official source)

<sup>49</sup> Thermo-processed meat is meat that has undergone thermal processes such as cooking.

<sup>50</sup> Cottonseed meal is used as animal feed.

focus may instead be on the farming of crops, which are then sold to processors and producers for the production of various vegetable or fruit-based foods or feeds.

In raising and farming of livestock and crops, farmers and agribusinesses are entrusted to uphold a number of SPS standards that help ensure the health of the animals and/or plants. As one example, if a cow is ill, it is not supposed to be sold to abattoirs or slaughter facilities for the production of meat or meat-based products. As another example, vegetables grown for food production should not exceed a particular level of decomposition. If this standard is bypassed, it may result in an adverse public health impact. Other examples of globally prohibited actions during this stage are the use of certain pesticides, fertilizers and specific agrichemicals in the production of food, which may create environmental and public health risks.

Corruption schemes can emerge at this stage if there are insufficient controls and checks in place and there is a threat of significant financial losses due to adverse external events. These may be physical and environment conditions, related to soil and its fertility, climate conditions, such as light, water and/or rainfall, temperature, wind, humidity levels and air, as well as natural disasters that are capable of destroying entire crops and are growing in number due to global warming.<sup>51</sup> In addition, if pests and disease spread uncontrollably, an entire industry can be at risk of large-scale financial losses or even ruin. For example, during the 2009 “swine flu” pandemic, many governments responded to the threat with extreme preventative measures, including a ban on the sale of imported and domestic pigs.<sup>52</sup> The economic impact of this on pig farmers was substantial.

Corruption risks may involve a farmer paying a bribe for the issuance of an inspection certificate that states that crops are produced on land that conforms with required national SPS standards, when in fact this is not the case. Another possible example is that a beef cattle producer may discover that the majority of his livestock are afflicted with a disease. He may seek to pay a kickback to a meat processor so that the diseased livestock are still purchased for slaughter. The former example presents possible environmental and public health risks and the latter clear risks for public health.

### **Box 3. Operation Rotten Tomato**

An investigation of one of the largest tomato processors in North America, which grew, processed, and distributed tomato products to multinational manufacturers and retail outlets, found the company’s owner had implemented a fraud scheme supported by one of the company’s brokers. The latter bribed purchasing managers of food companies in exchange for lucrative contracts. The investigation discovered that the owner had routinely ordered products to be mislabeled. As one example, the company routinely falsified the laboratory test results for its tomato paste. The company documented false information about its product’s percentage of natural tomato soluble solids, mold count, production date, and whether the tomato paste qualified as organic. Testing of the company’s products found they were below basic quality standards, which was concealed by false documentation. The owner and broker were charged with racketeering and price fixing sentences. Five of the company's clients purchasing managers admitted to participating in the scheme and accepting bribes. The latter were sentenced with three years’ probation with special conditions. The company was forced into bankruptcy by its creditors in May 2009.

<sup>51</sup> FAO Annex 11 entitled “Factors affecting agricultural production”.

<sup>52</sup> WTO, “Members discuss trade responses to H1N1 flu”, available at: [https://www.wto.org/english/news\\_e/news09\\_e/sps\\_25jun09\\_e.htm](https://www.wto.org/english/news_e/news09_e/sps_25jun09_e.htm)

Sources: United States Department of Justice, United States District Court Eastern District of California: Randal Lee Rahal (CR. NO. S-08-566 LKK), Anthony Ray Manuel (CR. NO. S-09-034 LKK), James Richard Wahl, Jr. (CR. NO. S-09-040 LKK), Jennifer Lou Dahlman (CR. NO. S-09-062 LKK), Robert C. Turner, Jr. (CR. NO. S-09-145 LKK), Jeffrey Sherman Beasley (CR. NO. S-09-351 LKK), Alan Scott Huey (CR. NO. S-09-468 LKK), Michael Chavez (CR. NO. S-10-002 LKK), Steven James King (CR. NO. S-10-059 LKK), Frederick Scott Salyer (CR. NO. S-10-061 GEB).

Available at <https://www.justice.gov/usao-edca/pr/two-executives-sentenced-convictions-sk-foods-investigation> and <https://archives.fbi.gov/archives/sacramento/press-releases/2013/former-owner-and-ceo-of-sk-foods-sentenced-to-six-years-in-prison-for-racketeering-and-price-fixing>

### 3.2.2. Stage Two – Food Processing

Farming and agricultural enterprises commonly have long-term business relationships with food processors. These relationships require trust; they rely heavily on their respective food processors to respect strict SPS standards, such as those required for the crop cleaning process or the slaughtering, cutting and disposing of animal parts.

In some countries, public authorities are responsible for regularly inspecting facilities to ensure adherence to the relevant SPS standards, particularly in the case of large-scale operations. While inspections of processing facilities can help to ensure that measures for food safety, as well as plant and animal health, are in place, it may also lead to corruption risks. For example, an inspector that is assigned to an abattoir may be willing to overlook gaps in the quality of the cattle being processed, in return for favours and bribes. On a larger scale, processors may set up corrupt schemes or arrangements, whereby foods that are unsuitable for human consumption and do not meet the required SPS standards are sold for processing, in return for bribes or other payoffs from those who seek to gain.

Corruption risks may relate to potential conflict of interest. A food safety inspector who leaves the public sector for a position within the private sector is a case in point. The inspector may assume a position within a company that the inspector had previously monitored. In addition, the privatization of food safety inspections, either by the entities responsible for the processing themselves or by third-party private inspectors, may also result in significant conflict of interest concerns. In the case of the former, an inspector may be hired by the same company that the inspector is responsible for monitoring. If any potential corruption schemes are found, an inspector may not take action due to personal interests.

#### **Box 4.**

##### **Bribery of Food and Health Regulators by Meat Companies**

Authorities of a South American country uncovered a food scandal in which a number of food-sanitation inspectors and politicians were alleged to have taken bribes from two of the country's largest meat processing companies. In return, they signed off and issued certificates for substandard or rotten meat, falsified export and other documents and failed to inspect meatpacking plants, including some that were subsequently found to have been contaminated with salmonella. A subsequent investigation conducted by the authorities also found that five laboratories and certain departments of the two companies had falsified results and engaged in fraud to evade food safety checks, by for example covering up traces of salmonella in their products. The initial probe and raid undertaken by the authorities resulted in the arrest of five employees between the two companies, in addition to 20 public officials. One of the companies admitted to having bribed over 200 food safety inspectors responsible for inspections in its slaughterhouses by paying them monthly fees, while the other company also noted that it provided food safety inspectors with additional health benefits. In earlier bribery schemes, both companies agreed to pay fines in order to settle any criminal they might have faced. In the present case,

which is still ongoing, 60 food safety inspectors in addition to individuals from the two companies are being investigated in connection with the food scandal.

### 3.2.3. Stage Three – Wholesale and Distribution

After the processing or preparation stage, food products are sold to distributors, who transport or store products, amongst other logistic activities. There are corruption risks when adulterated or mislabeled processed foods are distributed from processors to wholesalers or distributors. A corruption risk may involve a payoff to the person responsible for the procurement of processed foods to purchase and distribute the adulterated or mislabeled foods that do not meet the required SPS standards.

Further, corruption risks may be associated with international distributors and wholesalers that are involved in the import and export of foods and have frequent interactions with custom officials and officials from other relevant agencies. For example, a distributor responsible for exporting foods from one country and importing them into another, may try to have a shipment that does not abide by required standards bypass the customs inspection process by bribing customs officials. Custom officials may also engage in corruption by accepting bribes from distributors or wholesalers to “look the other way” when food products are mislabeled or do not have the requisite documentation.

#### **Box 5.**

##### **Bribes in Exchange for Issuance of Food Product Import Permits**

In a country in the Middle East, five food service employees of the Service, Ministry of Health, were found to have accepted bribes from food importers. The employees received bribes in the form of money, gift cards, and consumer goods in exchange for issuing permits for the importing of food products. Following their confessions, the individuals were prosecuted and convicted.

#### **Box 6.**

##### **Bribes for Phytosanitary Certificates for the Export and Import of Goods**

In a country in South Asia, a plant protection inspector, responsible for issuing phytosanitary certificates for the export and import of plant-based goods was found to have accepted and demanded bribes from companies under his jurisdiction. To speed up the certificate issuance process, the inspector took bribes from numerous companies. This scheme lasted about six years. The public official was fined and sentenced to one-year imprisonment.

### 3.2.4. Stage Four – Food Retailing

The end point in the food value chain is the food retail sector. This includes supermarkets, grocery stores and markets that directly sell food products to the end consumer. As explained prior, corruption within any point within any value chain can have an adverse impact on the consumer of a food product. Equally important, if there is corruption at any point throughout the food value chain, its impact will happen at the point of consumer consumption. Deliberate food adulteration during the processing phase, mislabeling of a food product, or food that is being sold well below national SPS standards due to a bribe that was given to a food inspector, can all affect the quality of food that is sold in the retail sector. Corruption risks that are specific to this point in the food value chain are linked to health and safety inspections. A supermarket

owner may bribe an inspector to “look the other way” if the appropriate public health standards are not being enforced in her business.

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## **Chapter Four: Good Practices to Address Corruption Risks related to SPS Measures<sup>53</sup>**

Corruption risks may be found throughout goods' value chains . As noted earlier, the risks will be unique to the step in the specific value chain as well as the country context. Their technical complexity, the lucrative nature of the industries involved, and the number of decision points throughout the value chains, open the door to corruption risks throughout them. Additionally, any weaknesses throughout the value chains may present opportunities for corruption to occur. In that regard, knowing how to address these risks is vital. In this section, good practices that a number of countries have put into place to address corruption risks associated with SPS measures are described.

### **4.1. Consistent Standards**

Consistent standards may help reduce the risk of corruption by minimizing individual discretion and gaps with regards to SPS standards. There are a number of regional efforts that seek to harmonize phytosanitary standards across countries through the application of laws, regulations and agreements. For example, the European Union Regulation No. 625/2017 advances a harmonized approach with regard to controls and other official activities performed by Member States relating to food and feed safety throughout the stage of production, processing and distribution, animal health and use of pesticides.

The Eurasian Economic Union has adopted decisions and technical regulations to align SPS requirements and procedures among its Member States. The Central European Free Trade Agreement, as another example, includes provisions for an institutional framework for SPS standards which ensures that SPS frameworks are aligned with the WTO SPS Agreement and relevant EU legislation. The East African Community Protocol on Sanitary and Phytosanitary Measures obliges its member states to harmonize plant health, animal health and food safety measures. Finally, the North American Free Trade Agreement specifically requires the compatibility and equivalence of the SPS measures.

Challenges to the effective application of these standards are many. In several countries, the legal and regulatory framework on SPS standards is scattered and unstructured. What is more, international standards may be used only selectively, therefore undermining their effectiveness and comprehensiveness, particularly as these do not receive independent status in the national legal framework. For example, a government may use international standards only in part and incorporate them into its own standards and regulatory requirements as it sees fit. While it is understood that, in some instances, a one-size-fits-all approach cannot be realistically achieved, this potential trend of selectively picking some SPS standards over others is capable of undermining the effectiveness and comprehensiveness of application of the entire structure of international SPS standards. This could undermine the effectiveness and comprehensiveness of application of the international standards.

### **4.2. Centralized Decision Making**

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<sup>53</sup> This Chapter is based on findings from qualitative surveys that were sent out to 32 countries in 2020 from the UNODC regarding their legislation, regulations, best practices and challenges associated with SPS standards and measures. The information presented is not exhaustive but limited to key findings from the survey.

Centralized decision making has been found to be helpful in terms of advancing standard setting, policy research, monitoring, and enforcement. It can help ensure that decision-making is consistent; and any gaps in the application of SPS measures across sectors can be promptly identified and addressed appropriately. This approach may, however, be undermined if there are duplication of duties across government units and an inconsistent approach to the application of SPS measures, depending on the value chain.

### **4.3.National Anti-Corruption Plans, Strategies and Programmes**

National anti-corruption plans, strategies and programmes can help to reduce corruption risks if they are integrated sufficiently well into the adoption, implementation, and monitoring of SPS measures. Some countries have found that these efforts are enhanced by ensuring that they consider findings from a corruption risk assessment in public health management systems and in those areas that are relevant to plant and animal health. What is more, good practices in public administration, such as ensuring conflict of interest declarations and their management are in place and public institutions sufficiently oversee the inspection, control and auditing of compliance with SPS measures, are helpful.

Good practices further include using appropriate technological tools to enhance transparency and reduce the risks of corruption associated with SPS measures. For example, by way of a public website with information about SPS measures applying to producers, exporters and importers. This may also include a platform for the electronic receipt of exports and import declarations. Increasing transparency about product provenance may help reduce some potential corruption risks. Another example is having electronic import declarations from the relevant livestock breeding and veterinary authorities, so that there is greater transparency in the process. Having an online portal for complaints and breaches in any of the administrative procedures, as well as setting up electronic programmes that document food safety controls, are also suggested good practices as they can ensure that measures are in the public domain and opportunities to hide breaches are less likely to happen.

Estonia has made it mandatory for officials, particularly those responsible for monitoring hygiene standards, to receive training on relevant anti-corruption measures<sup>54</sup>. They also must sign a declaration of impartiality and commit to not engage in corrupt practices. Random checks on the inspections by officials from the veterinary and food department further help to reduce the risk of corruption. It has also set up a website containing guidelines, case studies, etc., to raise awareness on anti-corruption matters and lastly created an e-learning course on how to address conflict of interest.

In Qatar, efforts are underway for the development of electronic programmes focusing specifically on food safety control. The Government has also set up a technical working group between the Ministry of Health and Ministry of Environment to provide technical assistance to farmers for implementing health standards and measures.

In Thailand, a public website provides guidance on what SPS measures need to be applied, and which specific permits are required to be a producer, exporter and importer. It also includes a corresponding platform to declare exports / imports, in order to increase transparency and traceability and to reduce potential bribery risks. It also has Sub-Committee on the Application of SPS measures and Technical Barrier to Trade, which includes members from across relevant

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<sup>54</sup> Note Verbale of Estonia.

sectors, such as the Departments of Agriculture, Livestock Development, Fisheries and Trade Negotiations, the Food and Drug Administration, the Federation of Industries and the Chamber of Commerce. It also has organized public hearings during the legislative drafting process and launched consumer awareness-raising initiatives on SPS measures, both through their websites and through seminars<sup>55</sup>.

In Turkey, comprehensive information from food inspections is published online. Details are provided about what companies have produced or sold food that has been found to be adulterated. The names of the products, brands, batch and/or serial numbers are also provided<sup>56</sup>. The establishment of a telephone complaint line called *Alo 174* to report food related complaints.

A further example is from Bulgaria that has set up a rotational system for inspections as well as a process for a second inspection of sites<sup>57</sup>. In Lithuania, a corruption risk assessment that applies to animal welfare is undertaken each year. Following the analysis and identification of corruption risks, the relevant public official provides recommendations on how to address them. These recommendations must then be implemented within a year by the appropriate government organization<sup>58</sup>.

Lastly, a national anti-corruption agency can help to ensure uptake of the SPS measures by doing random checks throughout the relevant value chains. These efforts, albeit can be undercut by a lack of compliance by the private sector. In addition, anti-corruption efforts can be undermined if a government does not have sufficient human resources and technical capabilities as well as access to enough information.

#### **4.4. Institutionalize Corruption Risk Assessments and Management Process**

The corruption risk assessment and the corresponding risk management plan form part of a structured and systematic method designed to identify the processes, mechanisms and structures within a value chain that are particularly vulnerable to corruption, and the means and actions required to minimize these vulnerabilities. The goal of a corruption risk assessment is to produce a realistic list of likely corruption schemes or scenarios, specific to the organization carrying out the assessment, prioritize them, and suggest management strategies which, when aggregated, will comprise the management plan. Undertaking a risk assessment is an effective corruption prevention strategy.

There are two essential elements to the corruption risk assessment and management process that are outlined in this paper. Firstly, the process must be undertaken with a solid understanding of the mandate, operating environment, and areas of influence of the authority responsible for the implementation and/or enforcement of SPS measures. Secondly, it must be understood that the risk management plan will be the result of the corruption risk assessment and will realistically take into consideration the resources available for implementation.

The UNODC publication titled “*State of Integrity: A Practical Guide to Corruption Risk Assessment and Management in Public Organizations*” (2020) provides guidance on not only how to understand and conduct an organization-wide corruption risk assessment and

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<sup>55</sup> Note Verbale of Thailand.

<sup>56</sup> Note Verbale of Turkey.

<sup>57</sup> Note Verbale of Bulgaria.

<sup>58</sup> Note Verbale of Lithuania.



management , but also provides the necessary tools for organizations to be better placed to meet their own objectives and develop their own strategies. The Practical Guide takes into account and builds on existing standards and methodologies such as the International Standards Organization ISO 31000 “*Risk Management – Principles and Guidelines*”<sup>59</sup> and Committee of Sponsoring Organizations of the Treadway Commission (COSO) “*Enterprise Risk Management, Integrating with Strategy and Performance*”.<sup>60</sup> Figure 11 below outlines the risk management process.

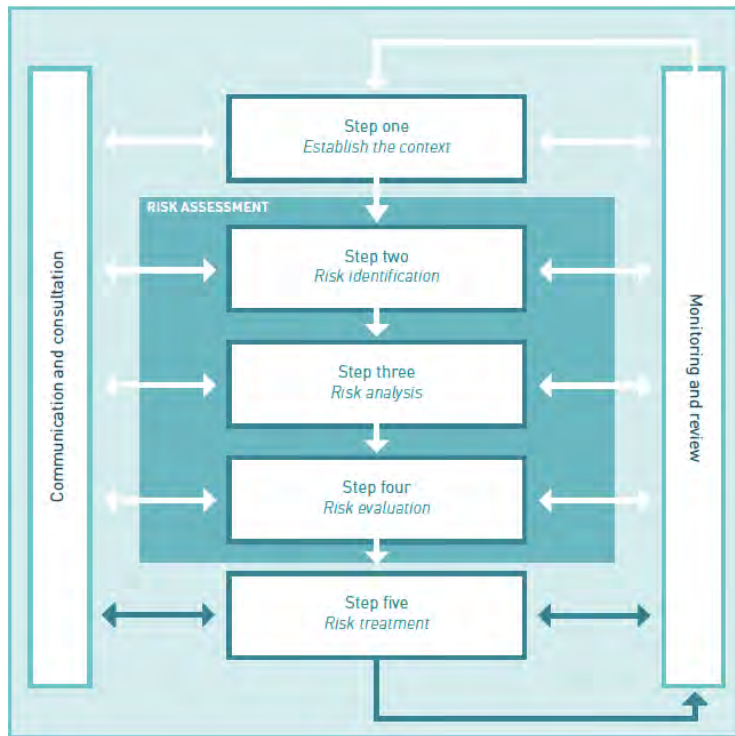


Figure 9 ISO 31000 Risk Management Process

## Establishing the Context

*Gaining a better understanding and analysis of the value chain(s)*

In many cases, corruption is a symptom of wider governance and organizational dynamics and is likely to thrive in conditions where transparency and accountability are weak, and certain individuals may have too much discretion or autonomy. For this reason, the first step is for the working group appointed to lead and oversee the process is to note and understand all stages of the goods’ value chain, and the organizations and agencies that are tasked with regulating the application of SPS measures across the various stages. In those jurisdictions where the duty to monitor compliance with SPS measures may rest on only one organization or agency, it is still important to recognize the fact that value chains flow across various industries (e.g. production; transportation; retail; etc.).

Establishing the operational background and context should, therefore, include a value chain analysis which is applicable to the national context. This will also help identifying the specific

<sup>59</sup> International Standards Organization, ISO 31000, Risk Management – Principles and Guidelines (2018).

<sup>60</sup> Committee of Sponsoring Organizations of the Treadway Commission (COSO), Enterprise Risk Management, Integrating with Strategy and Performance (2017).

areas of focus in the subsequent corruption risk assessment stages. For example, a particular area of focus for a country may be to examine the key agricultural activities and foods produced at a larger scale, as these may often be the prime target for corrupt practices. This is especially the case if a food product, be it a type of fruit or vegetable, or a food produced in a particular manner that a country is well-known for. The larger the scale of operations, the higher the cost of production and, hence the higher likelihood to bypass/circumvent SPS measures through corruption schemes in order to save the production cost.

In addition, the analysis of the flow of money along the food value chain (see Figure 7) will assist in identifying the specific organizations and possible individuals who should be contacted or involved, either through cooperation or consultation.

## **Risk Identification**

### *Establishing a list of possible corruption schemes and scenarios*

The second step of the process is to identify and create a list of the corruption risks to which the organization is, or may be, exposed. A corruption risk is the potential for a corrupt act to occur and is usually a reflection of the vulnerabilities of a given system or process. In order to identify corruption risks, the working group should create a list of possible corruption scenarios, in other words, possible courses of action or events that constitute(s) a corrupt act. While this stage should be open to all types of ideas, it is also important to exercise a certain degree of caution to ensure that the corruption scenarios identified are a true representation of what might realistically occur.

In producing a list of possible corruption scenarios, it is essential to make use of any information and resources available. It is recommended that the process of identifying corruption risks take the form of a brainstorming session, where the working group members freely exchange ideas to compile the list. It needs to be kept in mind that the purpose of this step of this process is not to list every form of corruption risk to which the organization may theoretically fall victim, but instead to produce a realistic, manageable list of risks. Previous chapters of this paper provide examples of corruption risks as they relate to SPS measures; this information can be shared during the brainstorming session to encourage discussion.

Ideally, specific sections of the value chain should be assessed in detail, rather than a general overview of the various stages that foods undertake before reaching the end consumer. Some authorities, that may be able to, will prefer to perform more complex technology-based assessments with a wider scope. At this stage in the process, it is better to include risks than to leave them out.

## **Risk Analysis**

### *Collecting and reviewing documents and other relevant data*

Once the working group has compiled a list of possible corruption schemes and scenarios, analysis can be undertaken to establish the underlining causes of those risks. During this step, the working group could, for instance, interview staff, examine audit reports, investigation reports, procurement and accounting records and analyses of procurement trends (e.g., companies that have won tenders, possible links between certain companies and public officials, etc.).

The working group should always aim to understand the underlying causes of each identified corruption risk, something which is best achieved when a risk is linked to a control mechanism (policy, process or procedure) in the operations of the organization or authority in question. This phase is designed to build an understanding of the nature of each identified risk. Often, vulnerabilities will be associated with weak or a complete absence of any controls. Still, overly complex or heavily bureaucratic rules, regulations and processes can also attract possible corruption schemes. In many cases, such schemes usually involve bribery as both those who are subject to the rules, regulations and processes, and those who are tasked with fulfilling or enforcing them seek to find ways to apply exemptions, circumvent or avoid them entirely. For example, if a certification process used to certify that a particular food product has been made from organic produce is too complicated or lengthy, an official and the producer or distributor of such a food product may rely on each other's honesty and collude to not conduct the required checks or testing established under the relevant SPS measures. Over a period of time, other actors, that do not farm organic produce, may come to realize that there is an opportunity to gain certification, and by extension increased sales and profits, without having to undertake any additional changes to their agribusiness or suppliers of raw materials for their food products. This will often be achieved by offering bribes to the official in charge of certifying the food products as organic.

## **Risk Evaluation**

### *Prioritizing corruption risks based on their likelihood and impact*

Addressing every identified corruption risk will most likely not be possible due to limited resources. A more realistic and effective approach is to target a smaller number of corruption risks, particularly those that are more likely to occur or those that would have the most severe consequences if they were to take place. Therefore, during this step, the working group members should evaluate which corruption risks will have the priority to be addressed in the mitigation plan.

The risk evaluation includes two separate estimates for each type of corruption risk identified in step two: first, the likelihood of the occurrence of the risk and second, the potential harm if that risk did occur. These estimates are later combined into a single measure showing which ones pose the most serious threat to the organization, if they were to occur and therefore that they should be addressed first. When evaluating the impact, the working group might estimate the risk categories, in Box 7

## **Box 7. Risk Categories and Ratings**

### Risk Categories:

The risks should be grouped into generic categories, which may include, for example:

- Financial risks;
- Reputational risks;
- Risk affecting the organization's / authority's ability to deliver on its mandate;
- Public health risk;
- Environmental risk; etc.

### Risk Ratings:

The two main ratings that may be used are:

- Likelihood rating (low / medium / high); and
- Impact / Severity rating (low / medium / high).

## **Risk Treatment**

### *Reviewing existing controls and procedures, and assessing feasibility of new controls*

All organizations and authorities have (or should have) procedures, regulations, rules and management practices in place that are intended to help mitigate and prevent corruption. For example, in an organization or authority responsible for inspecting animals in the facilities of an abattoir, this may include the production of documentation certifying the animal health of the subsequent food products, detailed regulations on the process of inspecting, etc.

While undergoing the risk assessment process outlined in this paper, substantial information will have been gathered on the existing procedures, regulations, rules and management practices in the responsible organization or agency, as well as the same information for all stakeholders involved or affected. During the risk treatment stage, the working group should review all the operational material in order to determine the measures that are currently in place (e.g., those related to whistleblowing or record-keeping for auditing purposes) and how effective these are at deterring, preventing, discovering and combatting corruption schemes. Finally, the working group should decide whether such measures are adequate or whether additional ones are required.

The risk analysis step included the example of how there is a risk that an official may be bribed for the certification of “organic” food products. To reduce corruption risks, SPS standard and measures are upheld, and products need to be tested for verification that they meet required organic standards. A two-tier system for testing the products is advisable. Additionally, testing should be undertaken by at least two individuals from different departments of an organization or even from two different organizations.

After assessing the effectiveness of the existing procedures and measures, and whether additional ones may be required, the working group must also assess the cost and feasibility of any subsequent actions to be taken. In other words, if the working group finds that a particular procedure has high corruption risks and an additional procedure or measure would help reduce these risks, then determining the costs of this additional step should be considered. In the example above, establishing a two-tier test for the certification of “organic” food products will increase the resources needed by the organization or authority. In order to make a second test more feasible, the procedure implemented could foresee that both tests (or the second test, as

the case may be) must be paid for by the private entity applying for the “organic” certification. While such a measure may be an option, the working group may also find that, in many cases, developing and implementing new measures or controls are too costly, unrealistic or simply not practical.

Another aspect that should be assessed when it comes to complementing existing procedures and measures is the role of civil society, the media and, in the case of reinforcing SPS measures relating to the food value chain, the private sector can play. More specifically, civil society and media can play an important role in the awareness-raising efforts, both with regard to the international and national SPS standards adopted and enforced, but also in reference to the public health consequences of corruption schemes across the goods value chains. The private sector, greatly responsible for complying with SPS standards, could strengthen its internal ethics, anti-corruption trainings and anti-corruption compliance and monitoring programmes, which in turn increases their employees’ awareness with respect to the consequences of bribing a public official and other corruption schemes.

#### *Assessing vulnerable positions*

In addition to the organization’s procedural controls, the working group should consider whether certain roles are inherently more vulnerable to corruption. Based on the cases outline in Chapter 2 of this paper, it is clear that certain roles may be more prone to corruption than others. Once the working group has identified the more vulnerable roles, its members should assess whether these roles have adequate safeguards in place. This may be done by, for example, examining the requirements in place that regulate the types of information those holding such roles must declare, such as their income, assets and those of their families. This can be supplemented by questioning whether the lifestyle of those holding such roles is consistent with their household’s income. Corruption risks may be addressed through specialized training, establishing a rotation of staff policy, encouraging leave or instituting mandatory leave during which another staff member can assume the same role and verify the activities being undertaken by an individual, unannounced visits to review the documents being developed, etc.

#### *Finalize and adopt the risk mitigation plan*

Lastly, the risk mitigation plan should outline the key measures and actions that the organization will implement to mitigate the corruption risks identified during the previous steps. The working group should also include mandatory reporting and oversight mechanisms to ensure that the plan is delivered.

### **4.5. Interagency Cooperation and Coordination**

Interagency cooperation and coordination on SPS measures is critical in any efforts to reduce corruption risks. Having consistent measures makes it easier for authorities to identify violations when they occur. To support this, a national control plan can provide guidance on appropriate measures that can serve as a reference for relevant food safety and veterinary institutions. Memoranda of Understanding between relevant public institutions, such as a Ministry of Agriculture and a Food and Safety Agency, on oversight and implementation of SPS measures can also promote appropriate standards. Information sharing is also critical between government institutions; if the Ministry of Health undertakes audits and inspections to verify the compliance of facilities with public health standards, findings should be shared with other relevant government institutions.

Other ways that interagency cooperation can be advanced is through the establishment of a national interagency advisory commission to discuss implementation and oversight of SPS measures and regulatory issues. National committees focused on SPS concerns, as well as ones that provide technical support to both the public and private sectors, are also good practices. Information sharing and cooperation between SPS and law enforcement institutions, as well as among stakeholders at the local levels, can also ensure that opportunities for corruption may be reduced by increasing knowledge about what ought to be in place and enforcing penalties on those who fail to comply. Challenges in this area include a lack of financial and human resources within the relevant institutions or only partial coordination efforts amongst stakeholders.

#### **4.6. Promote Transparency and Raising Public Awareness about the SPS Measures**

Government efforts to promote transparency and raise public awareness about corruption risks related to SPS standards and measures can be achieved in a number of ways. Publishing activities of relevant government agencies, such as a national food authority on their respective websites, is one example. Also posting information publicly about any proposed phytosanitary standards and measures and allowing for public consultation, as well as publish how any comments that were received were addressed, can help advance transparency. Ensuring that both importers and exporters are aware of corruption risks is also vital.

In Kenya, a public website link that includes reports on the implementation of national control plans, legislation and their drafts related to the state food and veterinary control. It also has information about consultations on SPS measures, the number, nature and duration of the inspections carried out, if improper compliance or non-compliance was found pursuant to legal requirements and if it was addressed. Industry groups are also rated according to corruption risks, and inspection questionnaires, conclusions of external performance audits, as well as budgets and financial reports are also posted publicly.

Other public awareness activities may include launching large scale communication campaigns, training of stakeholders and public officials on corruption risks associated with SPS measures, and displaying information posters about animal diseases at international airports and border check points. It is also good practice to hold awareness raising meetings on corruption issues associated with SPS measures, that bring together stakeholders from the public, private and civil society sectors.

In addition, consumers can be informed about products and services subject to veterinary control and food safety by displaying key information in strategic locations (such as cash registers in a retailer). The information should also include a government toll-free number for the receipt of anonymous consumer complaints.

## Chapter Five: Recommendations

Given the extent of opportunities for corruption associated with the adoption, and most of all, implementation of SPS measures and the potential impact that corruption in this area has on the public health and the economic well-being of a country, it is recommended that Governments seek to protect their value chains for food, animal and plant products (and those who rely on it for their livelihoods) by better understanding the corruption risks and implementing targeted prevention and law enforcement strategies.

### *Address corruption related to SPS measures*

The creation and implementation of regulatory and law enforcement frameworks assumes good governance, but is often undermined by the existence of corruption. If resources are allocated to these frameworks but do not address corruption effectively, the potential impact of those resources is diminished significantly. If penalties for corruption associated with SPS measures are significant, then the successful prosecution and sentencing of cases involving corruption can have the benefit of acting as a deterrent for future criminal behaviour.

### *Understand the different corruption risks within each step of the value chain*

It is necessary for policymakers to gain a comprehensive understanding of each of the value chains for food, animal and plant products and who are the actors within them. This is critical for undertaking a successful corruption risk assessment and identifying how best to allocate resources when combating corruption.

### *Undertake a corruption-focused risk assessment*

By grounding a corruption risk assessment in the relevant value chain, the areas that are most at risk of corruption will emerge and any gaps in legislation or regulatory frameworks and their enforcement will also become evident. Once identified, risks can be graded to allow governments to prioritize those areas most vulnerable to corruption, and to focus their resources accordingly. The corruption risk assessment process includes a regular review cycle, as risks can diminish or increase over time or be impacted by strategies designed to address corruption. As a result, mitigation strategies will be dynamic, responding to the findings of each review cycle.

### *Implement a preventive approach*

The common wisdom has it that "prevention is better than cure". This is particularly true for the prevention of corruption when public health is at stake. Supporting prevention measures allows countries to minimize the damage that corruption inflicts on both their society and on the rule of law, and enhance the confidence that stakeholders hold in public institutions. The undertaking of a corruption risk assessment and management process, like the one put forward in chapter four, within the organizations tasked with overlooking the adoption, implementation, and control and monitoring of SPS measures, is strongly recommended.

One effective way to prevent corruption is to improve transparency at all stages of the value chain can include publicizing of data, creation of a whistle-blower policy, publishing of rules and regulations, increased digitalization and real time access to records across agencies and even legislative reform. These measures are not limited to governments with ample resources; even printing up-to-date quota allocations and displaying them to the public will improve transparency.

Also measures to raise awareness can be an effective tool to prevent corruption. Awareness raising measures need to target certain key groups: the farmers, food processors, the general public and the authorities tasked with governance. These measures should include education on the types of corruption that exist, how to recognize them, what to do when you see them. Governments can raise awareness through social media campaigns, in-house training (including information on available whistle-blowing support), and improved codes of conduct at work. An increase in public awareness of the detrimental effects of corruption will also result in increased public support for anti-corruption initiatives.

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## **Annex – Summary of the Application of SPS Standards in Four Food-Related Industries**

### **1. Agricultural Industry**

The international SPS standards in the agricultural industry are an interplay of various standards, guidelines, manuals and codes promulgated by the World Organization for Animal Health (OIE) and the Food and Agriculture Organization (FAO) for animal health and plant health respectively.

#### **Animal Health**

OIE standards are recognized by the World Trade Organization (WTO) as reference international sanitary rules. The WTO Agreement on the Application of SPS Measures (*SPS Agreement*) formally recognizes the role of the OIE as the international standard setting organization for animal health and zoonotic diseases. According to the SPS Agreement, WTO Members should align their import requirements with the recommendations in the relevant standards of the OIE. Where there are no OIE recommendations or if the country chooses a level of protection requiring measures more stringent than the standards of the OIE, these should be based on an import risk analysis conducted in accordance with the codes. Therefore, the codes are a key part of the WTO legal framework for international trade.

In 1968 and 1995, the OIE introduced the Terrestrial Animal Health Code and the Aquatic Animal Health Code with a view to providing standards for the improvement of terrestrial and aquatic animal health worldwide. The sanitary standards in both codes should be used by the competent authorities of importing and exporting countries for the setup of general measures and systems for early detection, reporting and control of pathogenic agents in terrestrial and aquatic animals, thereby preventing their spread via international trade and their harm inflicted on human health.

Apart from the aforementioned general measures and systems, topical issues including the (i) quality of terrestrial and aquatic animal health services, (ii) terrestrial and aquatic animal diseases diagnosis, prevention, surveillance and control, (iii) terrestrial and aquatic animal disease notification, (iv) antimicrobial resistance, (v) self-declaration and OIE official recognition of disease status, (vi) import risk analysis, international veterinary certification, trade measures and procedures, are also addressed by the codes.

For the purpose of an effective implementation of disease prevention measures, special chapters are incorporated in the codes to introduce (i) the appropriate disease-specific preventive measures to be taken by importing countries, (ii) the nature and risk reduction measures applicable to the traded terrestrial and aquatic animal products, and (iii) the proper representation of terrestrial and aquatic animal health status by exporting countries.

#### **Plant Health**

Plant health has increasingly become a challenge the rapid international trade and movement of goods is facilitating the introduction, spread and establishment of plant pests and diseases. What adds to this challenge is the use of pesticide to secure yields in plant production, which in many instances is proven to be detrimental to human health. The latter challenge, however, is attributable to the failure in beating off the former challenge because, as identified by the

FAO, a successful prevention of the spread of pests would have saved crops and hence reducing the need to use pesticides.

Member countries of the FAO created the International Plant Protection Convention (IPPC) with the aim to secure coordinated, effective action to prevent and to control the introduction and spread of pests of plants and plant products in their trade. Pursuant to the IPPC, the International Standards for Phytosanitary Measures (ISPMs) were developed to provide contracting parties of the IPPC with references for, inter alia: (i) the prescription and adoption of phytosanitary measures concerning the inspection on the imported plants and plant products, (ii) the performance of pest risk analysis, (iii) the establishment and updating of the lists of regulated pests, (iv) the identification of pest-free areas and areas of low pest prevalence, (v) the collection and recording of data on pest occurrence and absence to support phytosanitary certification, (vi) the reporting of the occurrence, outbreak or spread of pests that may be of immediate or potential danger, and (vii) the setup of a national plant protection organization charged with the responsibilities to implement the aforementioned measures.

Whilst the codes lay down the overarching principles of animal and plant health, the FAO also issued the Code of Practice on Good Animal Feeding and the International Code of Conduct on Pesticide Management seeking to put the use of animal feeding and pesticide under control to ensure food safety for human consumption.

## **2. Food Manufacturing Industry**

The food manufacturing process includes many of the same elements as manufacturing processes for other types of commodities, yet with particular attention paid predominantly to appearance and taste uniformity, food safety and cleanliness, and shelf life.

Recognizing foodborne parasites as the major public health burden worldwide<sup>61</sup>, the Codex Alimentarius Commission (CAC) promulgated the Guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites with a view to providing its member countries with guidance on preventing, reducing, inactivating, or otherwise controlling foodborne parasite hazards in the food chain, thereby minimizing the risk in public health.

The Guidelines are applicable to all foods from primary production through consumption. Despite its wide remit, the Guidelines address four main food categories, namely (i) meat and meat products, (ii) milk and milk products, (iii) fish and fishery products, and (iv) fresh fruits and vegetables, by setting out the corresponding measures to identify the foodborne parasites hazards and to control such parasites during their manufacturing process.

### **Meat and Meat Products**

The Guidelines make reference to the Code of Hygienic Practice for Meat issued by CAC which establishes, among others, that when meat preparations or manufactured meats are handled, (i) the process flow of raw meat awaiting processing and during processing should ensure uniform turnover of accumulated product and avoid possible cross-contamination, (ii) the supply and addition of non-meat ingredients should be subject to good hygienic practice

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<sup>61</sup> <https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1001920>

and HACCP<sup>62</sup> as appropriate and practicable, and may involve decontamination treatment, and (iii) pasteurization values or other heat processes should be validated for all heat-treated products in sealed containers to ensure that meat safety is maintained to the end of shelf life, taking into account all preservation factors that may be present. Besides, the code also sets out recommendations concerning the overall sanitary standards of the manufacturing plant, such as (i) the hygienic design of the facilities, equipment, lairages and slaughter areas, (ii) water supply, (iii) temperature control, and (iv) facilities and equipment for personal hygiene.

### **Milk and Milk Products**

The Guidelines make reference to the Code of Hygienic Practice for Milk and Milk Products issued by the CAC. The code recommends that manufacturers should utilize good manufacturing and good hygienic practices. Any needs for additional measures with regard to controlling hazards during primary production should be effectively communicated to the milk producer for adapting such additional measures in their operations. Likewise, the manufacturer may have to implement controls or adapt their manufacturing processes based on the ability of the milk producer to minimize or prevent hazards associated with the milk. Such additional needs should be supported by an adequate hazard analysis and should, where appropriate, take into consideration technological limitations during processing, and/or market demands.

### **Fish and fishery products**

The Guidelines make reference to the Code of Practice for Fish and Fishery Products issued by CAC. Recognizing the manufacturing of fresh, frozen and minced fish will range in sophistication, the code provides examples of potential hazards and defects and describes technological guidelines that can be used to develop control measures and corrective action in every manufacturing step.

### **Fresh Fruits and Vegetables**

The Guidelines make reference to the Code of Hygienic Practice for Fresh Fruits and Vegetables issued by CAC that addresses good manufacturing practices which will help control microbial, chemical and physical hazards associated with all stages of the production of fresh fruits and vegetables. The code provides a general framework of recommendations to allow uniform adoption by the manufacturers. The recommendations include the time and temperature control, post-harvest water use, chemical treatments, cooling of fresh fruits and vegetables, cold storage, microbiological and other specifications, and measures to prevent microbial, physical and chemical cross-contamination.

## **3. Food Processing Industry**

Food processing transforms foods from one form to another. In this day and age where there are high demands for food flavors, freshness, texture, appearance and other qualities, using food additives in the food processing stage seems unavoidable. Some food additives come from a natural source whilst some can be synthetic. There are several thousands of food additives

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<sup>62</sup> Hazard analysis and critical control points (HACCP) is a systematic preventive approach to food safety from biological, chemical, physical hazards and more recently radiological hazards in production processes that can cause the finished product to be unsafe and designs standards and measures to reduce these risks to a safe level.

commonly used, all of which are designed to do a specific job in making food more appealing. As such, it is of paramount importance to ensure that the food additives being used undergo a proper assessment into the risk they run on human health.

The Codex Committee on Food Additives (CCFA) under the CAC is tasked to, among others, establish and endorse permitted maximum levels of individual food additives. The CCFA promulgated the General Standard for Food Additives setting out the list of food additives recognized as suitable for use in foods, the foods in which additives may and may not be used, and the maximum use levels for food additives. The general standard is further complemented by the Guidelines for the Use of Flavorings and the Guidelines on Substances used as Processing Aids, of which their combination produces a referential international standard.

### **General Standard for Food Additives**

The general standard requires that the use of food additives shall adhere to the principles that (i) the food additives shall present no appreciable health risk to consumers at the use levels proposed on the basis of available evidence from JECFA<sup>63</sup>, (ii) the use of food additives is justified only when such use has an advantage, does not present an appreciable health risk to consumers, does not mislead the consumer, and serves one or more of the technological functions and needs set out by the CAC, and only where these objectives cannot be achieved by other means that are economically and technologically practicable; (iii) the food additives should be used under conditions of good manufacturing practice; and (iv) the food additives shall be of appropriate food grade quality and shall at all times conform with the applicable specifications recommended by the CAC or, in the absence of such specifications, with appropriate specifications developed by responsible national or international bodies.

### **Guidelines for the Use of Flavorings**

In accordance with the guidelines, the use of flavorings in food shall not lead to unsafe levels of their intake and their use shall be justified only where they impart or modify flavor to food without misleading the consumers about the nature or quality of food. Besides, flavorings should be of a purity suitable for use in food. Unavoidable impurities should not be present in the final food at levels that would pose an unacceptable risk to health.

On occasions, flavorings may contain non-flavoring food ingredients, including food additives and foodstuffs, necessary for their production, storage, handling, and use. Such ingredients should nonetheless be kept to the minimum to the extent necessary for ensuring the safety and quality of flavorings, and for facilitating their storage and ease of use.

### **Guidelines on Substances used as Processing Aids**

The guidelines provide that whilst the use of a substance as a processing aid<sup>64</sup> is justified when such use performs one or more technological functions during treatment or processing of raw

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<sup>63</sup> Joint FAO/WHO Expert Committee on Food Additives

<sup>64</sup> Processing aid means any substance or material and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final product

materials, foods or ingredients, the quantity of such substance should be limited to the lowest achievable level necessary to accomplish its desired technological function. Residues or derivatives of the substance remaining in food as a result of the use of processing aids should also be reduced to the extent reasonably achievable and should not pose any health risk. As an additional safeguard, the guidelines further provide that the substances used as processing aids should comply with any applicable microbiological criteria established in accordance with the relevant principles, codes and texts issued by the CAC.

#### **4. Food Distribution, Wholesale and Retailing Industry**

Regardless of the manufacturing or processing method, all manufacturer's products will route through warehouse and distribution at certain point in the logistical life cycle. Foods therefore must be adequately protected during their transportation. On international level where foods are imported into and exported from countries, the CAC puts forward a mixture of guidelines with a view to setting down the essential principles underpinning an effective food inspection and certification system on which member countries rely for deciding on the food safety.

##### **General Principles of Food Hygiene**

Regarding transportation on domestic level, the General Principles of Food Hygiene issued by the CAC suggests that conveyances and bulk containers should be designed and constructed so that they (i) do not contaminate foods or packaging, (ii) can be effectively cleaned and disinfected, (iii) permit effective separation of different foods or foods from non-food items where necessary during transport, (iv) provide effective protection from contamination, including dust and fumes, (v) can effectively maintain the temperature, humidity, atmosphere and other conditions necessary to protect from harmful or undesirable microbial growth and deterioration likely to render it unsuitable for consumption, and (vi) allow any necessary temperature, humidity and other conditions to be checked.

With international trade, more complex food control measures are required. These include having an inspection and certification system officially recognized by the food trading countries. This can provide quality and safety assurance for the food supply to the food importing country. Accordingly, the CAC issued the following guidelines to assist member countries in setting up a good inspection and certification system.

##### **Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems**

The Guidelines encourage member countries to establish an inspection and certification system infrastructure with the appropriate legislative framework, controls, procedures, facilities, equipment, laboratories, transportation, communications, personnel and training being put in place to support the overall objectives of the inspection and certification system. To ensure reliability, either a self-evaluation or a third-party evaluation on the effectiveness of the inspection and certification system using internationally recognized assessment and verification procedures is encouraged. In addition, the Guidelines emphasize that the operations of the inspection and certification system be as transparent as possible.

##### **Guidelines for the Development of Equivalence Agreements Regarding Food Imports and Export Inspection and Certification Systems**



Having established an officially recognized inspection and certification systems, the Guidelines recommended member countries enter into equivalence agreements concerning food import and export inspection and certification systems. This can provide an enhanced means of assuring that exported products conform to importing country requirements. The significance of the equivalence agreement is that the more the equivalence agreement is entered into by member countries, the more the standard of the inspection and certification systems is aligned.

### **Guidelines for the Exchange of Information between Countries on Rejections of Imported Foods**

Notwithstanding any pre-existing agreement, the Guidelines provides that the importing countries reserve the rights of rejection where the competent authority of the importing country has identified that the consignment does not comply with importing country requirements, such as when there is evidence that the consignment has been compromised during handling, storage and transportation. In case of such, information on the non-compliance should be communicated to the exporting country so as to enable the latter to conduct an investigation into the cause and to implement the necessary preventive and corrective measures. The Guidelines further recommends that, where assistance is requested by the exporting country, the information on rejections of imported goods should be made available to FAO and WHO for them to assist the exporting country in its efforts to meet the requirements of the importing country, thereby bridging the gaps between worldwide standards.

DRAFT DOCUMENT



ที่ สธ ๐๒๑๗/๓๐๕๗

กระทรวงสาธารณสุข  
ถนนติวานนท์ จังหวัดนนทบุรี ๑๑๐๐๐

๑๓ สิงหาคม ๒๕๖๓

เรื่อง ส่งข้อมูลเกี่ยวกับมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืช ตามข้อมติของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (UNCAC)

เรียน เลขาธิการคณะกรรมการ ป.ป.ช.

อ้างถึง หนังสือสำนักงาน ป.ป.ช. ด่วนที่สุด ที่ ปช ๐๐๒๗/๐๑๒๗ ลงวันที่ ๒๔ กรกฎาคม ๒๕๖๓

สิ่งที่ส่งมาด้วย ๑. มาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข จำนวน ๑ เล่ม  
๒. มาตรการในด้านสุขอนามัยและสุขอนามัยพืช จำนวน ๑ เล่ม

ตามหนังสือที่อ้างถึง สำนักงาน ป.ป.ช. ขอความอนุเคราะห์ให้กระทรวงสาธารณสุข จัดส่งข้อมูลเกี่ยวกับประสบการณ์และแนวปฏิบัติที่ดี รวมถึงมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืช ตามข้อมติของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (UNCAC) ไปยังสำนักงาน ป.ป.ช. ภายในวันที่ ๓๐ กรกฎาคม ๒๕๖๓ ทางไปรษณีย์อิเล็กทรอนิกส์ alisa.nacc@gmail.com , patt.leelahawong@gmail.com นั้น

กระทรวงสาธารณสุข ขอส่งข้อมูลเกี่ยวกับประสบการณ์และแนวปฏิบัติที่ดี รวมถึงมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืช ตามข้อมติของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (UNCAC) ตามสิ่งที่ส่งมาด้วย ๑. และ ๒.

จึงเรียนมาเพื่อโปรดทราบ และพิจารณาดำเนินการในส่วนที่เกี่ยวข้องต่อไป

ขอแสดงความนับถือ

**พงษ์ ธรรมวุฒิ**

(นายยงยศ ธรรมวุฒิ)

รองปลัดกระทรวงสาธารณสุข

หัวหน้ากลุ่มภารกิจด้านพัฒนาการแพทย์

ปฏิบัติราชการแทนปลัดกระทรวงสาธารณสุข

สำนักงานปลัดกระทรวงสาธารณสุข

ศูนย์ปฏิบัติการต่อต้านการทุจริต กระทรวงสาธารณสุข

โทร. ๐ ๒๕๕๐ ๑๓๓๐ / โทรสาร ๐ ๒๕๕๐ ๑๓๓๐

ประสานข้อมูลที่ นางสาวสุชาภา วรินทร์เวช นักวิเคราะห์นโยบายและแผนชำนาญการพิเศษ

หมายเลขโทรศัพท์ ๐๘ ๑๙๓๑ ๕๓๘๘

ด่วนที่สุด



กคท.

[Signature]

20 ส.ค. 2563

กระทรวงสาธารณสุข

ถนนติวานนท์ จังหวัดนนทบุรี ๑๑๐๐๐

ที่ สธ ๐๖๒๐/๗๐๗๗

๑๗ สิงหาคม ๒๕๖๓

เรื่อง ข้อมูลเกี่ยวกับมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืชตามข้อมติของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (UNCAC)

เรียน เลขาธิการคณะกรรมการ ป.ป.ช.

อ้างถึง หนังสือสำนักงาน ป.ป.ช. ด่วนที่สุด ที่ ปช ๐๐๒๗/๐๑๒๗ ลงวันที่ ๒๔ กรกฎาคม ๒๕๖๓

ตามหนังสือที่อ้างถึง ได้รับแจ้งจากกระทรวงการต่างประเทศว่าด้วยฝ่ายเลขานุการของการประชุมรัฐภาคีอนุสัญญาสหประชาชาติว่าด้วยการต่อต้านการทุจริต (United Nations Convention against Corruption UNCAC) ขอรับข้อมูลเกี่ยวกับประสบการณ์และแนวปฏิบัติที่ดี รวมถึงมาตรการเพื่อป้องกันและปราบปรามการทุจริตในด้านการสาธารณสุข และมาตรการในด้านสุขอนามัยและสุขอนามัยพืช และเพื่อให้การรวบรวมข้อมูลตามมติดังกล่าวเป็นไปอย่างครบถ้วนสมบูรณ์ สำนักงาน ป.ป.ช. จึงขอความอนุเคราะห์กระทรวงสาธารณสุข ซึ่งเป็นหน่วยงานที่มีภารกิจเกี่ยวข้องกับประเด็นดังกล่าว ให้ข้อมูลหรือการดำเนินการที่เกี่ยวข้อง และแจ้งไปยังสำนักงาน ป.ป.ช. ความละเอียดแจ้งแล้วนั้น

ในการนี้ กระทรวงสาธารณสุข ขอเรียนว่าโดยบริบทและพันธกิจของกระทรวงสาธารณสุข โดยกรมวิทยาศาสตร์การแพทย์ ซึ่งมีภารกิจหลักในการตรวจวิเคราะห์ทางห้องปฏิบัติการด้านอาหาร และผลิตภัณฑ์สุขภาพที่เกี่ยวข้อง เพื่อควบคุมคุณภาพ ประสิทธิภาพและมาตรฐานให้เป็นไปตามกฎหมาย และเพื่อสนับสนุนการป้องกัน และควบคุมโรค ยึดหลักการดำเนินการตามระบบคุณภาพสากลที่เกี่ยวข้อง ทั้ง ISO 9001, ISO/IEC 17025, ISO/IEC 17043 เป็นต้น นอกจากนี้ในการปฏิบัติงานต่าง ๆ ที่เกี่ยวข้องจะปฏิบัติตามกฎระเบียบราชการอย่างเคร่งครัด

จึงเรียนมาเพื่อโปรดทราบ

ขอแสดงความนับถือ

[Signature]

(นายพิศิษฐ์ ศรีประเสริฐ)

รองปลัดกระทรวงสาธารณสุข

หัวหน้ากลุ่มภารกิจด้านสนับสนุนงานบริการสุขภาพ

กรมวิทยาศาสตร์การแพทย์  
สำนักคุณภาพและความปลอดภัยอาหาร  
โทร. ๐ ๒๕๕๑ ๐๐๐๐ ต่อ ๕๕๕๖๕  
โทรสาร ๐๒ ๕๕๑ ๑๐๒๑

มอบคุณอธิสา

[Signature]

นางสาวจิราพร บุรินทร์วานิช

ผู้อำนวยการสำนักกิจการและคดีทุจริตระหว่างประเทศ

21 ส.ค. 2563

แบบฟอร์มการขอเผยแพร่ข้อมูลผ่านเว็บไซต์ของหน่วยงานในราชการบริหารส่วนกลาง  
สำนักงานปลัดกระทรวงสาธารณสุข

ตามประกาศสำนักงานปลัดกระทรวงสาธารณสุข

เรื่อง แนวทางการเผยแพร่ข้อมูลต่อสาธารณะผ่านเว็บไซต์ของหน่วยงาน พ.ศ. ๒๕๖๑  
สำหรับหน่วยงานในราชการบริหารส่วนกลางสำนักงานปลัดกระทรวงสาธารณสุข

แบบฟอร์มการขอเผยแพร่ข้อมูลผ่านเว็บไซต์ของหน่วยงานในสังกัดสำนักงานปลัดกระทรวงสาธารณสุข

ชื่อหน่วยงาน : ศูนย์ปฏิบัติการต่อต้านการทุจริต กระทรวงสาธารณสุข

วัน/เดือน/ปี : ๑๐ เมษายน ๒๕๖๔

หัวข้อ: หนังสือขอความอนุเคราะห์ความเห็นต่อร่างเอกสาร เรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้อง  
กับมาตรการสุชนามัยและสุชนามัยพีช และเอกสารที่เกี่ยวข้อง

รายละเอียดข้อมูล (โดยสรุปหรือเอกสารแนบ)

หนังสือขอความอนุเคราะห์ความเห็นต่อร่างเอกสาร เรื่อง ความเสี่ยงของการทุจริตที่เกี่ยวข้อง  
กับมาตรการสุชนามัยและสุชนามัยพีช และเอกสารที่เกี่ยวข้อง

Link ภายนอก: ไม่มี

หมายเหตุ: .....

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**ผู้รับผิดชอบการให้ข้อมูล**

สุชาภา วรินทร์เวช

(นางสาวสุชาภา วรินทร์เวช)

ตำแหน่ง นักวิเคราะห์นโยบายและแผนชำนาญการพิเศษ

วันที่ ๑๐ เดือน เมษายน พ.ศ. ๒๕๖๔

**ผู้อนุมัติรับรอง**

สุชาภา วรินทร์เวช

(นางสาวสุชาภา วรินทร์เวช)

ตำแหน่ง นักวิเคราะห์นโยบายและแผนชำนาญการพิเศษ (หัวหน้า)

วันที่ ๑๐ เดือน เมษายน พ.ศ. ๒๕๖๔

**ผู้รับผิดชอบการนำข้อมูลขึ้นเผยแพร่**

พศวีร์ วัชรบุตร

(นายพศวีร์ วัชรบุตร)

นักทรัพยากรบุคคลปฏิบัติการ

วันที่ ๑๐ เดือน เมษายน พ.ศ. ๒๕๖๔