

Overview of RIA (Regulatory Impact Assessment) & its implementation in CODEX system

ITP 602

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RIA ... what's for?

- Clear justification for the need of Regulation
- Explore and assess the alternatives (taxes, grants or fines)
- Identify all costs and benefits
- Enhance the quality and relevance of regulation
- Improve governance systems
- Improve public service outputs
- Enhance consultation
- “Try out ” of negotiations
- Prepare → “no surprises”

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RIA ... facilitates policy-maker to

- Encourage a more structured and explicit examination of expected costs and benefits
- Highlight importance of consultation with stakeholders
- Encourage earlier focus on enforcement and compliance issues
- Who will enforce the regulations, what are the compliance targets?
- Introduce performance indicators for regulations, so that we can know if regulations are working well (or not working well)
- Respond to potential “dispute” → WTO
- **Can help address cross-cutting issues**
- **Can identify unintended effects as well as alternative solutions**

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RIA (Regulatory Impact Assessment) is.....

- **Framework for assessing the likely effects of a proposed regulation, or of regulatory change**
- **Means of assessing the impacts, side effects and costs of regulation**
- **Includes structured consultation with stakeholders and citizens**
- **Discipline to be applied at early stage in the regulatory cycle – before Government decides to regulate**
- **Not a substitute for decision-making but can help to inform policy decisions**

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RIA (Regulatory Impact Assessment) is.....

a vetting process...

- Before recommending regulations, policy review should be done
- consider the potential for alternative approaches → RIA



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RIA ... at CODEX

a vetting process...

- Before starting a new work!
- Develop Discussion paper & Project document

C O D E X A L I M E N T A R I U S

Joint FAO/WHO Food Standards Programme

CODEX ALIMENTARIUS COMMISSION

PROCEDURAL MANUAL

Twenty-fourth edition



Food and Agriculture
Organization of the
United Nations



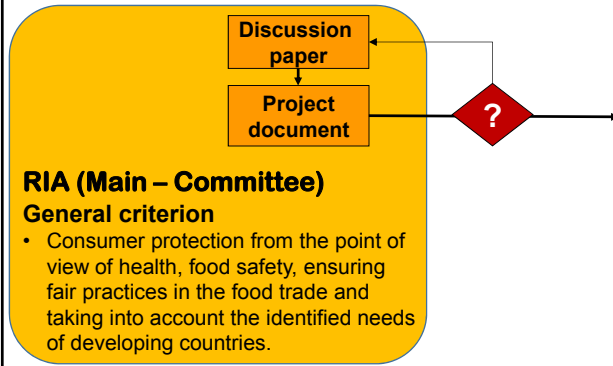
World Health
Organization

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RIA ... at CODEX

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Committee

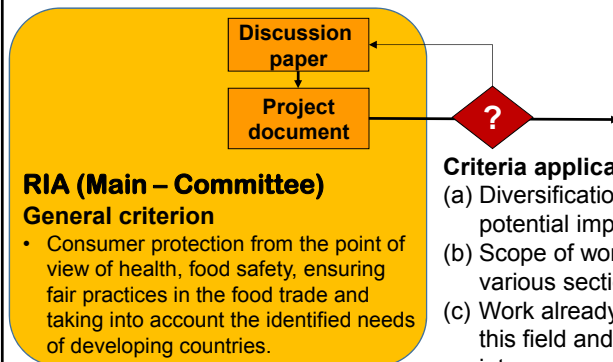


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Criteria applicable to general subjects

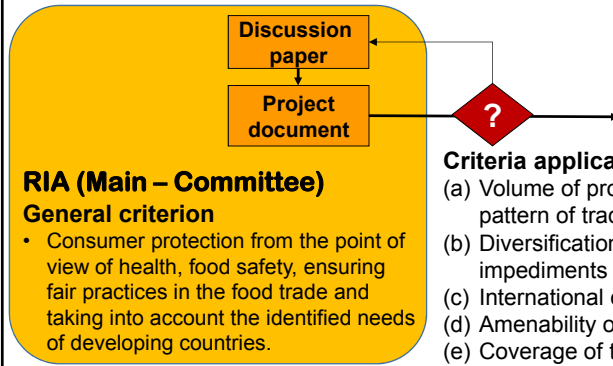
- Diversification of national legislations and apparent resultant or potential impediments to international trade.
- Scope of work and establishment of priorities between the various sections of the work.
- Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies).
- Amenability of the subject of the proposal to standardization.
- Consideration of the global magnitude of the problem or issue.

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Criteria applicable to commodities

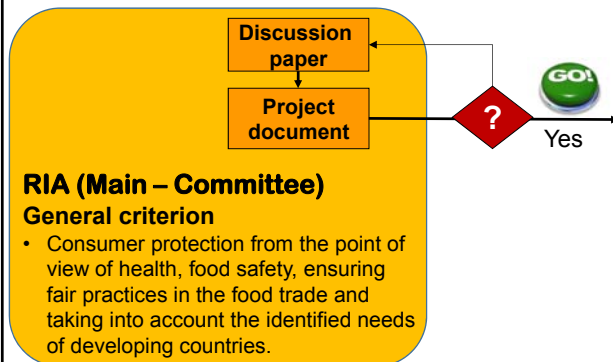
- Volume of production and consumption in individual countries and volume and pattern of trade between countries.
- Diversification of national legislations and apparent resultant or potential impediments to international trade.
- International or regional market potential.
- Amenability of the commodity to standardisation.
- Coverage of the main consumer protection and trade issues by existing or proposed general standards.
- Number of commodities which would need separate standards indicating whether raw, semi-processed or processed.
- Work already undertaken by other intern'l organizations in this field and/or suggested by the relevant intern'l intergovernmental body(ies).

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RIA ... at CODEX

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Executive Comm (critical review)



RIA (Final check!!! – at CCEXEC and CAC)

General criterion

- Consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries.

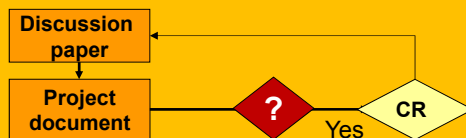
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RIA ... at CODEX

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Critical Review (CCEXEC) :

1. Prior to approval for development, each proposal for new work or revision of a standard shall be accompanied by a project document, prepared by the Committee or Member proposing new work or revision of a standard, detailing:
 - the purposes and the scope of the standard;
 - its relevance and timeliness;
 - the main aspects to be covered;
 - an assessment against the *Criteria for the Establishment of Work Priorities*;
 - relevance to the Codex strategic objectives;
 - information on the relation between the proposal and other existing Codex documents as well as other ongoing work;
 - identification of any requirement for and availability of expert scientific advice;

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- identification of any requirement for and availability of expert scientific advice.

- identification of any need for technical input to the standard from external bodies so that this can be planned for;
- the proposed time-line for completion (including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years).

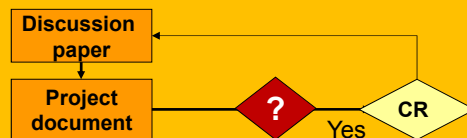
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Critical Review (CCEXEC) :

2. The decision to undertake new work or to revise standards shall be taken by the Commission taking into account a critical review conducted by the Executive Committee.
3. The critical review includes:
 - examination of proposals for development/revision of standards, taking into account the "Criteria for the Establishment of Work Priorities", the strategic plan of the Commission and the required supporting work of independent risk assessment;
 - identifying the standard setting needs of developing countries;
 - advice on the need for coordination of work between relevant Codex subsidiary bodies

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SMP/2011/1031

Committee

Executive Comm (critical review)

Discussion paper

↓

Project document

?

Yes

CR

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 - identifying the standard setting needs of developing countries;
 - advice on the need for coordination of work between relevant Codex subsidiary bodies
 - advice on establishment and dissolution of committees and task forces, including *ad hoc* cross-committee task forces (in areas where work falls within several committee mandates); and
 - preliminary assessment of the need for expert scientific advice and the availability of such advice from FAO, WHO or other relevant expert bodies, and the prioritisation of that advice.

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Step 1 (CAC) :

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 - identifying the standard setting needs of developing countries;
 - advice on the need for coordination of work between relevant Codex subsidiary bodies
 - advice on establishment and dissolution of committees and task forces, including *ad hoc* cross-committee task forces (in areas where work falls within several committee mandates); and
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Discussion paper

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General criterion

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Executive Comm (critical review)
Commission (adoption)

Step 1 (adoption of a new work)

- The Commission decides, taking into account the outcome of the critical review conducted by the Executive Committee, to elaborate a World-wide Codex Standard and also decides which subsidiary body or other body should undertake the work.
- A decision to elaborate a World-wide Codex Standard may also be taken by subsidiary bodies of the Commission in accordance with the above mentioned outcome, subject to subsequent approval by the Commission at the earliest possible opportunity.
- In the case of Codex Regional Standards, the Commission shall base its decision on the proposal of the majority of Members belonging to a given region or group of countries submitted at a session of the CAC.

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Committee

Discussion paper

Project document

Executive Comm (critical review)
Commission (adoption)

Step 2

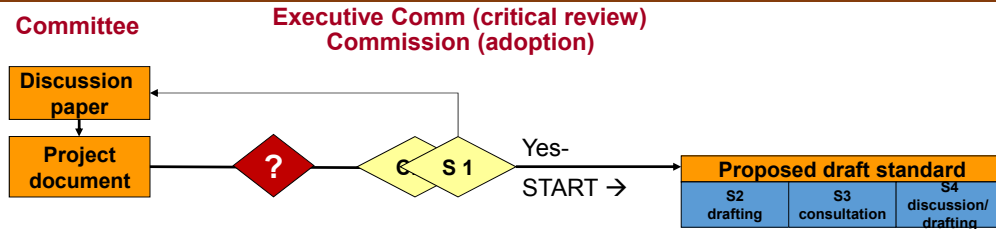
The Secretariat arranges for the preparation of a proposed draft standard.

In the case of Maximum Limits for Residues of Pesticides or Veterinary Drugs, the Secretariat distributes the recommendations for maximum limits, when available from the Joint Meetings of the FAO Panel of Experts on Pesticide Residues in Food and the Environment and the WHO Core Assessment Group on Pesticide Residues (JMPR), or the Joint FAO/WHO Expert Committee on Food Additives (JECFA). Any other relevant information regarding risk assessment work conducted by FAO and WHO should also be made available. In the cases of milk and milk products or individual standards for cheeses, the Secretariat distributes the recommendations of the International Dairy Federation (IDF).

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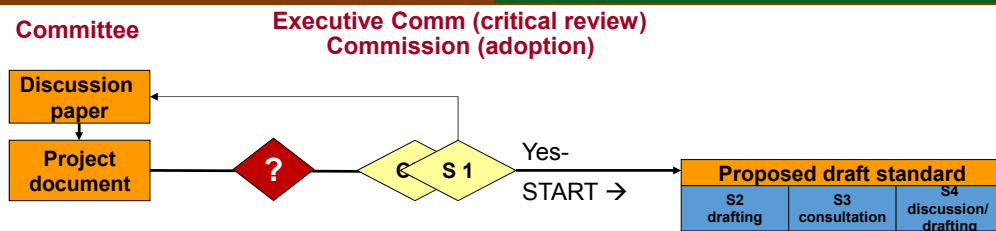
Step 3

The proposed draft standard is **sent to Members of the Commission and interested international organizations for comment** on all aspects including possible implications of the proposed draft standard for their economic interests.

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Step 4

The comments received are sent by the Secretariat to the subsidiary body or other body concerned which has the power to consider such comments and to amend the proposed draft standard.

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