

Guidelines: Coaching Food Safety Policy and Regulatory Activities



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INTRODUCTION

This publication, “Guidelines: Coaching Food Safety Policy and Regulatory Activities (the Coaching Guidelines), was produced by the IFC Food Safety Advisory with financial support from the Facility for Investment Climate Advisory Services (FIAS).

This publication was developed by Kateryna Onul, Policy Lead, IFC Global Food Safety Advisory based on multiyear team experience through work with national and international food safety policy and regulatory consultants in economies across the world. Special thanks to IFC colleagues Natia Mgeladze, Yuriy Zvazhenko, Uy Duc Pham, Jacqueline Njonjo, and Ghislaine Bertille Youmbi Epe Muyangata for their support and insights during the drafting of the Coaching Guidelines.

The publication provides guidelines for coaching among IFC staff and consultants involved in activities centered on food safety policies and regulations, including in collaboration with the public sector. Its main objective is to ensure that the approach is consistent across IFC engagements in policy and regulatory work in food safety and related areas (for example, food fortification, food loss, and food waste) and that IFC consultants performing such activities understand the principles and approaches followed by IFC.

While the Guidelines target IFC teams with food safety agendas, they may also be a useful tool for

food safety policy experts in other organizations in the public or private sector. The annex shared in the Coaching Guidelines have been developed based on IFC requirements; however, it may be useful as example for those involved in food safety policy activities.

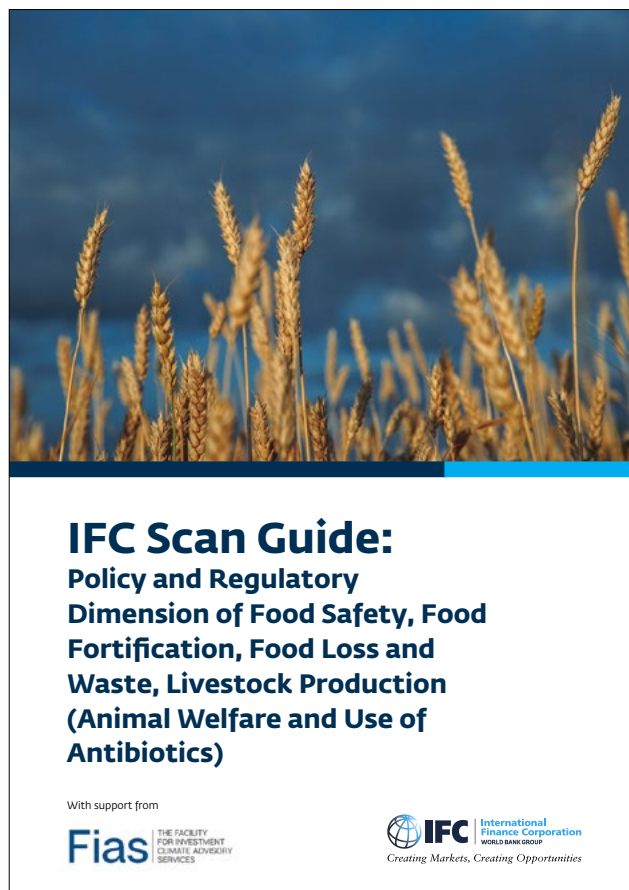
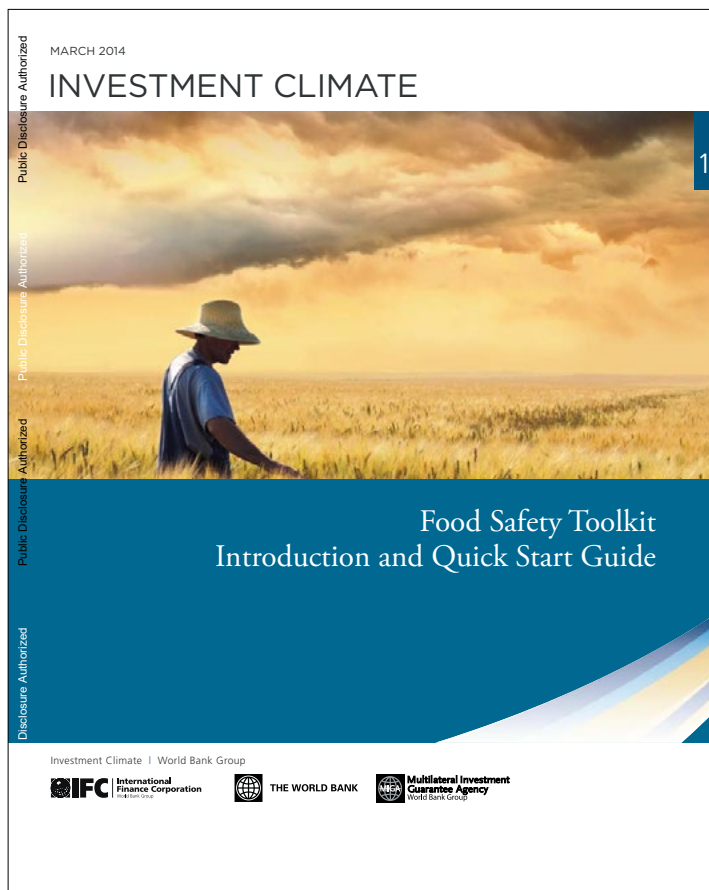
To maintain the efficiency of the project and to guarantee the quality of the deliverables, IFC teams should ensure that any consultant selected have the desired skills. To achieve this, the selection criteria shared in annex should be used. The suggested criteria are not exhaustive. It is recommended that they be used as a baseline. They may be adjusted during the development of a terms of reference. In addition, annex contains examples of the activities that the consultant may be required to undertake.

Once the scope of the work has been outlined and the consultant has been selected, the consultant should be briefed about the following:

- The IFC Food Safety policy agenda in general and in the country where the consultant will operate
- The IFC country strategy and other documents of the World Bank linked to activities in the food safety area or the agriculture sector

The briefing must be conducted prior to the implementation of the project’s food safety policy agenda.

The consultant should also be aware of the policy and regulatory context in food safety in the country



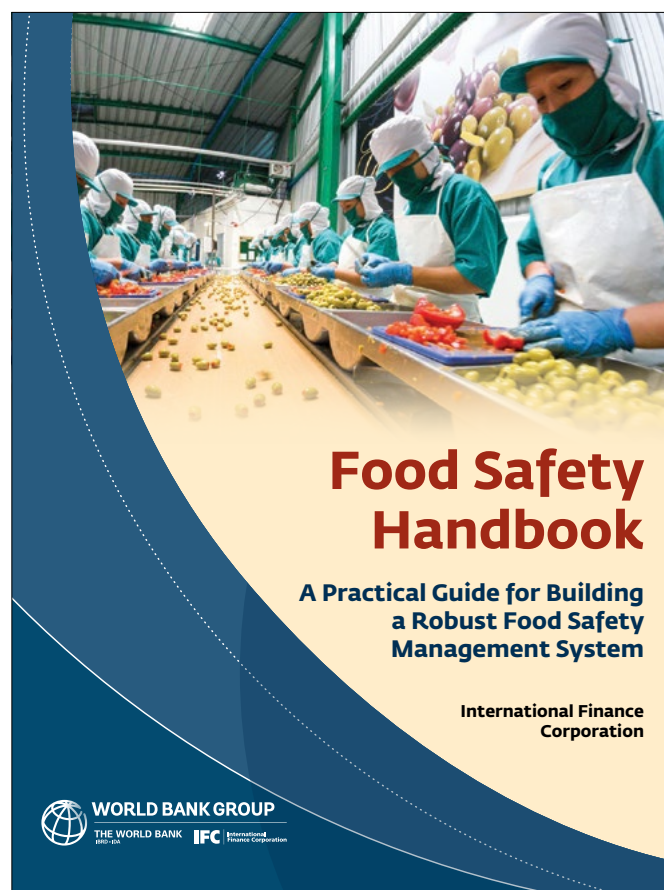
in which the activities are to be performed. If food safety policy work is planned to be performed by a local consultant, it is the team leader's responsibility to determine who should brief the consultant about the relevant policy and regulatory context in the country. If an international consultant is hired, this expert should work in tandem with local project staff, who can explain how policies and legislation in general and in the food sector in particular are developed, adopted, and implemented in the country.

The IFC Global Food Safety Advisory supports IFC teams in the assessment of national food safety systems and the identification of bottlenecks in the development of the food industry. For this purpose, the IFC Food Safety Scan Guide and other assessment tools and knowledge materials have been developed by the IFC Global Food Safety Advisory. To ensure maximum efficiency and effectiveness among regional teams working in food policy and the regulatory dimension, regional team leaders should schedule a meeting with the policy lead of the IFC Global Food Safety Advisory. The policy lead will walk the regional team through these Guidelines and other resources developed by IFC and the World Bank on food safety policy and regulations.

IFC food safety policy consultants should be aware of the key elements of the national food safety system and how to conduct assessments of national food safety policies and regulations. To achieve this goal, they should read [the World Bank food safety reform toolkit](#). Another important source for IFC food safety policy work is [the IFC Food Safety Scan](#)

[Guide](#), which explains how to conduct a proper analysis of national policies and regulations in food safety. The Scan Guide also explains how to conduct assessments of policy and the regulatory dimension in food fortification, food loss, food waste, and animal welfare in livestock production.

To be able to assess the efficiency of national food safety policies and legislation, the consultant should be aware of the practical aspects of a food safety management system: the nature of the system, the key elements, how the system operates, how it is managed, and many others. The [IFC Food Safety Handbook](#) explains what food safety management system is and how it operates. The handbook also offers briefs on the principal global food safety regulations and addresses relevant regulations of the European Union (EU) and the United States. The handbook includes an overview of food safety in relevant regional trade organizations, joint approaches to food safety legislation, and the production and marketing of food products. Box 1 describes additional relevant IFC resources.



Box 1. Other IFC Food Safety Resources

Other resources developed by IFC with which the consultant should be familiar in working on the food safety agenda include the following:

- [Food Safety Reforms, Learning from the Best: The New Zealand Food Safety System in Case Studies](#): a self-paced learning course developed by the IFC Global Food Safety Advisory;
- [IFC Food Safety Handbook](#) webinars
- [The Basics of Food Traceability](#)*

The recently developed publication "The New Zealand Food Safety System in Case Studies" will be of great use among those working on the development of recommendations to improve the elements of a national food safety system because it presents examples from New Zealand, which has a national food safety system that is considered to be one of the most reliable and efficient systems in the world. The publication explains New Zealand's experience in the following:

- Guiding principles of food safety reform
- Legislative reform
- Institutional structure
- Risk assessment, enforcement, and inspections
- Traceability and its role in food safety
- Principles of food safety management

* All resources are available at Global Food Safety Advisory Program (dashboard), International Finance Corporation, Washington, DC, <https://www.ifc.org/foodsafety>



1. POLICIES, LEGISLATION, AND STANDARDS

1.1. International and regional resources

The IFC engagement in activities in the policy dimension of a national food safety system requires knowledge and understanding of regional and international resources, including the following.

a. International (a must list) ¹	b. Regional
<ul style="list-style-type: none"> • World Trade Organization Sanitary and Phytosanitary (SPS) Agreement • World Trade Organization Technical Barriers in Trade Agreement • Documents developed by the Codex Alimentarius Commission • Documents of the Food and Agriculture Organization of the United Nations (FAO) • World Organization for Animal Health documents, including the Terrestrial Animal Health Code: General Provisions • International Plant Protection Convention documents and standards <p>To understand whether the national food safety system is operating in line with the recent international agenda and trends, one must be familiar with the One Health Joint Plan of Action of FAO, the World Health Organization, the World Organization for Animal Health, and the United Nations Environment Programme.</p> <p>Those interested in learning more about the One Health approach should take the online World Bank training course The Operationalization of One Health Course I: Introduction to the One Health Approach.</p>	<ul style="list-style-type: none"> • The Africa Continental Free Trade Area and documents developed by the Agriculture and Food Security Division of the African Union • Asian Food Safety Policy • EU food safety legislation • The regional obligations of the specific county that involve food safety <p>In addition, engagement in food safety policy work will require an understanding of the status of the development and implementation of SPS measures in the country. To achieve this, a review of the Guide on Good Regulatory Practices in the SPS Area developed by the Standards and Trade Development Facility is recommended. The guide contains tools that could help in determining if SPS measures are fit for purpose, and it provides a tool to gauge whether the SPS challenge may be addressed without government interventions.</p>

¹ Details on this list and links to websites and useful resources of these organizations are available in the IFC Scan Guide.

1.2. National food safety policy and legislation

The best approach to issues linked to food safety policies and legislation in any country is to involve a local expert who is a native speaker. This will ensure a precise understanding of policy and legal texts. Thus, an IFC food safety policy consultant who is working in a country should either be a native speaker or work in close collaboration with a local legal expert who can support the consultant.

Along with the use of available national databases, it is also recommended to work with the [FAOLEX database](#), which provides information on national legislation, policies, and bilateral agreements on food, agriculture, and natural resource management. However, because the FAOLEX database managers do not guarantee that all the information on the database is complete and up-to-date, the database should be used only as a guide, and all legal texts should be checked against national legal databases or by a national legal consultant.

Another useful resource for policy and regulatory work in food safety is the [EU database on audit](#)

[reports in third countries](#). Regardless of whether one plans to harmonize national legislation with EU food safety requirements, the audit reports provide abundant information that highlights the correspondence of third-country national food safety legislation with EU legislation, which is based on the Codex Alimentarius and is considered one of the most advanced bodies of legislation on food safety in the world. Besides the reports produced by experts at the EU Food and Veterinary Office, the EU database includes the responses of competent authorities in the audited countries to the recommendations in the reports. This information is extremely useful in analyzing the status of national food safety regulations in a country, and it also illustrates the level of readiness of governments to improve the food safety regulatory framework and whether such improvement is a priority.

In working with EU legislation, one should consult [EUR-Lex](#).

National food safety policy

In work on a public sector food safety agenda, it is important to analyze the national policies that exist in the target area, when they were developed, and whether they reflect regional and international food safety policies.

It may be the case that there is no stand-alone national food safety policy in the country, but food

safety, along with linked issues, is covered separately in national food policy, national public health policy, national food security policy, and other policy areas. If this is so, the IFC consultant should develop a list of national policies in which food safety is a focus, including the dates of adoption of the policies and any amendments.

National food safety legislation

Engagement in the national regulatory dimension should aim to analyze, improve, and update food safety legislation. The process may be initiated by developing an inventory of legal acts in which food safety and related issues are covered. Work on such an inventory should consider the hierarchy of legal acts in the country and identify the main food laws and subsidiary legislation. At the same time, the hierarchy of legal acts may be different in civil law and in common law. This should be considered in developing the list of food safety legislation.²

The inventory should include the latest date of adoption of each legal act. The dates of amendments

should also be specified. This will allow one to determine whether the basic law—if there is one—and the rest of the laws and regulations are harmonized and consistent. The exercise will also show if national food safety legislation considers the latest trends in international food safety legislation and Codex recommendations.

A well-executed inventory of national food legislation will produce a list of laws including the general food law and laws governing specific issues. If there is no general law, the inventory will contain a list of laws that govern common food safety issues. Each law should be followed by a list of subordinate legal acts that are mentioned in the law.

² See "Key Features of Common Law or Civil Law Systems," Public-Private Partnership Legal Resource Center, World Bank, Washington, DC, https://ppp.worldbank.org/public-private-partnership/legislation-regulation/framework-assessment/legal-systems/common-vs-civil-law#Common_Law_System.

In planning interventions to improve national food safety legislation either by amending existing legislation or by supporting the drafting of new legal acts, analysis should be undertaken to determine the extent to which current national food safety legislation—general food law or several laws that regulate food safety—complies with international standards (box 2).

In working on regulatory issues in food safety, the IFC consultant should be aware of how national food law is organized in the country, for example, whether it is primarily based on standards or primarily reflects a risk-based scientific approach. The difference in approaches is notable. Whereas the former is based on end-product compliance to specific technical regulations or standards, the latter is based on preventive measures and the minimization of the risks associated with each process throughout the complete food chain. These differences have significant implications for the content and organization of laws and regulations, monitoring and control, inspection, testing, labeling, approaches to food quality, and the responsibilities of government, industry, and consumers in ensuring that food is safe.

1.3. Food safety standards and certification programs

The IFC food safety policy consultant should be conversant in food safety standards and certification processes. A variety of private sector and government certification programs and standards for food safety management are recognized by the Global Food Safety Initiative (GFSI). The GFSI plays an important role in strengthening food safety in the food industry. It is therefore highly recommended that the policy consultant become acquainted with the GFSI and its activities, including those focused on collaboration with national governments. More information on the GFSI is provided in the *IFC Food Safety Handbook*, in chapter 1.

Food safety and food quality schemes and standards are often required by large retailers and food producers among their suppliers as a key prerequisite for doing business. National governments may also require the implementation of a food safety management system involving hazard analysis critical control point (HACCP), as in Australia, Canada (where it is known as the Food Safety Enhancement Program), the EU (a permanent procedure or procedures based on HACCP principles), Ukraine, and the United States (in some industries). However, it is up to the food business operator to decide which private standard to implement and whether it should be certified.

Box 2. National Food Safety Legislation

To meet internationally accepted criteria on adequate food safety legislation, national legislation should accomplish the following:

- Provide an enabling framework for the implementation of a science-based food safety control system that is founded on risk analysis
- Clearly define the roles and responsibilities of control authorities and the mechanism for interactions among control authorities
- Provide clear definitions of key food safety terms to ensure consistency and legal security
- Clearly define enforcement powers and procedures, for example, prohibition orders, improvement notices, closures, and other orders
- Provide for appropriate enforcement and control measures, including efficient, proportionate, and dissuasive sanctions and penalties

More details on benchmark comparisons are available in checklist 2 “The Food Safety Regulatory Framework” of the IFC Scan Guide.

Box 3. The list of the most widely known food safety standards and certification programs includes the following:

- BRC Global Standards
- International Featured Standards
- Food Safety System Certification 22000
- PrimusGFS Standards
- The Global Red Meat Standard
- CanadaGAP
- GLOBALG.A.P.
- The Seafood Processing Standard of the Global Aquaculture Alliance
- The Safe Quality Food Institute Standard
- The Japan Food Safety Certification Scheme
- ASIAGAP and Japan GAP
- The China HACCP
- The US Department of Agriculture’s Agricultural Marketing Service GAP+
- Canadian Grain Commission Standards

A brief description of each of these standards and schemes is presented in the *IFC Food Safety Handbook*, chapter 1.



2. INSTITUTIONAL FRAMEWORK

In its work on a policy and regulatory food safety agenda, the IFC team should understand how the institutional structure of a national food safety system is organized, including the following:

- The actors responsible for the drafting and adoption of relevant laws, regulations, and national standards
- The actors responsible for the implementation of national food safety policies
- The actors responsible for official food safety control throughout the country

This information will enable the IFC project to identify the appropriate counterparts on issues in the project agenda. It will also facilitate the task of the IFC consultant and other experts in contacting public sector agencies that can further the analysis of the challenges represented by national food safety legislation or in the development of recommendations for improvement.

Depending on the structure, it may be necessary to collaborate with only one competent central authority if there is a single food safety agency, or it may be necessary to build relations with multiple actors at several regional and central agencies if the system involves multiple agencies in food safety or if the system is integrated.

The identification of the key public sector stakeholder in food safety requires analysis of mandates that may provide information on the main responsibilities, the scope of activities, the pathways for collaboration with other agencies, and the chain of command within the agency.

Ideally, before undertaking the implementation of the policy component of the IFC project, the IFC food safety policy consultant should identify all public agencies that are responsible for issues linked to food safety, from the development and adoption of food safety-related regulations to the registration of food, official control, import and export operations, and other, associated activities. The scope of this investigation might be extended depending on the policy agenda of the project, which may be focused on certain type of products (for example, meat, fruits and vegetables, or maize) or on certain stages of

There are three major types of institutional structure in national food control systems, as follows:

- *The single-agency system*: a system whereby all responsibilities for protecting public health and food safety are consolidated in one control authority with a clearly defined mandate
- *The multiple agency system*: a system whereby food control responsibilities are shared between two or more control authorities
- *The integrated system*: a system whereby food control occurs at several operational levels, and separate control authorities are responsible for the formulation of policy, the development of regulations, the coordination of food safety control, inspections, and capacity building.

How to clarify the nature of a national institutional structure is described in [the IFC Scan Guide, chapter 2, under institutional framework](#).

the value chain (for example, primary production, processing, retail, export).

In analyzing the public sector structure, the consultant should also identify private sector players who are involved in the development of the national food safety agenda, including the drafting of food safety legislation, and associations that are actively involved in the official management of food safety in the country, such as [Red Tractor](#) in the United Kingdom, which reduced the need for official controls while improving food safety throughout the country.

The IFC food safety policy consultant should also be familiar with [voluntary third-party assurance programs](#) because this approach, which is now actively supported by [the Standards and Trade Development Facility](#), might have an impact in reshaping a national food safety control system.

Annex Sample Terms of Reference for a Food Safety Policy Consultant

1. Scope of Work

The list of activities under the scope of work of the consultant may be general and indicate only the main tasks that the consultant is expected to perform. For example, the explanation of tasks might appear as follows:

The Consultant will carry out a full range of duties for the IFC project (project ID number) to support and assist the project team in the development of products in food safety policies and regulations, including analysis of international and national food safety and food-related legislation and policies, the identification of challenges, the support of stakeholders in drafting policies and legislation, the development of recommendations for improvements and solutions, and so on.

The Consultant is also expected to take an active part in other activities performed during the project.

The IFC team might also need to hire the consultant for more specific tasks or prefer to specify the scope of the work of the consultant in more detail. In this case, the following, more detailed approach is recommended for consideration.

1.1. Assessment of the national food safety system

This may include the following tasks:

- Develop the schematic structure of the national food safety system
- Develop the schematic structure of the national food safety control system
- For each agency in the structure, describe the overall mandate, responsibilities, and decision-making and administrative functions, including (a) the development and adoption of regulations, (b) inspections and monitoring, (c) permits, licenses, certificates, conformity assessments, and (d) lab testing
- Identify areas of overlap or conflict between the competencies of each institution, with a specific focus on food safety control
- Conduct in-depth interviews at key agencies in the national food safety system to evaluate capacities and needs

1.2. Assessment of national food safety system institutions

This may include the following tasks:

- Identification of all agencies responsible for (a) the development and adoption of food policies and a regulatory framework; (b) the development and adoption of safety and quality parameters for food; (c) official control of safety and quality of food at all levels from farm to fork; (d) import and export controls on food products; (e) the testing of food products for local and export markets, including testing linked to food fortification and the use of antibiotics in food of animal origin
- Analysis of the level of coordination and collaboration among the agencies in the exercise of official controls on food safety and quality issues, including food inspections and monitoring
- Assessment of public and private sector laboratory capacity in view of food exports and domestic production with an additional focus on food fortification and problems linked to the use of antibiotics in the production of food of animal origin
- Identification of problems because of the current institutional structure (overlapping or grey areas, duplication, lack of coordination, and so on)

1.3. Assessment of the food safety regulatory framework, part 1

This may include the following tasks:

- Assessment of the national regulatory framework, including a revision of key legislation in the area and a relevant comparison with the Codex Alimentarius and the standards of the World Organization for Animal Health, FAO recommendations on food law, and the basic food legislation in developed markets identified by the national food safety authority
- Analysis of regulatory barriers in food production, including primary production, processing, logistics, and food exports and imports; this usually includes answers to the following questions:
 - How effective is the system?
 - How does the system affect competition, innovation, business entry?
 - How burdensome (or simple) is compliance with food safety and food quality requirements by the food industry?
 - Which regulatory changes are needed to create a more favorable environment for business?
 - What is required to increase food exports?

1.4. Assessment of the food safety regulatory framework, part 2

A more specific focus might be required to analyze national legislation linked to food waste, food losses, food fortification, and the use of antibiotics in the production of food of animal origin. This may affect the deliverables of the food safety policy consultant. These tasks will depend on the objectives of the project and might include, for instance, the following:

- Develop a list of key laws on food safety with an additional focus on, for example, food fortification and the use of antibiotics in food production
- Analyze the key principles and approaches that guide the national food safety system and compare them with principles of the Codex Alimentarius (integrative approach to food safety control, the level of responsibility of the food business, the risk-based approach in decision-making, traceability, and others)
- Analyze the dates of adoption of the legal acts identified and the dates of recent amendments
- Discuss with stakeholders the grey areas that are not regulated, areas requiring additional regulation, and areas that are regulated by contradictory norms
- Identify documents that guide food production, including primary production (sanitary rules, the Codex Alimentarius standards adopted on national level), and analyze the legal status of the documents
- Conduct analysis of how food safety norms affect food import and export operations (required documents and procedures) and if there are any issues associated with the current regime
- Analyze how issues related to food loss, food waste, food fortification, and the use of antibiotics in food production are regulated at the national level and indicated any correspondence between national norms and the Codex Alimentarius
- Prepare an inventory of the main burdensome or problematic issues faced by the food industry, for example, licenses, permits, and other requirements (sanitary rules, standards, and so on) that are necessary; export or import procedures, and other issues that are identified during the research

2. Selection Criteria

The consultant is expected to have a proven track record in food safety, with a focus on policy assessment and policy making. The consultant to be hired should meet the following criteria.

2.1. Technical skills

- University degree appropriate to the tasks assigned in the terms of reference, including law or public policy administration
- At least a five-year working experience relevant to the assigned tasks and experience in food safety policy and regulatory framework development and assessment
- Proven experience in working on similar assignments related to food safety systems and other SPS issues in the private and public sector in [specify the region or countries]
- Extensive knowledge and experience working with internationally recognized food safety standards
- Proven experience in food safety issues, specifically, conducting gap analysis and implementing internationally recognized food safety standards
- Experience in collaboration with international organizations and donor-funded activities in food safety and other SPS-related issues
- Strong proficiency in Microsoft Office (Word, Excel, Outlook, and PowerPoint) and scheme-standard databases

2.2. Soft skills

- Strong interpersonal and communication skills (written and verbal)
- Demonstrated project management, coordination and operational experience, and attention to detail
- Ability to work remotely, across time zones, and under pressure
- Strong organizational and time management skills
- Ability to adapt and be flexible and to demonstrate the ability to work independently and within a multidisciplinary and multicultural team
- Excellent spoken and written proficiency in English and [specify], the language of the assessment country
- Experience in the development projects of International financial institutions, such as IFC and the World Bank, and the ability to liaison with such projects