

## **GUIDELINES FOR GENERIC OFFICIAL CERTIFICATE FORMATS AND THE PRODUCTION AND ISSUANCE OF CERTIFICATES**

*CAC/GL 38-2001, Rev. 1-2005*

### **SECTION 1 - PREAMBLE**

1. These guidelines recognize that importing country authorities may, as a condition of clearance of consignments, require importers to present certification issued by, or with the authority of, exporting country authorities. These guidelines do not mandate a need to use such certification or in any way diminish the trade facilitatory role of commercial or other types of certificates, including third party certificates, not issued by, or with the authority of, exporting country authorities. These guidelines are based on the presumption that the commercial parties engaged in international trade in food are responsible for complying with the regulatory requirements of the exporting and importing country.

### **SECTION 2 - SCOPE**

2. These guidelines concern the design and use of official and officially recognized certificates that attest to attributes of food presented for international trade. Hereafter, in these Guidelines, the term “certificates” means official and officially recognized certificates. Certificates should be required only where declarations are necessary relating to product safety or suitability for consumption, or to otherwise facilitate fair trade.

3. These guidelines do not deal with matters of animal and plant health unless directly related to food quality or safety. However, it is recognized that, in practice, a single certificate may contain information relevant to several matters.

4. These guidelines are equally applicable to the use of paper or electronic forms of certification.

### **SECTION 3 - OBJECTIVES**

5. Certificates should contain essential information relating to food safety and the facilitation of trade. The level of information required should be adequate for the importing country’s purpose and not impose unnecessary burdens on the exporting country or exporter, nor should there be a requirement for the disclosure of information that is commercial-in-confidence unless it is of relevance to public health.

### **SECTION 4 - DEFINITIONS**

*Certificates* are those paper or electronic documents, which describe and attest to attributes of consignments of food moving in international trade.

*Certification* is the procedure by which official certification bodies or officially recognized certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems, and examination of finished products.<sup>1</sup>

*Official certificates* are certificates issued by an official certification body of an exporting country, in accordance with the requirements of an importing or exporting country.

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<sup>1</sup> *Principles for Food Import and Export Inspection and Certification* (CAC/GL 20-1995)

**Officially recognized certificates** are certificates issued by an officially recognized certification body of an exporting country, in accordance with the conditions of that recognition and in accordance with the requirements of an importing or exporting country.

**Certifying bodies** are official certification bodies and officially recognized certification bodies<sup>2</sup>.

**Certifying officers** are employees of certifying bodies authorized to complete and issue certificates.

## SECTION 5 - PRINCIPLES

6. Certificates should be required only where declarations are necessary to provide information about product safety or suitability for consumption, or to otherwise facilitate fair trade. Multiple or redundant certificates should be avoided to the extent possible. The rationale and requirements for certification should be communicated in a transparent manner and consistently implemented in a non-discriminatory manner. Certificates should be designed and used in a manner that:

- meets requirements in respect of food safety, suitability for consumption and the facilitation of fair trade in food;
- simplifies and expedites the certification process;
- clarifies the responsibility of all parties;
- satisfies compulsory trade description requirements;
- provides for accurate identification of the consignment being certified;
- minimizes the risk of fraud.

The government agency having jurisdiction shall take responsibility for any certificate issued by a certifying body.

## SECTION 6 - CRITERIA

### *STANDARD FORMAT*

7. Each certificate should contain a declaration by the official, or officially recognized certification body which relates to the consignment described on that certificate. The certificate should clearly identify the certifying body with letterhead and/or logo.

8. Each certificate should have a unique identification number and be presented in an unambiguous style in a language, or languages, fully understood by the certifying officers and by the receiving authority. A record of unique identification numbers assigned to certificates should be maintained by the competent authority and be able to be related to the distribution of the certificates.

9. Where certificates are produced as a paper document, the original certificate should be uniquely identifiable and be printed with at least one copy for the use of the certifying body and retention by that authority for an appropriate period of time. Further copies may be officially printed copies or photocopies. In all cases the status of the certificate should be clear, for example, marked “original” or “copy”, as appropriate.

10. Certificates should be designed so as to minimize the risk of fraud (for example, use of watermark paper, or other security measures for paper certificates; use of secure lines and systems for electronic certificates.)

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<sup>2</sup> Recognition of certification bodies is addressed under Section 8 – Official Accreditation of the *Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems* (CAC/GL 26-1997)

11. Where certificates are produced in a physical form, they should occupy one sheet of paper or, where more than one page is required, in such a form that any two or more pages are part of an integrated whole and indivisible sheet of paper. Where this is not possible, each individual sheet should be separately initialled by the certifying officer and/or numbered so as to indicate it is a particular page in a finite sequence (for example page 2 of 4 pages) and should contain the unique identification number for that certificate.
12. The certificate should clearly describe the commodity and consignment to which it uniquely relates.
13. Certificates should contain a clear reference to any requirements to which the certified product is required to conform.
14. Certificates should be issued prior to the consignment, to which the certificate relates, leaving the control of the certifying body. Certificates may be issued while consignments are in transit to the country of destination only when appropriate systems of control are agreed by the competent authorities of the importing and exporting countries.
15. The use of electronic means for the issue or transfer of certificates should be accepted where the integrity of the certification system has been assured to the satisfaction of the relevant authorities of both the importing and exporting country. A hard copy form of an electronic certificate should be made available by the issuing authority on request of the importing country's authorities. When electronic certificates are used, the importing country's inspectors should have electronic access to the certification details.

#### ***DETAILS OF THE CONSIGNMENT***

(NOTE: These details are not specific to food, as they constitute the normal field of information contained in any Bill of Lading for transport vessels carrying product between countries. The shipping data on the official certification documentation provides a means of verifying details about the product.)

16. The details of the product being certified should be clearly documented on the certificate, which should at least contain the following information:
  - nature of the food;
  - name of product;
  - quantity, in the appropriate units;
  - lot identifier or date coding;
  - identity and, as appropriate, the location of the production establishment;
  - name and contact details of the importer or consignee;
  - name and contact details of the exporter or consignor;
  - country of dispatch; and
  - country of destination.

Certificates may also contain information on relevant transport and handling requirements, including appropriate temperature controls.

#### ***STATEMENT OF ORIGIN***

17. Where, in exceptional cases justified by immediate public health concern, the importing country requires a statement as to the origin of ingredients in a product, the certificate should specify the origin of ingredients sourced outside the exporting country.

**ATTESTATIONS**

18. The particular attestations to be included in a certificate will be determined by the requirements of the importing or exporting country. They should be clearly identified in the text of the certificate. Such attestations may include, but are not limited to:

- health status as it may affect the safety of the food;
- product conformity with particular standards, production or processing requirements;
- the status (e.g. licensing details) of production, processing and/or packaging establishment in the exporting country; and,
- reference to any associated bilateral/multilateral agreement.

**RESPONSIBILITIES OF THE CERTIFYING BODY**

19. The certifying body should be designated and adequately empowered by national legislation or regulation in a transparent manner to provide the particular attestations required in a certificate or officially recognized certificate. Such designation/ empowerment should be recognized as sufficient by governments, alleviating requirements for further identity or authority.

20. The certifying bodies should ensure that their procedures allow for the issue of the certificate in a timely manner so as to avoid unnecessary disruptions to trade.

21. The certifying bodies should have in place an effective system to prevent, to the extent practicable, the fraudulent use of official and officially recognized certificates.

**RESPONSIBILITIES OF CERTIFYING OFFICERS**

22. Information and guidance notes to facilitate the correct completion of certificates should be available to all certifying officers and to the parties responsible for providing details for inclusion in a certificate.

23. The certifying officers should:

- be appropriately designated by the certifying body;
- have no conflict of interest in the commercial aspects of the consignment and be independent from the commercial parties;
- be fully conversant with the requirements to which they are attesting;
- have access to a copy of regulations or requirements that are referred to on the certificate or clear information and guidance notes issued by the competent authority explaining the criteria that the product must meet before being certified;
- only certify matters which are within their own knowledge (or which have been separately attested to by another competent party); and
- only certify in respect of the circumstances known at the time of signing the document including conformity with production requirements and any other specified requirements between production and date of certification.

**PRESENTATION OF ORIGINAL CERTIFICATES**

24. The importer or consignee is responsible for ensuring that the product is presented to the importing country's authorities with the original certificate in accordance with the importing country's requirements. In the case of electronic certificates the consignee should supply the importing country authority with sufficient details concerning the consignment to allow the identity of goods to be established against the details contained in the certificate.

***INSTRUCTIONS FOR COMPLETING PAPER CERTIFICATES***

25. Certificates should always be issued and presented, to the exporter or their agent, as the original certificate (i.e., this is an original printed paper form of the original certificate issued once only).
26. A copy of the original certificate (clearly marked as such) should be kept by the certifying body in the exporting country and be provided to the competent authority in the importing country, on request.
27. When signing a certificate, the officer should ensure that:
- the certificate contains no deletions other than those required by the text of the certificate;
  - any alterations of the certified information are initialled and, as required by the importing country, stamped by the certifying officer using the official stamp of the certifying body;
  - when the certificate occupies more than one sheet of paper, each individual sheet is separately initialled by the certifying officer and numbered with the respective unique certificate number;
  - the certificate bears his/her signature, his/her name and official position of the certifying officer in clear lettering and, where appropriate, his/her qualifications;
  - the certificate bears the date expressed unambiguously on which the certificate was signed and issued and, where appropriate, the time for which the certificate will remain valid;
  - after signature by the certifying officer, no portion of the certificate is left blank in a manner that would allow it to be amended.

***INSTRUCTIONS FOR COMPLETING ELECTRONIC CERTIFICATES***

28. The exporter or their agent should be notified when an electronic certificate has been authorized for a consignment.
29. Before authorizing an electronic certificate, the certifying officer should ensure that all steps and checks established for the secure operation of the electronic system have been satisfactorily completed.

***REPLACEMENT CERTIFICATES***

30. Where, for any good and sufficient reason (such as loss of or damage to the certificate in transit), a replacement certificate is issued by the certifying officer it must be clearly marked "REPLACEMENT" before being issued. A replacement certificate should reference the number of the original certificate that it supersedes.

***REVOCAION OF A CERTIFICATE***

31. When for good and sufficient reason there is cause to revoke a certificate, the certifying body should revoke the original certificate as soon as possible and notify the exporter or their agent in hard copy or by electronic means of the revocation. The notice should reference the number of the original certificate to which the revocation refers and provide all particulars regarding the consignment and the reason(s) for the revocation. A copy of the revocation should be provided to the appropriate food control authority of the importing country if the export of the consignment has occurred.

## APPENDIX

## PRINCIPLES FOR ELECTRONIC CERTIFICATION

**Objective**

1. This document elaborates Section V of the document “*Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38 – 2001) in relation to the principles for production, transfer and acceptance of electronic certificates. These principles are intended to provide guidance for competent authorities where export certification is exchanged electronically.

**Definitions**

2. See “*Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38 – 2001).

**Principles for Electronic Certification**

3. Where export certification is exchanged electronically between the competent authorities of the exporting and importing countries the system should:

- Comply with the principles of the *Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38 - 2001);
- Consider data elements and message structure such as those set/ratified by the United Nations Centre of Trade Facilitation and Electronic Commerce for electronic certification exchanged between government border authorities (refer ISO/UNTDED<sup>3</sup>). The importing and exporting countries will need to agree on the data elements to be exchanged and on the standardized conversion fields that allow each country to send and receive data according to its preferred standard;
- Assure integrity of the certification system during the exchange of electronic data to protect against fraud, infection from viruses and other malicious software and maintain system integrity. Examples of such security measures which may be considered include:
  - digital authentication certificates;
  - encryption;
  - controlled and audited access;
  - firewalls;
  - any other specifically developed security measures.
- Include a mechanism to control and protect system access against unauthorised entry. This will require the competent authorities of both the exporting and importing countries to agree on access rights, including officials authorised to access the system;
- Take into account the limitations of infrastructure and capabilities of developing countries;
- Include a contingency plan to ensure disruption to trade is minimal in the event of system failure.

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<sup>3</sup> The UNTDED (United Nations Trade Data Elements Directory) contains descriptions of all elements by number and short description plus attributes ([www.unece.org/etrades/codesindex.htm](http://www.unece.org/etrades/codesindex.htm)). As an example, DE1004 is a "Document/Message Number". A similar identification in X12 is 324 "Purchase Order Number".