

Implications of a Liability & Redress Regime for Standards Bureaux

By

J.K. Keeru

Senior Principal Standards Officer

KEBS

Standardization

- The activity of providing solutions to recurring problem
- Standard- Taken as reference point
- Types of Standards
- Product specification
- Methods of test
- Codes of practice
- Glossary of terms

LEVELS OF STANDARDIZATION

- International-e.g codex alimentarius commission , ISO
- Regional- African Regional standards organization (ARSO), EAC
- National e.g KEBS, UNBS
- Association- SEED, Milling Industry
- Company

PRINCIPLES OF STANDARDIZATION

- Standards science based
- Relevant existing standards
- Data & technical information from experts, research e.t.c
- Use of consensus
- Standards are dynamic, reviews & revisions done routinely

IMPLEMENTABLE STANDARDS

Developed -Examples

- Cereals and Pulses (Whole & Milled)
- Root tubers , fruits & vegetables
- Meat & meat products
- Dairy & Dairy Products
- Animal feeds
- Fertilizers, Pesticides
- Cut flowers

Mandates Given to Standards Organizations

- Establish standards & disseminate information to stakeholders
- Implementing these standards by ensuring that products comply
- Taking necessary action in case of non-compliances e.g legal action, destruction where health of consumer is a stake
- Testing products to check performance

- Training the stakeholders on aspects of standardization, quality assurance, testing
- Metrology & Calibration services to industry
- Carrying out certification activities where product and system compliance is made
- Diamond mark of quality in KENYA, Kite Mark in UK
- Systems – ISO 9000 Quality management systems
- ISO 14000 Environmental management systems

Liability Redress

- Not covered in product standards
- ISO guide 64 – covers the inclusion of environmental aspects in product standards requirements should not hinder trade.
- However with necessary legal backing data information collected could be utilized in determination of liability and redress under standards statutes.

Standards on GMOs, National Level

- Currently under standards Act cap 496 of Laws of Kenya , no standards have been developed.
- However GMOs and their products are required to meet the minimum requirements for conventionally produced materials.
- Food safety and fair trade practices are required as per existing standards and are key objectives.

International Scene

- Codex Alimentarius Commission has developed guidelines and principle, for applying Biotechnology.
- Developing of Labeling guidelines for products of modern biotechnology and GMOs under discussion.
- Codex committee on food labeling – hosted by Canada – has not reached consensus on labeling of the products.
- Consideration being made : whether labeling is necessary where there are adverse effects arising from GMOs, e.g. allergenicity ,

- Need for threshold levels requiring labeling e.g products containing minimum e.g.2% GMO products.
- ISO developing standard method of test for identifying GMOs ISO/FDIS 21572
- Foodstuffs- method for detection of genetically modified organizations and derived – protein based methods.

Areas to be considered for standards bodies to participate in liability redress

Issues

- Capacity building
- Standard ration, monitoring inspection, testing of GMOs
- Training of Personnel
- Acquisition of equipments
- Reviewing standards ACT for incorporation of necessary aspects and

- Improvement on information, data exchange with other institutions and biosafety clearing house
- Standards institutions have infrastructure and personnel – but need to step up capacity to fit in the liability redress structure.

Environmental Standards

- ISO 14000 Environmental Management standards.
- ISO 14001 EMS- specification with guidance-used for certification.
- EMS policy, planning, training, operation implementation, emergency preparedness, auditing and continual improvement.
- ISO 19011- Environmental and quality management systems:
- Auditing

- Checking whether activities are carried out as per planned arrangement
- Environmental labeling – ECO labeling
- Self- declarations
- Environmental performance, Environmental impact Assessment – life cycle Assessment
- Need for collection of scientific data and information
- Interpretation of data and technical information.
- Environmental vocabulary.

Standards Bodies

- Pursue compliance of organizations with EMS standards.
- GMOS and products of modern biotechnology should also be covered and assessed using EMS standards.
- Collaboration with other institutions NEMA, KEPHIS, Dept of veterinary services be necessary.