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Towards Better Food Safety Regulatory Systems: The Moroccan Experience

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Abstract

Increasingly, governments are recognizing that the traditional approach to food safety regulation, relying on end-product sampling and repressive measures against regulatory violations, is inadequate to meet both public health and commercial goals for product quality. Modern control systems, based on public-private partnerships, shift the emphasis to preventive measures and industry self-monitoring. This requires both regulators and industry staff to gain a wider set of skills in quality control. To be more effective, regulatory systems should streamline their efforts to avoid confusion from overlapping jurisdictions. Consumer organizations also need to play a bigger role in standard setting. This article describes Morocco's recent efforts to modernize its regulatory system using these principles.

Introduction

In Morocco, as in many other countries, the authorities long believed that they could eliminate food risks by preventing fraud, instituting animal and plant quarantines, and taking public health measures to prevent and eradicate food poisoning.

However, the experiences of Europe ("mad cow disease", dioxin poisoning, etc.), the United States (hormones, listeriosis, salmonellosis, etc.) and Morocco (the mortadella incident in August 1999 leading to deaths from botulism) have demonstrated that such measures alone are insufficient. Food risks have evolved, bacteriological dangers still exist, and physico-chemical risks are even greater.

Furthermore, in the context of industrialization and the globalization of trade, all countries are now concerned by these problems. International work has permitted the definition of the means and conditions necessary for the improvement of our food safety.

What Is Food Security?

Food security is achieved when all human beings have physical and economic access at all times to a sufficient amount of healthy and nutritious food to allow them to satisfy their energy needs and food preferences in order to lead a healthy and active life. For the purposes of this discussion, we will limit our topic to the issues linked to the safety of foods, which has become an absolute priority for consumers, industry and the authorities. This

priority has been amplified by the events concerning citizen health that have occurred in several countries, including the most developed.

Furthermore, quality is now a determining factor in commercial exchanges. The World Trade Organization (WTO) encourages member countries to adhere to the standards and stipulations of the Codex Alimentarius. Accords on sanitary and phytosanitary (SPS) measures and technical barriers to trade (TBT) legislated with the founding of the WTO now require countries to take on the quality challenge. This context requires public authorities in charge of control and industry specialists to make quality a veritable credo in all visions of food safety policy development.

How Can Our Food Safety Be Improved?

The Uruguay Round negotiations and the Marrakech accords have opened up an international discussion on food safety and quality around the world. In order to meet social and commercial challenges, international work has enabled the definition of the means and conditions necessary to improve the situation. In particular, it is necessary to increase the capacity and efficiency of sanitary controls in both the public and private sectors through the definition of a coherent food safety policy based on making the most of human resources, reinforcing intervention tools and involving all players, both public and private.

This paper sets out to provide an overview of the current food control situation in Morocco, and briefly to present the measures taken in terms of Morocco's approach, organization and intervention tools to reinforce food safety.

Towards Better Management of Food Safety in Morocco

Aware of the importance of control in any food safety policy, and given the current quality risks, the national authorities have carried out several studies and launched national debates on the entire food control system with a view to its adaptation to these new requirements.

An initial diagnosis of the national system was made in the 1980s with the support of the FAO. This enabled the formulation of a food control strategy at the level of the national territory and borders. The diagnosis has been revised several times, and national debates have taken place through seminars and meetings among the three parties concerned. The most recent was the National Seminar on the Management and Promotion of Food Product Quality, held in May 2000. It brought together public authorities, industry and consumer organizations. The seminar focused on the current management and quality promotion system, the necessity of implementing reforms and bringing the organization, approach and intervention methods up to the required standard, as well as the development of human resources.

Organization

Quality control and promotion services play an important role in food product safety. As actors in the chain working with the appropriate professional bodies, their primary responsibility is to write legislative and statutory documents and implement them through quality control of manufactured or imported products that are distributed on the national market.

In Morocco, this is mainly the responsibility of five government departments (Agriculture, Health, Commerce and Industry, Interior and Maritime Fisheries). This multiplicity of actors

makes the management and coordination of control measures difficult. Complaints have been made that there is no clear national vision or precise strategy, and that the overlapping of actions and divergences on priorities has a negative impact on the efficiency of the controls undertaken.

To improve upon the current organization, a consensus was achieved on the eventual implementation of a single, independent body made up of representatives from the various groups involved. Furthermore, national debates have led to the conclusion that it is necessary to institute a risk analysis authority whose responsibility will be to evaluate and establish a risk prevention policy. The management structures will thus be better equipped to define and implement a risk prevention program.

At three border posts (Casablanca, Agadir, Tangiers), the government already has been running unified control and quality groups since 1994. These are single offices that bring together three control entities: fraud prevention, phytosanitary control of plants and plant products, and veterinary health control. Through integrated and harmonized control, these groups check the conformity and quality of imported products before they are put on the market, without blocking the flow of goods.

Approach

Current Situation

In Morocco, the control of food products consists, in practice, of checking that products for sale on the domestic market adhere to current regulations, and ensuring that fair business practices are being respected.

The current approach is essentially repressive. Control is exercised at the level of finished products and marketing, leaving a noticeable void at the level of the production and primary processing stages (raw materials, inputs, etc.). This approach does not always guarantee quality, let alone safety, as it most often takes the form of a simple assessment of compliance with minimum safety requirements. Export products follow a codified methodology essentially dictated by the requirements of the importing countries.

The control system can be summed up as follows:

- At the retail level, spot-checking of finished product quality and sending of samples for laboratory analysis.
- Direct noting of sub-standard characteristics in finished products and product labeling.
- Control of advertising, still in its very early stages.

When a product fails to meet the required standards, the professional in question, usually the manufacturer, packager or importer, is charged with a violation (misdemeanor or petty offense). The legal procedure is very slow, and punishments are not very dissuasive.

This repressive control system does not meet current needs. The sentencing of the professional charged usually takes place long after the products have been consumed, without any incentive-giving preventive or corrective measures having been taken. Moreover, the system does not allow sufficient geographical coverage to master both product quality and food safety risks.

Towards a Modern Control System

A modern control system must be set up based on preventive mechanisms, and involving government bodies as well as the private sector. The choice of a control system must be determined by its specificities. It entails:

- The prevention of hazards and risks inherent to the products and the possibility of correcting them before they spread;
- The reduction of analyses (and their cost to the regulatory bodies), insofar as a certain number of analyses can be carried out within the framework of voluntary self-monitoring;
- The setting up of a permanent dialogue with industry representatives in order to inform them of their obligations and changes in regulations.

Other measures have been taken against the malfunctioning we have noted. Notably, these take the form of the programming of control activities, which rely on the implementation of a well thought-out program that takes into account the risks linked to the consumption of the product, its strategic importance, and the industrial profile of each region.

In 1999, in partnership with fishing sector professionals and with the support of the Canadian Private Sector Development Fund, Morocco took measures to create a "public-private sector" partnership. To this end, an operation was launched whose goal is to implement a national "Quality Management Program." Industry takes on the responsibility of self-inspection, and the government replaces inspection of the finished product with validation of industry self-inspection and self-evaluation systems. This pilot project will increase progressively in scope to include other areas of the agri-food system.

Intervention Tools

The Legal Arsenal

Quality control of foodstuffs and prevention of fraud in the sale of goods is governed in Morocco by a fundamental piece of legislation: Law 13.83 of 1984. This law is complemented by more specific laws (durability of food products, pesticides, etc.), delegated legislation and ministerial circulars.

Upon examination of this arsenal, one finds that most of the legislation is very old and that there are regulatory vacuums in several fields and for several products. In 1998, a cooperative project was undertaken to update this legislation with the support of the FAO. The goal of this project was to introduce into the legislation and regulatory texts procedures for preventive control operations and administrative procedures. The latter are distinct from repressive legal procedures, both too slow and too formal to be effective in terms of public safety and health goals.

Legislation on the safety, quality and regulation of foodstuffs and agricultural goods was drawn up and discussed with industry and consumer organizations during the national seminar held in 1999. This legislation aims to introduce new concepts, notably the general obligation of safety and fair business practices, private sector accountability through the institution of industry self-inspection, and the development of agricultural products through the implementation of quality labels. It also provides for the adoption of a cross-reference system for standards, notably those of the Codex Alimentarius.

The draft provisions call for the creation of an independent scientific body for risk evaluation, product labeling by origin, and the procedures for admission of new food products and

ingredients to the national market. The draft legislation and its texts have been submitted to the relevant government bodies for approval.

Human Resources

Human resource development is one of the main components of the program to update the response system. The preventive approach requires inspectors to have substantial knowledge of various fields and areas. It is therefore necessary to set up suitable further training programs for production, training and internal auditing staff, as well as for inspectors, whose work is no longer limited to sampling, but now also will consist of specialized inspections that require technical skills and an investigative methodology.

Support Structures

The laboratories authorized to perform official analyses do not cover the whole country, are sometimes understaffed, and are too few in number, leading to delays in following the procedures. In order to meet the imperatives related to analysis deadlines and their reliability, it was necessary both to bring the laboratories closer to the inspection stations, and to make the laboratory accreditation mechanisms more dynamic. An ongoing study within the framework of the Quality Management Program will enable the creation of a master plan for the reinforcement of these measures in accordance with current and future needs.

Coordination

The Permanent Inter-ministerial Commission for Food Control and Fraud Prevention

Coordination among the inspection structures is the responsibility of the Permanent Inter-ministerial Commission for Food Control and Fraud Prevention. Founded in 1968, this commission groups together the relevant government and scientific institutions. Its goal is to propose measures to improve the quality of foodstuffs and agricultural products, and to consider the scientific, technical or legal questions posed by the drafting and application of legislation on food inspection and fraud prevention in the sale of goods.

The National Codex Committee

A National Codex Alimentarius Committee was founded in 1998. It is housed within the Ministry of Agriculture, and its main goal is to advise the government on the occurrences of the various standardization and food safety problems that are brought to light in the course of the committee's work.

The Health Watch Unit

In order to deal with crisis situations brought about by incidences of collective food poisoning or generalized fraud, a health watch unit was created. The goal of this unit is to coordinate

and manage all food-safety-related activities of the various departments involved at central, regional and local levels.