

**PROPOSAL FOR THE  
COORDINATION OF THE ACTIVITIES  
OF AGRICULTURAL HEALTH AND  
FOOD SAFETY AGENCIES IN  
JAMAICA**

**MAY 2005**

## TABLE OF CONTENTS

<b>1.0</b>	<b>Background</b>	<b>1</b>
<b>2.0</b>	<b>Regulation and Inspection of Food Establishments</b>	<b>2</b>
<b>3.0</b>	<b>Inspection of Imported Foods</b>	<b>2</b>
<b>4.0</b>	<b>Inspection of Food for Export</b>	<b>3</b>
<b>5.0</b>	<b>Pesticides and Pest Control Operators</b>	<b>4</b>
<b>6.0</b>	<b>Gaps and Deficiencies</b>	<b>5</b>
<b>6.1</b>	<b>The Establishment of a National Codex Committee</b>	<b>6</b>
<b>6.2</b>	<b>The Establishment of Maximum Residue Limits</b>	<b>6</b>
<b>6.3</b>	<b>Deficiencies Being Addressed Under the ASSP</b>	<b>6</b>
<b>6.4</b>	<b>The Maintenance of a SPS Enquiry Point</b>	<b>8</b>
<b>7.0</b>	<b>The Role of RADA</b>	<b>9</b>
<b>8.0</b>	<b>Memorandum of Understanding</b>	<b>10</b>
	<b>Schedule 1 Regulation and Inspection of Food Establishments</b>	<b>13</b>
	<b>Schedule 2 Inspection of Imported Food and Agricultural Goods at Ports of Entry</b>	<b>21</b>
	<b>Schedule 3 Inspection of Food and Agricultural Goods for Export</b>	<b>25</b>
	<b>Schedule 4 Regulation of Pesticides and Pest Control Operators</b>	<b>26</b>
	<b>Schedule 5 Gaps and Deficiencies</b>	<b>27</b>
<b>9.0</b>	<b>Recommendations</b>	
<b>9.1</b>	<b>Inspection of Domestic Food Establishments</b>	<b>29</b>
<b>9.2</b>	<b>Inspection of Imported Food</b>	<b>30</b>
<b>9.3</b>	<b>Inspection of Food for Export</b>	<b>32</b>
<b>9.4</b>	<b>Pesticides and Pesticide Control Operators</b>	<b>33</b>
<b>9.6</b>	<b>The Role of RADA</b>	<b>33</b>
<b>10.0</b>	<b>Conclusions</b>	<b>34</b>

# **PROPOSAL FOR THE COORDINATION OF THE ACTIVITIES OF AGRICULTURAL HEALTH AND FOOD SAFETY AGENCIES IN JAMAICA**

## **1.0 BACKGROUND**

The Agricultural Health and Food Safety System in Jamaica currently spans three (3) Ministries, namely, the Ministry of Commerce, Science and Technology, (MCST), the Ministry of Agriculture (MOA) and the Ministry of Health (MOH).

Overlaps and gaps among these entities have been recognized for decades. The most notable attempt to address the issue was undertaken in 1988 when an FAO consultant highlighted the problem through interviews, workshops, reports and recommendations. Despite these efforts the situation has persisted and in some cases has deteriorated.

The inefficiencies that are an ultimate consequence of this state of affairs have been recognized by persons both within and outside of the public sector. This recognition led to the need for a Memorandum of Understanding among the Ministries as part of the Agricultural Support Services Project (ASSP).

The approval of the National Quality Policy for Jamaica by the Cabinet on October 08, 2001 included the establishment of a single Food Safety Agency. The focus has therefore shifted to a more comprehensive reform of the food sector in Jamaica. The Strategic Action Plan developed as a part of the SWEDAC project proposes the establishment of the Food Safety Agency in 2004.

In the interim better collaboration of the agencies will be of considerable benefit and will assist in the determination of the type and number of staff required to efficiently operate the Food Safety Agency.

The statutory overlaps have in the past proved a difficult hurdle to overcome, as agencies are reluctant to relinquish the powers provided to them under the various Acts that they administer. In order for this Memorandum of Understanding to have any chance of success each agency must agree to carry out only those functions stipulated in the agreement. Any other functions should be discharged only after consultation with the agency to which the function has been assigned.

## **2.0 REGULATION AND INSPECTION OF FOOD ESTABLISHMENTS**

Domestic food establishments are currently being monitored for various aspects of food safety under the Public Health Act, The Food Storage and Prevention of Infestation Act, the Processed Food Act and the Standards Act and their relevant regulations.

It is recognized that many of the establishments are monitored for different purposes. This is deemed acceptable in order to ensure that all aspects of food safety are adequately covered. In cases however, where the activities of one agency can be readily incorporated into the monitoring functions of another agency currently involved in a more comprehensive evaluation, the latter agency has been designated to carry out the functions.

## **3.0 INSPECTION OF IMPORTED FOOD**

The monitoring of imported food and agricultural products into the country requires a comprehensive system in order to adequately protect consumers from sub-standard products, the animal population from diseases and for the protection of plant health.

Monitoring is presently being carried out by a cadre of personnel from the Ministry of Health, the Bureau of Standards, the Veterinary Services Division, the Plant Quarantine / Produce Inspection Unit and the Food Storage and Prevention of Infestation Division. These officers perform roles that are specific to their legislative responsibilities and are complementary to each other.

In order to protect the local beekeeping industry from pests and diseases the importation of honey requires a permit under the Bees Control Act. The granting of this permit is the responsibility of the Chief Plant Protection Officer in the Apiculture Unit of the Agricultural Research and Development Division.

#### **4.0 INSPECTION OF FOOD FOR EXPORT**

The inspection of food for export is carried out to facilitate the entry of Jamaican products into foreign markets.

The involvement of the Veterinary Services Division in the export of animal products is a requirement of European countries, the United States and in more recent times some CARICOM countries have also been requesting veterinary certification. The monitoring of plants exporting animal products and requiring this certification is therefore currently the responsibility of the Veterinary Services Division which, under an agreement with the Ministry of Health, incorporates Ministry of Health Inspectors.

The monitoring activities of the Veterinary Services Division does not include all the functions carried out by the Bureau of Standards and in the case of prescribed foods a Certificate of Export is a requirement of the Processed Food Act. The monitoring by both agencies of plants that process animal products for export is therefore regarded as a necessity rather than an overlap.

The Agricultural Produce Act is administered by the Plant Quarantine / Produce Inspection Unit of the Ministry of Agriculture and under this Act most exported produce requires a permit for export.

## **5.0 PESTICIDES AND PEST CONTROL OPERATORS**

The ultimate responsibility for the control of pesticides in the country rests with the Pesticides Control Authority. This agency must therefore be the lead agency with respect to all activities related to pesticide use in the country.

The registration of pesticides, the licensing of persons to import or manufacture registered pesticides, the registration of premises in which restricted pesticides may be sold and the licensing of pest control operators are functions designated for the Pesticide Control Authority under the Pesticides Act. The Food Storage and Prevention of Infestation Act includes aspects of pesticide control and these overlaps have been the subject of negotiations between PCA and the FSPID over many years. The decisions and agreements reached to date can be summarized as follows:

- All licensing of Pesticides Control Operators should be done by the PCA.
- The conditions under which the Pesticide Control Operators should function as set out in the Third Schedule of the Food Storage and Prevention of Infestation Act are to be removed and placed under the Pesticides Control Act.
- The training of Pest Control Operators (PCOs) on the disinfection of food storage insects will continue to be provided by FSPID.

The labeling of pesticides is one of the areas under the Pesticides Act for which regulations may be made. The labeling of retail packages of pesticides is covered by a mandatory standard under the Standards Act. Both the Bureau of Standards and the PCA have reached agreement that the Pesticides Control

Authority should be responsible for monitoring to determine compliance with this standard.

## **6.0 GAPS AND DEFICIENCIES**

### **6.1 The Establishment of a National Codex Committee**

The Codex Alimentarius Commission (CAC) is the FAO/WHO body responsible for setting international standards. The SPS Agreement has increased the need for participation in the CAC as it stipulates that countries should base their sanitary or phytosanitary measures on international standards unless they can scientifically justify a higher standard.

In order for Jamaica to fully participate in Codex activities it is necessary for the country to have a National Codex Committee. An initiative for the establishment of this Committee was taken by the Bureau of Standards and the Ministry of Health in 2000 however the Committee has not yet been formed. In 2003 the National Agricultural Health and Food Safety Coordinating Committee revived the effort and it is expected that the National Codex Committee will be established during 2004 under the auspices of the Bureau of Standards.

It is proposed that representatives from the public sector, private sector, consumer organizations and academia constitute the National Codex Committee.

The establishment of this Committee would provide:

- A structured basis for the submission of comments on draft Codex standards,
- A forum to advise the government on Codex related matters that have implications for the country,
- A mechanism through which Jamaican standards could be proposed for adoption as international standards.

- A systematic approach to participation at Codex meetings to ensure that an established national position is put forward.

## **6.2 The Establishment of Maximum Residue Limits (MRLs)**

Many crops indigenous to Jamaica and other developing countries are being unfairly restricted by the EU because of a policy to set MRLs at the Limit of Determination (LOD). These crops include yams, dasheen and callaloo.

The MRLs have been set at the LOD because in the past there has been no commercial support to conduct the experimental trials that are necessary to establish MRLs on tropical fruits and vegetables.

The EU has recognized that this has had serious implications for many ACP countries and has implemented the Pesticides Initiative Programme through the COLEACP (Europe-Africa-Caribbean-Pacific-Liaison Committee). The Programme is aimed at assisting the private sector in these countries to respond to this issue.

## **6.3 Deficiencies Being Addressed Under the ASSP**

The deficiencies in the Agricultural Health and Food Safety System have been identified by several studies most notably the IICA Consultant Report *Needs Analysis of the Readiness of Jamaican Institutions for WTO-SPS* by Dr. Janice Reid. Many of these deficiencies have been included in the ASSP and will be addressed during the implementation of the project. These include:

- Legislation

Many pieces of legislation need updating and in some cases modifications are required to meet the requirements of the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement).

- Livestock Identification Programme

This is required for animal health and food safety purposes to enable trace back to the owners that targeted interventions can be made to address any animal health issues that may arise. Deficiencies in the animal health surveillance system are also to be addressed by the recruitment of additional staff.

- Plant Surveillance

A comprehensive plant health surveillance system is necessary for the early detection and eradication of plant pests and diseases. This is necessary to prevent their introduction into the country and to provide evidence to importing countries that the country is free of pests and diseases that may be of concern to them. Improvements in the present system will be addressed through additional staff dedicated to the area of plant health as well as training in surveillance techniques and the use of Geographic Information Systems (GIS).

- Surveillance of Foodborne Illnesses

The surveillance of food borne diseases is an important aspect of any food safety programme as the data provided is an important tool in the identification of monitoring and regulatory inadequacies that should be addressed.

The ability of the ASSP to assist in this area will be determined by decisions regarding the establishment of the Food Safety Agency.

- Risk Analysis

Risk analysis involves risk assessment, risk management and risk communication.

The SPS agreement states in Article 5.1 that

*Members shall ensure that their sanitary or phytosanitary measures are based on an assessment, as appropriate to the circumstances, of the risks to human, animal or plant life or health, taking into account risk assessment techniques developed by the relevant international organizations.*

The ability to justify the restriction of imports for the protection of animal health, plant health and food safety is therefore dependent on the country having the capability to utilize risk assessment techniques. There is some provision in the ASSP for training in Risk Analysis in the Food Safety, Animal Health and Plant Health sub-components.

#### **6.4 The Maintenance of a SPS Enquiry Point**

The Plant Quarantine / Produce Inspection Unit has been designated as the local Enquiry Point for the SPS Agreement. Under the Agreement the enquiry point is responsible for the provision of answers to all reasonable questions from interested Members as well as for the provision of relevant documents regarding:

- a) Any sanitary or phytosanitary regulations adopted or proposed within its territory;
- b) Any control and inspection procedures, production and quarantine treatment, pesticide tolerance and food additive approval procedures which are operated within its territory
- c) Risk assessment procedures, factors taken into consideration as well as the determination of the appropriate level of sanitary or phytosanitary protection;
- d) The membership and participation of the Member, or of relevant bodies within its territory, in international and regional sanitary and phytosanitary organizations and systems, as well as in bilateral and multilateral agreements and arrangements within the scope of this Agreement, and the texts of such agreements and arrangements.

## **7.0 THE ROLE OF RADA**

RADA has a very important role to play in all aspects of Agricultural Health and Food Safety which is complementary to the roles being played by the regulatory agencies.

The dissemination of information on matters related to animal health, plant health and food safety and the conducting of national animal and plant health surveys could be greatly enhanced by the utilization of RADA since they have a wide network of extension officers throughout the island.

## **MEMORANDUM OF UNDERSTANDING**

**Between**

**The Ministry of Agriculture,**

**And**

**The Ministry of Commerce, Science and Technology**

**And**

**The Ministry of Health**

- 1.1 Whereas responsibility for the regulatory functions relating to agricultural health and food safety in the Ministry of Agriculture is generally the responsibility of the Veterinary Services Division, the Plant Quarantine/Produce Inspection Unit;
- 1.2 Whereas responsibility for regulatory functions relating to agricultural health and food safety in the Ministry of, Commerce, Science and Technology is generally the responsibility of the Food Storage and Prevention of Infestation Division and the Bureau of Standards;
- 1.3 Whereas responsibility for regulatory functions relating to agricultural health and food safety in the Ministry of Health is generally the responsibility of the Health Promotion and Protection Division, the Standards and Regulations Division, the Pesticides Control Authority, and the National Public Health Laboratory;
- 1.4 Whereas, the current system for agricultural health and food safety involves multiple agencies and departments and, despite many attempts over the past 15 years, the system for agricultural health and food safety remains fragmented; and

1.5 Whereas, the Government of Jamaica has a vested interest in developing an effective and efficient system for agricultural health and food safety in Jamaica.

The Ministry of Agriculture, the Ministry of Commerce, Science and Technology, and the Ministry of Health, hereafter collectively referred to as "the Parties," enter into this Memorandum of Understanding to the extent permissible by law.

The Parties agree that

The Regulation and Inspection of Food Establishments shall be carried out in accordance with Schedule 1;

The Inspection of Imported Food and Agricultural Goods in accordance with Schedule 2;

The Inspection of Food and Agricultural Goods for Export in accordance with Schedule 3;

The Regulation of Pesticides and Pest Control Operators in accordance with Schedule 4;

The Parties further agree to take all necessary steps to mobilize the resources required to fill the gaps specified in Schedule 5.

Through the Agricultural Health and Food Safety Coordinating Committee, the Parties will review this MOU at least annually and may make recommendations for changes hereto to the Parties to this Agreement.

Any issues arising from the interpretation or implementation of this Memorandum of Understanding that cannot be settled by the Agricultural Health and Food Safety Coordinating Committee will be settled through consultations between the Parties or such other means as the Parties may mutually decide.

**IN WITNESS WHEREOF** the undersigned have hereto set their hands to this Memorandum of Understanding in triplicate this      day of                      2005.

**We the undersigned** commit our respective Ministries to the implementation of the letter and spirit of this Memorandum of Understanding

**On behalf of the Ministry of Agriculture  
Minister of Agriculture**

**On behalf of the Ministry of, Commerce, Science and Technology  
Minister of Commerce, Science and Technology**

**On behalf of the Ministry of Health  
Minister of Health**

## Schedule 1

### REGULATION AND INSPECTION OF FOOD ESTABLISHMENTS

PURPOSE	ESTABLISHMENTS	RESPONSIBLE AGENCY	CONDITIONS	COMMENTS
<p>To determine compliance with the</p> <p><b>Public Health Act – Public Health (Food Handling) Regulations, 1998 (Amended 2000)</b></p> <p><b>The Public Health (Tourist Establishments) Regulations, 2000</b></p> <p><b>The Public Health (Butchers) Regulations, 1989</b></p> <p><b>The Public Health (Meat Inspection) Regulations, 1989</b></p> <p><b>The Processed Food Act, 1959 and Regulations</b></p> <p><b>The Standards Act 1968 and regulations</b></p>	<ol style="list-style-type: none"> <li>1. Food Service Establishments</li> <li>2. Retail Establishments</li> <li>3. Abattoirs and slaughter places</li> <li>4. Manufacturing/ Processing Plants</li> <li>5. Bulk Storage Facilities **</li> </ol>		<p><b>The relevant Act/Regulations of each regulatory agency apply to specified food handling establishments</b></p>	<p><b>** Food establishments divided into 5 categories for ease of reference</b></p>

<b>PURPOSE</b>	<b>ESTABLISHMENTS</b>	<b>RESPONSIBLE AGENCY</b>	<b>CONDITIONS</b>	<b>COMMENTS</b>
<p><b>Weights and Measures Act 1976 and regulations</b></p> <p><b>Aquaculture Inland and Marine Products and Byproducts (Inspection and Licensing and Export) Act, 1999 and regulations</b></p> <p><b>Meat and Meat Products and Meat By Products (Inspection and Export) Act, 1999</b></p> <p><b>The Food Storage and Prevention of Infestation Act, 1958</b></p> <p><b>The Food Storage and Prevention of Infestation Regulations, 1973</b></p> <p><b>Food and Drugs Act 1964</b></p> <p><b>Food and Drugs</b></p>				

PURPOSE	ESTABLISHMENTS	RESPONSIBLE AGENCY	CONDITIONS	COMMENTS
<b>Regulations 1975</b>				
	1. Food Service Establishments (e.g. restaurants, hotels etc.)	MOH	Storage, sale and manufacture of food in any food handling establishment, shall satisfy requirements/regulations of the Food Storage and Prevention of Infestation Act, as such inspections of food storage areas should be carried out by the FSPID for such purposes	
	2. Retail Establishments e.g. supermarkets, food shops/grocery stores, meat shops etc.	MOH	Labelling Regulations & Weights and Measures Act are BSJ responsibilities.  Storage, sale and manufacture of food in any food handling establishment, shall satisfy requirements/regulations of the Food Storage and Prevention of Infestation Act, as such inspections of food storage areas should be carried out by the FSPID for such purposes	
	3. Abattoirs and slaughter places	MOH	Facilities involved with slaughter for exports receive MOA/VSD approval.  Responsibility for animal production, slaughter and inspection to be transferred to MOA / VSD within 5 years	MOA/VSD to present management "take-over" plans for MOH approval and sign-off.

PURPOSE	ESTABLISHMENTS	RESPONSIBLE AGENCY	CONDITIONS	COMMENTS
	4. Manufacturing/ Processing Plants Packaging	BSJ	<p>MOH to approve building plans*, sanitation and food handling programmes</p> <p>Storage, sale and manufacture of food in any food handling establishment, shall satisfy requirements/regulations of the Food Storage and Prevention of Infestation Act, as such inspections of food storage areas should be carried out by the FSPID for such purposes</p> <p>* FSPID approval for rodent proofing and storage areas required.</p>	<p>Layout and food flow to be jointly approved by MOH and BSJ.</p> <p>MOH retains responsibility for training and the issuance of food handlers' permits.</p> <p>Meat packaging facilities require VSD certification for export</p>
	- Poultry Processing Plants	MOH	<p>Facilities involved with slaughter for exports receive MOA/VSD approval.</p> <p>Responsibility for animal production, slaughter and inspection to be transferred to MOA / VSD within 5 years</p>	<p>MOA/VSD to present management "take-over" plans for MOH approval and sign-off.</p> <p>Except that</p>

PURPOSE	ESTABLISHMENTS	RESPONSIBLE AGENCY	CONDITIONS	COMMENTS
				packaging/further processing gets BSJ/MOH approval
	- Brewery and carbonated bottling plants	MOH and BSJ	<p>MOH to approve building plans*, sanitation and food handling programmes</p> <p>Labelling Regulations &amp; Weights and Measures Act are BSJ responsibilities.</p> <p>Storage, sale and manufacture of food in any food handling establishment, shall satisfy requirements/regulations of the Food Storage and Prevention of Infestation Act, as such inspections of food storage areas should be carried out by the FSPID for such purposes</p> <p>*FSPID approval for rodent proofing and storage areas required</p>	<p>Joint annual compliance inspection required (schedule to be developed by both Agencies)</p> <p>MOH retains responsibility for training and the issuance of food handlers' permits.</p>
	- Bakeries	MOH	<p>Labeling Regulations &amp; Weights and Measures Act are BSJ responsibilities.</p> <p>Storage, sale and manufacture of food in any food handling establishment, shall satisfy requirements/regulations of the Food Storage and Prevention of</p>	Meat/poultry/ shellfish ingredients/inputs may require MOA/VSD approval for exports.

PURPOSE	ESTABLISHMENTS	RESPONSIBLE AGENCY	CONDITIONS	COMMENTS
			Infestation Act, as such inspections of food storage areas should be carried out by the FSPID for such purposes.	
	- Sugar Processing Plants	BSJ	<p>MOH to approve building plans*, sanitation and food handling programmes</p> <p>Storage, sale and manufacture of food in any food- handling establishment shall satisfy requirements/ regulations Food Storage and Prevention of Infestation Act, as such inspections of food storage areas should be carried out by the FSPID for such purposes.</p> <p>*FSPID approval for rodent proofing and storage areas required</p>	<p>BSJ to collaborate with Sugar Research Institute (SRI), Sugar Industry Authority (SIA) and National Environmental Planning Agency (NEPA) on their requirements.</p> <p>MOH retains responsibility for training and the issuance of food handlers' permits.</p>
	- Meat Processing Plants	MOH	Facilities involved with slaughter for exports receive MOA/VSD approval.	MOA/VSD to present management "take-over" plans for MOH approval and sign-off.

PURPOSE	ESTABLISHMENTS	RESPONSIBLE AGENCY	CONDITIONS	COMMENTS
			<p>Responsibility for these facilities to be transferred to MOA/VSD within 5 years</p> <p>Packaging and further processing must get BSJ / MOH approval.</p>	<p>MOH retains responsibility for training and the issuance of food handlers' permits.</p>
	<p>- Fish/Shellfish Plants</p>	<p>MOH and MOA/VSD</p>	<p>Facilities involved with processing for exports receive MOA/VSD approval.</p> <p>Responsibility for these facilities to be transferred to MOA/VSD within 5 years</p> <p>Compulsory registration by BSJ under the Standards Act (JS 36)</p>	<p>MOA/VSD to present management "take-over" plans for MOH approval and sign-off.</p> <p>MOH retains responsibility for training and the issuance of food handlers' permits.</p> <p>Packaging/further processing gets BSJ/MOH approval</p>

<b>PURPOSE</b>	<b>ESTABLISHMENTS</b>	<b>RESPONSIBLE AGENCY</b>	<b>CONDITIONS</b>	<b>COMMENTS</b>
	- Dairies and Milk processing plants.	MOH	<p>Facilities involved with processing for exports receive MOA/VSD approval.</p> <p>At farm level animal health certificate to be issued by MOA/VSD for dairy registration and licensing.</p> <p>BSJ also has responsibilities for the condensery, ice cream, yoghurt and cheese processing facilities.</p> <p>Labeling Regulations &amp; Weights and Measures Act are BSJ responsibilities.</p>	MOH retains responsibility for training and the issuance of food handlers' permits.
	- Bulk Storage Facilities	FSPID	Inspection of silos, sugar warehouses, flour mills and rice mills done as per the Food Storage and Prevention of Infestation Act.	



<p><b>Weights and Measures Act 1976</b></p> <p><b>The Food Storage and Prevention of Infestation Act, 1958</b></p> <p><b>The Food Storage and Prevention of Infestation Regulations, 1973</b></p> <p><b>Food and Drugs Act 1964</b></p> <p><b>Plant Quarantine Act (1993)</b></p> <p><b>Animal Diseases and Importation Law and Regulations</b></p> <p><b>Food and Drugs Regulations 1975</b></p> <p><b>The Pesticides Act</b></p>		<p>FSPID</p>	<p>All plants, plant parts, fresh fruits and vegetables are subject to inspection prior to release</p> <ul style="list-style-type: none"> <li>➤ <b>FSPID</b> – Inspects to ensure the absence of infestation and contamination.</li> <li>➤ <b>BSJ</b> –See Below</li> </ul>
<p>To determine compliance with the Standards (Labelling of Processed Food) Regulations and labeling requirements included in the compulsory standards under the Standards Act as well as</p>	<p>Processed food</p>	<p>BSJ</p>	<p>All processed or otherwise packaged foods are subject to labeling standards as required by BSJ.</p>

compliance with the Weights and Measures Act.			
To determine compliance with grades and standards under the Processed Food Act and mandatory food standards under the Standards Act.	Prescribed foods and other foods for which there are mandatory standards	BSJ	Prescribed foods as defined under the Processed Food Act and mandatory food standards under the Standards Act are subject to random sampling and inspection.
To determine compliance with the FSPID Act for consignments of animal feed.	Animal feed and ingredients	FSPID	All feed imports are inspected to prevent and control infestation.
To determine compliance under the Animal Diseases and Importation Law and Regulations for importation of animal feed	Animal feeds and feed ingredients of animal origin	VSD	The issuing of Import Permits is to prevent the introduction and spread of exotic animal diseases and zoonotic diseases in Jamaica All animal feed is subject to VSD inspection.
To determine compliance with the labeling standard JS1 Part 8 and with JS 71	Animal feeds and derivatives	BSJ	All animal feeds and derivatives are subject to random sampling and inspection
To determine compliance with the Animal Diseases and Importation Law and Regulations	<ul style="list-style-type: none"> <li>• Live animals (including poultry),</li> <li>• Semen and embryos</li> </ul>	VSD	To safeguard livestock from exotic diseases  To minimize the risk of harmful diseases entering the food chain.

	<ul style="list-style-type: none"> <li>• Meats and meat products</li> <li>• Dairy products</li> <li>• Fish and shellfish</li> <li>• Egg and egg products</li> </ul>		All animals and products of animal origin are subject to VSD inspection
To determine compliance with the Bees Control Act and Regulations	<ul style="list-style-type: none"> <li>• Bees</li> <li>• Honey</li> <li>• Bee products</li> <li>• Used bee-keeping equipment</li> </ul>	MOA	<p>The issuing of permits to minimize the risk of entry of bee pests and diseases</p> <p>Plant quarantine inspectors will monitor permit compliance</p>
To determine compliance with the Plant Quarantine Act	<ul style="list-style-type: none"> <li>• All fresh fruits and vegetables</li> <li>• plants and plant parts</li> <li>• soil</li> </ul>	PQ /PI	<p>The issuing of permits to importers to ensure that no harmful plant pests or diseases enter and become established in Jamaica.</p> <p>All importation of fresh fruits, vegetables, plants and plant parts require inspection by the PQ prior to release.</p>
To determine compliance with the Pesticide Act and Regulation in relation to imports of pesticides	All pesticides	PCA	<p>The issuing of licences to importers of pesticides</p> <p>To ensure conformity with license requirements</p>
To determine compliance with the Food and Drug Act and Regulations and the Animal Disease and Importation Laws and Regulations	All pharmaceuticals and biologicals	MOH / VSD	The issuing of Import Permits for all pharmaceuticals and biologicals.

### Schedule 3

#### INSPECTION OF FOOD AND AGRICULTURAL GOODS FOR EXPORT

PURPOSE	FOOD / AGRICULTURAL COMMODITY	AGENCY	COMMENTS
To determine compliance with the Processed Food Act grades and standards which requires the granting of a Certificate of Export for prescribed foods	Prescribed Foods e.g. canned ackee, Canned orange juices Canned sausages	BSJ	Issuing of export certificates for prescribed foods.
To determine compliance with the Agricultural Produce Act which requires certification from the " Chief Inspector of Produce."	Fresh fruits and Vegetables	PQ/PI	Certification of new packing houses, supervising packing and spot checking of existing packing houses for compliance with packing house guidelines. Inspection and certification of produce for exports.
To determine compliance with the Aquaculture, Inland and Marine Products and By-products (Inspection, Licensing and Export) Act	Fish and fishery products and marine gastropods	VSD through arrangement with MOH	Licensing of processing plants, shipping vessels, inspection of processing facilities, certification of products for export and monitoring of production areas. Granting of export sanitary certificates.
To meet the phytosanitary requirements of importing countries	Various commodities	PQ/PI	Issuing of Phytosanitary certificates
To meet food hygiene requirements of importing countries	Non prescribed foods	MOH/BSJ	Issuing of hygiene certificates.

## Schedule 4

### REGULATION OF PESTICIDES AND PEST CONTROL OPERATORS

FUNCTION	AGENCY	COMMENTS
Registration of pesticides	PCA	
To license persons to import or manufacture registered pesticides	PCA	
To authorize persons to sell restricted pesticides and to register premises in which a restricted pesticide may be sold	PCA	Overlap in legislation with Pharmacy Council (MOH); agreement in place to correct overlap.
Training of Pesticide Control Operators to operate in food establishments, on farms, in households, and on animals	PCA in collaboration with designated training institution(s)	PCA to accredit competent organizations and trainers.
To license Pest Control Operators	PCA	
To monitor MRLs	PCA	An annual monitoring programme shall be developed and administered by the PCA. The PCA will be responsible for the determination of the laboratories that will carry out pesticide residue analyses.
To monitor Pesticide Control Operators	PCA	PCA to develop monitoring programme.
To monitor pesticide labels	PCA	PCA and BSJ to collaborate on labeling and monitoring.

## Schedule 5

### GAPS AND DEFICIENCIES

FUNCTION	RESPONSIBLE AGENCY	COMMENTS
The establishment of a National Codex Committee	BSJ	To be done in collaboration with all the different bodies associated with food
The establishment of Maximum Residue Limits (MRLs) for pesticides in food	PCA	<ol style="list-style-type: none"> <li>1. Regulations to address MRLs are to be developed and promulgated under the Pesticides Control Act.</li> <li>2. MRLs will be:               <ol style="list-style-type: none"> <li>i. Adopted from Codex Alimentarius MRLs</li> <li>ii. Developed                   <ol style="list-style-type: none"> <li>i. as part of the COLEACP Project with funding accessed from international sources</li> </ol> </li> </ol> </li> </ol>
To update and amend legislation	MOA MOH MCST ASSP	Timely inter-agency consultation and deliberations sent to Ministerial Council for decisions rather than to individual Ministers
The establishment of a livestock identification programme	VSD ASSP	Some provision has been made for this activity under the ASSP
The implementation of a policy on Genetically Modified Organisms.	National Commission on Science and Technology – Biosafety Committee	A policy is to be prepared to deal with all aspects of GMOs
To upgrade plant surveillance system	PQ/PI RADA ASSP	Some provision has been made for this activity under the ASSP
To upgrade plant surveillance system	MOA MOH ASSP MCST	Some provision has been made for this activity under the ASSP

To develop capabilities in Risk Analysis Techniques	MOA MCST MOH ASSP	Some provision has been made for this activity under the ASSP
The maintenance of the SPS Enquiry Point for Jamaica	PQ / PI ASSP	Some provision has been made for this activity under the ASSP

## **9.0 RECOMMENDATIONS**

### **9.1 INSPECTION OF DOMESTIC FOOD ESTABLISHMENTS**

#### **Operational Recommendations**

The overall lead agency should be the Ministry of Health.

Quarterly meetings shall be convened by the Ministry of Health and the Ministry of Health representative shall chair the meetings.

Each agency should designate an officer and a substitute to represent the agency on a continuous basis on this interagency committee.

The group should:

- Review inspection activities with each agency providing information in writing on
  - Establishments visited
  - Major infringements observed and actions taken
  
- Develop mechanisms for joint visits.
  
- Discuss problems being encountered and propose solutions.
  
- Identify areas of concern to be brought to the attention of the NAHFSCC.
  
- Develop and implement an effective recall protocol. In the interim, each agency will collaborate and advise on recall activities.

- Discuss any incidents in which breaches of the interagency agreement have been committed and institute measures to prevent recurrence.

The Ministry of Health and the Bureau of Standards should exchange updated lists of registered establishments monthly and the Ministry of Health as lead agency should bring to the attention of the Bureau of Standards processed food establishments that are not being monitored. Within two months of notification the Bureau of Standards should commence monitoring activities. Failure to do so will result in the Ministry of Health taking sole responsibility for the monitoring of the establishment.

On an On-going Basis

- When matters of concern that do not fall within the agreed mandate are observed by an agency these matters should be communicated to the relevant agency in the shortest possible time.

## **9.2 INSPECTION OF IMPORTED FOOD**

General Recommendations

- All animal health and food safety personnel operating at the ports of entry should be sensitized to recognize contraventions of concern to the other agencies so that these can be immediately brought to the attention of the relevant agency representative on the scene. This will enhance the effectiveness of all the agencies engaged in monitoring activities at the ports of entry. The observing agency should not however perform the functions of the responsible agency without an interagency agreement being in place.

- No food intended for human consumption, seized or detained should be disposed of without consulting with or informing the Ministry of Health
- Information on the requirements of each agency should be readily available to all importers, customs brokers, custom officers and all other stakeholders. Possible media for the dissemination of this information is the Jamaica Customs, Ministry of Agriculture, PCA, JBS web-sites and flyers / leaflets.
- Each agency should cooperate with the MOH in its surveillance and investigation of food borne illnesses
- A single office should be provided and equipped for the use of all the regulatory agencies operating at the ports of entry
- PCA and VSD should collaborate on sampling of pesticides of meats and dairy products.
- No imported product of animal origin:
  - for which there is no prior documentation clearance from VSD, MOA
  - deemed to be contraband
 may be disposed of by any agency without consultation with VSD MOA, before destruction.
- The Ministry of Health will cooperate with VSD, MOA in its surveillance regarding animals on board vessels / products of animal origin at Ports of Entry.
- All officers should be made aware that importation of honey, bees, bee products and used bee keeping stock is regulated and the appropriate measures must be taken to obtain the requisite permits prior to importation in accordance with the Bee Control Act and Regulations
- Quarterly meetings should be held between the relevant agencies and the Customs Department. These meetings should be used to

- Resolve any problems relating to the coordination of activities.
- Brief all parties of any changes in legislation or in operational procedures.
- Develop strategies that can increase efficiency, effectiveness and improve responsiveness to the concerns of importers.
- Meet with clients to inform them of new developments and have dialogue with them

### **9.3 INSPECTION OF FOOD FOR EXPORT**

#### **General Recommendation**

- Public sector agencies must expend every effort to facilitate exports. The agencies must therefore keep abreast of impending changes to the import requirements of trading partners and transfer the information from the public sector to the private sector in the shortest possible time. Where official intervention is necessary the public sector should respond in an effective and timely manner.

#### **Operational Recommendation**

- The Plant Quarantine / Produce Inspection Unit is responsible for issuing permits for the export of agricultural produce and therefore should be the lead agency with respect to MRLs for export. Any agency receiving information from any importing country on MRLs should forward the correspondence to the Plant Quarantine / Produce Inspection Unit to take action. The Plant Quarantine / Produce Inspection Unit should:

- Collaborate with all the necessary parties to determine the action to be taken
- Copy all correspondence received and dispatched on MRLs to the Pesticides Control Authority, the Food Storage and Prevention of Infestation Division and RADA for information.

## **9.4 PESTICIDES AND PESTICIDE CONTROL OPERATORS**

### **Operational Recommendations**

- The overall responsibility for the licensing of Pesticide Control Operators rests with the PCA and therefore the Authority should also have responsibility for designating suitable training institutions. It is recommended that the PCA should be responsible for:
  - The development of the curricula for all training programmes
  - the training of trainers
  - the evaluation of the trainers and training sessions
- The PCA has already begun making arrangements with agencies to undertake the training of the PCOs. These agencies should schedule training courses over a six-month period and submit the schedule to the PCA.

## **9.6 THE ROLE OF RADA**

### **General Recommendations**

- The effectiveness of RADA is being negatively affected by the severe budgetary constraints, which the Authority has faced in recent years. Restrictions on travelling have

a severe impact on the effectiveness of the authority.  
This matter has to be addressed.

### **Operational Recommendations**

- RADA is currently represented on the recently formed Animal Health Network, the National Agricultural Health and Food Safety Coordinating Committee and the Coordinating Committee responsible for Plant Health. RADA should provide relevant sections of their work plans to these groups on a regular basis so that information from these agencies can be disseminated by RADA officers.

## **10.0 CONCLUSIONS**

Improved collaboration between public sector agencies can be achieved if there is willingness on the part of all the agencies. The parties being regulated, for the most part appreciate the necessity to conform to the legal requirements but object to paying more than one government agency for the performance of similar functions. As the national budget becomes tighter and the public sector more reliant on user fees, it is imperative that the sector is more accountable for the funds being collected and provide a higher level of efficiency and responsiveness to the needs of the parties being regulated.

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