



International Rules, Food Safety and the Poor Developing Country Livestock Producer

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EXECUTIVE SUMMARY

Overview

Three trends converged in the 1990s. Consumers, especially in the developed world, became strikingly aware of the vulnerability of their food supplies and the international dimensions of food safety hazards, the development of international economic law (especially concerning trade) accelerated, and researchers became aware of a livestock 'revolution' that might help reduce poverty in the developing world. This study considers these trends from the perspective of the poor livestock producers in the developing world. Noting increasing international food safety regulation it examines the nature of international food safety rule-making and how such international rule-making activity can be made friendlier to their interests.

In the past, the Codex Alimentarius Commission (Codex) was the agency primarily responsible for the development of public international food safety rules, although the World Organization for Animal Health (OIE) created some rules relevant to livestock food product safety. These rules took the form of voluntary standards—guidelines for state practice and recommendations for protecting human health.

Since 1995 the World Trade Organization (WTO) has linked the international rules created through these organizations to its own rules regarding trade as defined by the Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures. Especially important are provisions for a SPS Committee and links to the WTO's enforcement mechanism (the Dispute Settlement Mechanism). This enforcement mechanism makes OIE and Codex rules suddenly appear less voluntary and more important.

At the same time international rule-making is changing, there is increasing awareness of the importance of livestock food products in human consumption and the potential associated risks. One notable trend is that growth in consumption and production of these products in developing countries is outpacing that in developed countries. Furthermore, what is being called a "livestock revolution" is heralded by some as an important route out of poverty.

All of this raises two questions: What is the relevance of food safety law to poor producers seeking to use livestock as a way out of poverty? And if any of these rules are relevant what can be done to ensure that rule-making processes consider poor producer interests? The primary focus of this study is on this last question.

To identify strategic entry points for those wishing to make international rule-making friendlier to poor livestock producers this study: (a) describes and analyzes the international environment that states and other actors face when seeking to influence international food safety rules; (b) discusses the roles played by states and other actors in creating and enforcing those rules; and (c) analyzes a series of cases involving international rule-making for livestock food products.

Conclusions and Recommendations

International food safety rules are only one factor among many affecting the competitiveness of poor livestock producers. The basic fact that most of these producers do not export means that many of these rules are of little or no direct import. However, as Section Two of this paper explains, international food safety standards can have both positive and negative effects. They should not be ignored. While they present the potential to restrict market access for livestock food products from developing countries, standards can also benefit both poor producers and poor consumers in developing countries if producers are given appropriate technical assistance. The standards adopted might well be different if better technical information about the different circumstances of developing countries and the poor within them were presented effectively.

The WTO, Codex, and OIE are the three most important international organizations for livestock food safety rules. Also important are the relationships in rule-making activities among these organizations. The WTO's SPS Agreement significantly altered the international rule-making environment for food safety. State strategies to influence international rule-making frequently require combined approaches to multiple international organizations.

The interests of poor developing country producers of livestock food products are not directly represented in international food safety rule-making. Indirectly, their interests may be represented by their own governments but developing country participation in relevant rule-making activity is limited. Additionally, it is clear that developing country government interests will not necessarily be the same as those of their own poor producers.

Influencing the development of rules requires an understanding of the international organizational environment and the capacities and interests of relevant actors. Specifically, it is important to consider (a) the unique rule-making dynamics of each organization; (b) the degree to which these organizations are embedded in other international organizations (Codex is embedded in the UN system, for instance); (c) the dynamics that formal and informal linkages between these organizations create; (d) the relevant differences in capacities of states for participation in these organizations; (e) the different situations of repeat players and one-shotters; (f) how coordination among one-shotters can provide some of the advantages of repeat players (for instance, through regional organizations); and (g) the relatively high level of engagement by industries and consumer groups compared to those with pro-poor concerns in lobbying for rules and shaping scientific discourse. These factors are important determinants of the constraints and opportunities the current international rule-making system has for poor livestock producers and their advocates.

Recommendations for making international rule-making friendlier to poor producers consider two perspectives. From the perspective of poor producers and their advocates the primary routes to influencing international rule-making include: influencing their own country's position in international organizations; lobbying those training country delegates to international organizations to include a focus on the relationship between food safety rules, poverty reduction, and the needs of poor livestock producers; establishing transnational alliances with other poor producers and/or NGOs; and contributing to the scientific understanding of food safety concerns in their unique contexts.

Developing country governments, on the other hand, have more options for representing their own interests in international rule-making. While their participation in international organizations is historically less than that of developed countries there are signs of improvement in recent years. Important activities they can engage in include: greater coordination at the national level among ministries and individuals responsible for developing policy positions in all international food safety organizations; improving the quality and quantity of delegations to international organizations; forming alliances with other similarly-situated countries on issues of particular concern; and lobbying for technical assistance to comply with international standards and with a goal of complying with private international standards as well. In general, developing countries can do much more to address the interests of their poor producers.

Pro-Poor Livestock Policy Initiative (PPLPI)

Website: <http://www.fao.org/ag/pplpi.html>

Working Paper: <http://www.fao.org/ag/aqinfo/projects/en/pplpi/docarc/wp25.pdf>