



## MAKING INTERNATIONAL FOOD SAFETY RULES SERVE THE INTERESTS OF THE POOR DEVELOPING COUNTRY LIVESTOCK PRODUCER

Three trends converged in the 1990s. First, consumers in the developed world became strikingly aware of the vulnerability of their food supplies and the international dimensions of food safety hazards. Second, the development of international economic law (especially concerning trade) accelerated. And finally, researchers became aware of a 'livestock revolution' that might help reduce poverty in the developing world. The realization of this potential, however, may be somewhat dependent on the first two. Many developing country advocates worry that international food safety rules have the potential to present new barriers to developing country food exports. There is especially concern that the system creating international food safety rules is biased against poor developing country producers. An important question, then, is what can be done to ensure that international rule-making processes consider poor developing country livestock producer interests?

It is clear that today 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, developing country government interests will not necessarily be the same as those of their own poor producers.

Identification of strategic entry points for those wishing to make international rule-making friendlier to poor livestock producers involves understanding: (1) the international institutions and organizations that are the rule-making system; and (2) the activities and interests of states and other key actors.

### ● The International Rule-Making System

In the past, the Codex Alimentarius Commission was the agency 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 international 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.

While the WTO, Codex, and OIE are central to international food safety rule-making, other organizations play important supplementary roles, including: the International Organisation for Standardisation, the United Nations Economic Commission for Europe, the Food and Agriculture Organization and the World Health Organization.

The above describes the public international rule-making environment, but increasingly private rules are important. Private organizations such as EurepGap are increasingly setting the standards that private buyers require their suppliers to meet. Those standards are often different from the public standards and represent an additional hurdle a potential exporter must overcome.

### ● Actors and Interests

International food safety rules affect the interests of a wide and diverse range of international actors. States, however, are the primary rule-makers.



Developed countries have a number of advantages over developing countries in international rule-making. Two obvious advantages are the greater resources they can draw on when negotiating new rules and the fact that developed countries played the key roles in creating the current international rule-making system. However, just as important may be the fact that developed countries are 'repeat players' in the international legal system, due to the greater number of issues that involve them. This allows them to accumulate expertise, form connections with other key players, and focus on long-term strategies. In contrast, developing countries tend to have few interactions with the international legal system; they are usually 'one-shotters'. This often translates into less experience and strategies that focus on short-term gains.

Non-state actors are also important. They typically impact rule-making through direct lobbying of governments and international organizations, and through seeking to influence the scientific community's understanding of the issues. The agri-food industry is a key player in international food safety rule-making. Indeed, much of the science guiding international standard-setting comes from industry scientists. Consumers groups, especially Consumer's International, are the most important public interest groups.

## • Conclusions and Recommendations

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. They can also do much more to actively include poor producer interests in their policy-making.

### Policy Brief based on:

*International Rules, Food Safety, & The Poor Developing Country Livestock Producer*, PPLPI Working Paper 25, Michael Byron Nelson

Date of publication: July 2005

<http://www.fao.org/ag/againfo/projects/en/pplpi/publications.html>