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FOOD SAFETY AND QUALITY POLICY OF THE GAMBIA



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Contents

List of Abbreviations and Acronyms	1
Glossary	2
1 Background.....	3
2 Pre-amble	4
3 Mission, vision and general objective of the Food Safety and Quality Policy	
4	
4 Extended scope of the Policy	5
5 The control system for food safety and quality	5
6 The Gambia Food Safety and Quality Authority	7
7 Policy and legal supervision of food safety	9
8 Providing information about food safety and the control system	9
9 Controls of safety of imported food and feed products	10
10 Controls on the safety of food and feed exported from The Gambia	12
11 Food safety links to animal and plant health	13
12 Risk analysis	14
13 Sampling of food and feeds	14
14 Policy on the provision of testing laboratories	15
15 Food quality	16
16 Voluntary standards in the food industry	17
17 Genetically Modified Organisms and Novel Foods	17
18 Food safety emergencies	18
19 Capacity strengthening, Education and Training	19
20 Support for Food Business Operators to achieve compliance	20
21 Implementation arrangements	21
22 Monitoring, Evaluation and Review	21



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List of Abbreviations and Acronyms

AU	Africa Union
CA	<i>Codex Alimentarius</i> Commission Code of
C	Practice Economic Community of West
ECOWA	African States Food and Agriculture
S FAO	Organization
FBO	Food Business Operator
FSQA	Food Safety and Quality Authority
GATT	General Agreement on Tariffs and
GMOs	Trade Genetically Modified
GRA	Organisms
INFOSA	Gambia Revenue Authority
N ISO	International Food Safety Authorities
NaNA	Network International Organization for
RASFF	Standardization National Nutrition Agency
SPS	Rapid Alert System for Food and
WHO	Feed Sanitary and Phytosanitary
WTO	Measures World Health
	Organization
	World Trade Organization

Glossary

- **Consumer** - an individual member of the general public, purchasing or using goods, property or services, for private purposes;
- **End product** – product that will undergo no further processing or transformation by the organization;
- **Feed** - single or multiple product(s), whether processed, semi-processed or raw, which is (are) intended to be fed to food-producing animals;
- **Food** - substance (ingredient), whether processed, semi-processed or raw, which is intended for consumption, and includes drink, chewing gum and any substance which has been used in the manufacture, preparation or treatment of “food” but does not include cosmetics or tobacco or substances (ingredients) used only as drugs;
- **Food chain** - sequence of the stages in the production, processing, distribution, storage and handling of a food and its ingredients, from primary production to consumption;
- **Food safety** - assurance that food will not cause an adverse health effect for the consumer when it is prepared and/or consumed in accordance with its intended use;
- **Food safety hazard** - biological, chemical or physical agent in food with the potential to cause an adverse health effect.
- **Food Safety Risk** - a function of the probability of an adverse health effect and the severity of that effect, consequential to (a) hazard(s) in food, as specified in the Codex Procedural Manual.
- **Hazard** - a biological, chemical or physical agent in, or condition of, food with the potential to cause an adverse health effect.
- Interested party (preferred term)/Stakeholder (admitted term) - person or organization that can affect, be affected by, or perceive itself to be affected by a decision or activity;
- **Lot** - defined quantity of a product produced and/or processed and/or packaged essentially under the same conditions;
- **Management system** - set of interrelated or interacting elements of an organization to establish policies and objectives and processes to achieve those objectives;
- **Measure** - determine a value;
- **Monitoring** - determining the status of a system, a process or an activity; **Nonconformity** - non-fulfilment of a requirement.
- **Novel food** - food that had not been consumed to a significant degree by humans in the EU before 15 May 1997, when the first Regulation on novel food came into force;
- **Requirement** - need or expectation that is stated, generally implied or obligatory;
- **Significant food safety hazard** - food safety hazard, identified through the hazard assessment, which needs to be controlled by control measures;
- **Traceability** - ability to follow the history, application, movement and location of an object through specified stage(s) of production, processing and distribution.



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1 Background

This draft policy document outlines the food safety and quality policy for the Gambia.

It is based on discussions held at a Workshop on the Draft Food Safety and Quality Bill of the Gambia, which took place on 16 and 17 February 2010 at the Senegambia Hotel Banjul, the Stakeholders Consultative Forum that took place in July, 2022 at The Sir Dawda Kairaba Jawara International Conference Centre and the Validation Workshop held in January, 2023 at Sunprime Tamala Beach Resort, Serrekunda. Additionally, the document also takes into consideration contributions received from the different regions of The Gambia as well as international organizations.

The workshop participants were stakeholders representing the different Ministries, consumer and industry groups concerned with food safety policy. Discussion focused on a range of elements of food policy in the context of a draft food bill, which was developed with the technical assistance of the West Africa Quality Programme, an EU funded project implemented by the United Nations Industrial Development Organisation, UNIDO.

The draft policy should therefore be considered in the context of the Food Safety and Quality Bill, which was the main output of the 2010 workshop. However, it should also be noted that the policy expressed here, sets out approaches beyond the legal context of the food safety control system. Thus, it sets out how the food safety system is to be implemented, as well as the necessary undertakings and commitment of Government to ensure that the policy objective of food safety is obtained.



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2 Pre-amble

Having regard to:

- Article 20 of the General Agreement on Tariffs and Trade (GATT);
- The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement);
- The decision of the ECOWAS Regional Committee of Legal and Judicial/Agriculture Experts for the Alignment of the Harmonized Sanitary and Phyto-sanitary Standards (SPS) Regulations and Guideline Documents in the ECOWAS region, held at Lokoja (Kogi State), Federal Republic of Nigeria, 8 – 13 February 2010;
- The Joint FAO/WHO Publication “Assuring Food Safety and Quality: Guidelines for Strengthening National Food Control Systems”;
- Food Safety Strategy for Africa 2022 to 2036.

In this document, “food safety” also encompasses “feed safety”.

The Government of The Gambia adopts the following policy regarding food and feed safety and quality in the Gambia:

3 Mission, vision and general objective of the Food Safety and Quality Policy

- 3.1 **Mission:** To ensure that the food and feed sold or made available in The Gambia, locally produced or imported, or exported from Gambia are safe and suitable for consumption.
- 3.2 **Vision:** To be a reference document in The Gambia that can provide the framework in relation to food safety and quality policy and guidelines development and implementation.
- 3.3 **Objective:** It shall be the objective of the Food Safety and Quality Policy that the food and feed which is locally manufactured or imported and eaten, respectively, by consumers and animals, will not pose a threat to their health.

4 Extended scope of the Policy

- 4.1 The rights granted to consumers shall extend to all consumers including those with special food safety and quality needs (e.g., children, allergic people, immunocompromised patients). The rights shall also extend to final consumers of products exported from The Gambia. The operator of a food business shall be responsible for ensuring that the products which s/he sells, or possesses for the intention of sale, shall be safe to eat. This shall apply to all stages of the food value-chain, from the production to the distribution, including primary production and supply of inputs to primary production. It shall also apply to those business operators who supply ingredients which may be incorporated into food, or materials which may come into contact with food, and thereby provide a source of potential contamination.
- 4.2 In view of the fact that animal feeds form part of the human food chain, and that a number of potential hazards may thus be introduced, the scope of the policy on food safety shall extend to animal feeds. It shall also address other agricultural inputs which may enter the food chain, such as veterinary medicines and plant protection products. The authority should adopt the one health approach to address hazards arising from animal, plant and environmental sources.

5 The control system for food safety and quality

- 5.1 It is the responsibility of the Government, through the nominated Competent Authority, to protect the right of consumers as far as is reasonably practicable, by the operation of a system of lawfully enacted checks and controls (the food control system) on food supplied from domestic or external sources.
- 5.2 To this end, the Government will pass legislations to ensure that food safety and quality requirements are specified, and to establish the legal and institutional framework for official control. Adequate powers to ensure the effective operation of the system of checks and controls will be legislated by Government to the Competent Authority and their officers.
- 5.3 To this end, the Government will revise the legal framework for food legislations, when required. This will include a fundamental revision of the food safety provisions of the Food Safety and Quality Act 2011, and the development of new technical regulations setting out the detailed conditions with which food business operators must comply.
- 5.4 Where food safety requirements have not been specified by The Gambia legislation and there is a need to refer to an international standard, then the Government of The Gambia shall, unless there is a *prima facie* case to the contrary, adopt the relevant recommendations of the *Codex Alimentarius* Commission as the standard to be applied.
- 5.5 In decisions regarding the application of specific control measures, the Government will legislate only insofar as is required to control identified food

safety hazards. The measures will be relevant and proportionate to the hazards, and based on scientific evidence of their effectiveness. The measures specified shall have regard to their technical and economic feasibility.

- 5.6 A precautionary approach/principle may be adopted in cases where the possibility of harmful effects on health is identified, but scientific uncertainty persists. The application of the precautionary approach shall be in accordance with the SPS Agreement of the WTO. This will permit the application of provisional risk management measures when there is no definitive evidence as to their need or efficacy.
- 5.7 However, where the precautionary approach is applied, the Government undertakes to introduce measures only to the extent to which they are necessary to control the assumed hazard. Furthermore, when adopting the precautionary approach, the Government will undertake to resolve the scientific uncertainties as soon as is reasonably practicable.
- 5.8 However, where the Government implements precautionary measures in good faith which turn out to have been not required to ensure health protection of consumers (for example, if the scientific evidence subsequently shows that the risk was lower than expected, or that the measure was not required) the Government should not be held liable for consequential losses incurred as a result of the measures.
- 5.9 The Competent Authority responsible for the implementation of the control system will be directly supported by Government through the state budget, to the extent necessary to ensure the satisfactory operation of the system of checks and controls defined in the law.
- 5.10 Any failure of the food control system shall be independently investigated and all appropriate and reasonable corrective measures shall be taken by the Government.
- 5.11 The food control system will consist of:
- ✓ a system for the protection of human health (food safety system);
 - ✓ a system for the protection of economic interests of consumers and food business operators (food trading standards system);
- 5.12 The food control system shall adopt and use modern related technology.
- 5.13 Overall, official controls will be achieved, in the extension possible, by the presence of a well-trained inspector (s) at the point of production, with adequate powers to require compliance with lawfully mandated requirements.
- 5.14 The inspector (s) shall be supported with the adequate provision of technical resources, with a view to ensuring that decisions about food safety are, as far as possible, made on the basis of scientifically sound data.
- 5.15 Food inspectors responsible for official control shall possess a high level of technical knowledge and skills appropriate to the tasks they are expected to carry out.



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- 5.16 The food safety system will be implemented in the most efficient manner which provides an acceptable level of risk to consumer health.
- 5.17 Therefore, the objective of the food control system is to eliminate or minimise hazards to human health in foods for human consumption on both the domestic and export market (including hazards derived from animal feeds).
- 5.18 The food control system will aim to control the conditions of production, storage, packaging, transport and sale, to eliminate or mitigate as far as is reasonably practicable, the occurrence of known or potential hazards to the health of the consumer.
- 5.19 At all stages, the decisions regarding control will take into account the “risk significance”, which shall be calculated/assessed taking into consideration the probability of the hazard to occur and the severity of that hazard to the human health. This commits the Government to allocate control resources based on assessment of risk to human health rather than any other basis. Government also commits to establishing formal mechanisms for ensuring a scientific basis for the assessment of risk is provided within the food safety system.
- 5.20 Each food business operator shall be subject to food safety inspections by the nominated Competent Authority.

6 The Gambia Food Safety and Quality Authority

- 6.1 The Food Safety and Quality Authority of The Gambia (FSQA) was established by an Act of Parliament called The Food Safety and Quality Act, 2011 and it became operational in 2013. The FSQA is the sole National Competent Authority with powers of delegation mandated to officially control the safety and quality of all food and animal feed whether locally produced, imported or destined for export.
- 6.2 The Food Safety and Quality Authority ensures the compliance with requirements for food safety (factors which affect human health) as well as for other non-safety aspects of food. This includes protection of economic interests of consumer (except for weights and measures), labelling in English language (allergen labelling and all other information aimed at ensuring traceability and preventing the consumer from being deceived), application of quality or grading standards.
- 6.3 The Food Safety and Quality Authority is accountable to the Vice President of the Republic of The Gambia. It is required to prepare and publish annual plans and annual reports which will be used by the Vice president to assess whether the Authority is fulfilling its mandate, subjected to the advice of the Food Control Advisory Committee.



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- 6.4 The Food Safety and Quality Authority is directly responsible for the following food functions in relation to food safety assurance:
- Risk assessment;
 - Risk management;
 - Risk communication;
 - Implementation of official controls in relation to food and feed.
- 6.5 Risk assessment shall be a science-based process consisting of the following steps: i) hazard identification; ii) hazard characterization; iii) exposure assessment and iv) risk characterization” in which an estimation of the probability and severity of the hazard can be made to assess the significance of the hazard to human health.
- 6.6 However, the Government recognises that in some circumstances it is more efficient that official controls are implemented by other bodies. The Food Safety and Quality Authority should, therefore, whenever it deems it convenient, delegate this authority to other bodies, subject to there being in place a clear definition of the authority delegated (for example in the form of a Memorandum of Understanding) and adequate management arrangements being in place.
- 6.7 The Food Safety and Quality Authority shall have a board of directors. The function of the board of directors is to:
- establish the strategy of the Authority, and ensure that it is fulfilled by considering and approving annual plans reports
 - ensure that the actions of the Authority are in line with its mandate and do not exceed its powers
 - ensure that the resources of the Authority are applied in an efficient and effective manner
- 6.8 The Board of the Food Safety and Quality Authority shall be drawn from civil society, from citizens of good standing who have a valid interest in ensuring the functional operation of the food safety system. This shall include individuals who have relevant experience and knowledge of the food production and distribution businesses, hospitality and health sectors, as well as consumer affairs. This approach will ensure that the Authority remains independent of direct political influence from one or other of the functional line Ministries of the Government of The Gambia.

7 Policy and legal supervision of food safety

- 7.1 Overall responsibility for food safety policy and legal matters will fall to the Office of the Vice-president in consultation with Food Safety and Quality Authority and relevant ministries on food safety matters (for example concerning health, agriculture, trade and industry). This will include the promulgation of new legislation, including the presentation of technical regulations.

- 7.2 Government shall support the implementation of adopted Codex standards by establishing technical regulations for critical food safety issues and ensuring that these regulations are based on nationally adopted Codex Standards. Government shall strengthen stakeholders in the food control system to roll out standard promotion activities for actors in the food value chain.
- 7.3 The Vice President will be advised by the Food Control Advisory Committee nominated on the basis of knowledge and experience of food safety, health and food industry conditions.
- 7.4 The Food Control Advisory Committee will be responsible for providing advice on the performance of the Competent Authority and its structures.

8 Providing information about food safety and the control system

- 8.1 Food safety is an issue that concerns everyone. Consumers have a right to information which could affect their decisions about what they consume and the Government of The Gambia believes in an open and public consultation on matters of food safety. Therefore, the Government undertakes to apply the principle of transparency to the operation of the food safety system. This will be manifested in different ways.
- 8.2 In the process of ensuring consumers' right to be informed, the Government should consider a multifaceted media approach including mass communication, sensitization activities, TV and radio programmes, social media, etc.;
- 8.3 Where there are grounds to believe that a food or feed which is placed on the market is unsafe, the Government through the Competent Authority shall inform the public of the nature and extent of the risks involved. This will include information about traceability and recall procedures implemented by food business operators supervise by the authority.
- 8.4 Where feasible, information from food safety inspections will be made available to the public. In particular, where a particular food business presents conditions which present a significant risk to public health, this information will include information regarding those conditions.
- 8.5 However, in implementing the principle of transparency the Government shall only do so insofar as is required to provide consumers with the information required to make informed decisions about the safety of the food they consume. Government shall respect the confidentiality of food business operators in relation to financial, proprietary and commercially sensitive information, and shall not divulge information which is not directly relevant to public health.
- 8.6 To facilitate the development of a dialogue with civil society regarding all of the above matters, the Government will support the operation of a Stakeholder Consultative Forum on food and feed safety. This Stakeholder



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Consultative Forum includes representatives of organisations and groups holding a valid interest in the safety of food and feeds, but excluding those involved in official control and other Government bodies concerned with food safety. The Food Safety and Quality Authority provides secretariat to The Stakeholder Consultative Forum.

- 8.7 Where the Government is considering the introduction of new control measures to improve food safety, it shall publish proposals in advance, and invite comments from the public as well as other interested stakeholders (including food business operators), and ensure that these comments are taken into account. Consultative processes will include, among other means, reference to the Stakeholder Consultative Forum.
- 8.8 Where consumer complaints are made by the public with regard to a food business operation about food safety conditions, they will be investigated by the Competent Authority and the complainant will be informed in writing of the outcome or other form of communications.

9 Controls of safety of imported food and feed products

- 9.1 The Government of The Gambia recognises the high level of dependence on imported foods and feeds for the food security of the human and animal population, which gives rise to the need to have in place effective systems for preventing the entry of foods and feeds which does not meet food safety requirements. At the same time, the government recognises that consumers will sustain the additional cost of ensuring controls on the safety of imported foods and feeds, and that the costs sustained must be proportionate to the risks.
- 9.2 In general, the Government of The Gambia shall apply “The Principles For Food Import And Export Inspection And Certification” established by the Codex Alimentarius Commission Code of Practice (CAC/GL 20-1995) and the Guidelines for Food Import Control Systems (AC/GL47/2003).
- 9.3 Therefore, imported foods and feeds shall be subject to the risk analysis approach. Risks will be assessed based on the nature and frequency of hazards that they may present to the human and animal population. The nature of the food and its origin will therefore be factors taken into account in assessing the risk, and determining the need for, and frequency of sampling, testing and inspection of consignments.
- 9.4 In some cases, certain products from certain origins may be banned from entry. However, such cases will be considered on a case-by-case basis, and any actions taken will be in line with the provisions of SPS Agreement of the WTO. Such decisions will be reviewed on a regular basis.
- 9.5 In general, all consignments of imported food will be subject to a documentary check to ensure that the origin and content of the consignment is consistent, and in accordance with import regulations. Risk of non-compliance will be assessed for each consignment based on its nature and origin (both in terms of country and establishment of origin).

- 9.6 Based on the risk assessment, some consignments will be subject to an integrity check, which will assess whether the consignment is as described in the documents. Based on the risk assessment a sample of consignments may be subject to a physical check, which can include on the spot inspection by an authorised officer, and if required sampling and laboratory testing. Sampling and laboratory testing will be carried out either on a random basis, according to risk-based criteria, or where there is a need to clarify doubt about non-compliance.
- 9.7 Only where there are specific reasons for doing so under the regulation (for example when the checks indicate a possibility of non-compliance) will a consignment be detained pending the results of testing in a laboratory. Routine sampling and testing only shall not be considered sufficient reason to detain a consignment.
- 9.8 With regard to the institutional arrangements for the implementation of controls on imported food and feeds, the Government recognises that an integrated system of controls should be applied to address risks related to food safety, animal health and plant health hazards.
- 9.9 When foods or feeds are rejected for entry to the territory of The Gambia, on the basis of non-compliance with sanitary or phytosanitary requirements, the Competent Authority in the exporting country and the country of origin shall be informed. The Government of The Gambia will seek to comply with the CAC Guidelines for the Exchange of Information between Countries on Rejections of Imported Foods (GL25/1997). Re-export of rejected consignments will only be permitted under specific circumstances (see next section).

10 Controls on the safety of food and feed exported from The Gambia

- 10.1 Many of the important sectors of the Gambian economy are dependent on exports of food and agricultural products. These include fishery products and groundnuts. The poverty reduction strategy recognises the potential for development derived from export of agricultural and fishery products. It should also be considered that the tourism sector, is another important source of foreign revenue, and is also dependent on meeting the food safety requirements of foreign consumers.
- 10.2 The Government recognises that food and feed exported or re-exported from The Gambia should meet the same conditions of food safety as food or feed which is consigned to the domestic market. Government undertakes to work towards ensuring that the same requirements are applied to the domestic and export markets. Food and feed exported shall also meet the requirements of the importing country, when these differ from the national regulations.
- 10.3 In general, the Government of The Gambia shall apply “The Principles for Food Import and Export Inspection and Certification” established by the *Codex Alimentarius* Commission Code of Practice (CAC/GL 20-1995) as well as applicable ISO, AU and ECOWAS standards.

- 10.4 As far as possible, food destined for placing on the market of another country shall comply with the relevant Gambian food safety requirements. Government will take steps to ensure that exported foodstuffs comply with the relevant provisions through a system of certification, which will take into account the requirements of the importing country.
- 10.5 Food or feed which is not compliant with Gambian Regulations shall not be exported or re-exported. This includes the re-export of imported food consignments which are refused entry due to non-compliance with Gambian regulation.
- 10.6 When a consignment of food or feed of Gambian origin is rejected by the relevant competent authority on presentation for entry to another country, on grounds of non-compliance with sanitary or phytosanitary conditions, the Food Safety and Quality Authority shall undertake an investigation to verify the conditions which gave rise to the rejection and to identify the cause or causes. A written report shall be prepared and the details published within 30 days. Rules shall be prepared to protect the commercial interests of food business operators.
- 10.7 Rejected and non-reexported consignments must be handled in accordance with specific government procedures that may include their destruction or redefinition of their intended use.

11 Food safety links to animal and plant health

- 11.1 Effective controls of animal health and plant health shall be addressed by the Ministry of Agriculture, which has the appropriate skills and mandate to ensure that agricultural production is conducted in a way which minimises threats to national production. However, the Government of The Gambia recognises that there are links between animal health and food safety, and between plant health and food safety, and the existence of risks posed by the chemical interventions in agricultural production systems. Therefore, the Government shall ensure that there are adequate mechanisms in place to ensure that the food safety requirements related to the monitoring and control of such interventions are addressed.
- 11.2 Specifically, the Government shall ensure that food safety considerations are properly taken into account in any decisions taken by Government, regarding authorisations of veterinary medicines and agro-chemicals, and regarding the conditions of their use.
- 11.3 Government shall also ensure that adequate arrangements are put in place for the adequate monitoring of products which risk containing residues from such interventions.
- 11.4 The Government shall, therefore, support the establishment and implementation of national residue monitoring programmes for i) agro-chemicals in the food chain, and ii) veterinary medicines and iii) environmental contaminants in the food chain.
- 11.5 The national residue monitoring programmes shall be drawn up in writing

by the Food Safety and Quality Authority for different categories of foodstuff, in collaboration with the competent authorities responsible for controls in the areas of agro-chemicals and veterinary medicines.

- 11.6 The sampling plans shall be designed taking risk factors into account.
- 11.7 The Food Safety and Quality Authority shall publish annual reports on the results of the residue monitoring activity, including the results of follow up activity.
- 11.8 No legal action shall be taken in response to non-compliances identified from the monitoring programmes.

12 Risk Analysis

The Government of The Gambia shall create the conditions in order to:

- 12.1 Improve the use of food chain information and scientific evidence through Risk Analysis, which includes risk assessment, risk management and risk communication;
- 12.2 Promote the generation and use of scientific evidence and risk assessment when establishing and reviewing food control measures;
- 12.3 Gather comprehensive information along and beyond food chain and utilize these data when making informed risk management decisions;
- 12.4 Source food safety information and risk analysis experiences from beyond national borders to strengthen risk management decisions and technical capacity;
- 12.5 Ensure consistent and transparent risk management decisions when establishing food control measures;
- 12.6 Strengthen stakeholder engagement and risk communication;
- 12.7 Establish platforms for consultation on the national food safety agenda;
- 12.8 Assess the pertinence of using non-regulatory schemes for enhancing food safety across the food chain;
- 12.9 Establish frameworks for sharing verification of compliance with food safety regulatory requirements;
- 12.10 Facilitate communication, capacity-building and engagement with food business operators and foster a food safety culture.

13 Sampling of food and feeds

- 13.1 The Government considers that the sampling and testing of food in laboratories provides a scientific basis for decisions about the safety and quality of food and processes to which food is subjected. However, it also

recognises that laboratories provide only one of several sources of information required for control.

- 13.2 Samples of food to be tested for the purposes of official control of food safety and quality shall be taken by bodies and institutions lawfully empowered to do so. To ensure independence of the analytical process, laboratory staff shall not be involved in the sampling for official controls. However, they may be involved in sampling for monitoring programmes designed to provide information for risk assessment.
- 13.3 Samples taken for the purposes of official control of food safety and quality will be delivered to the laboratory by the Competent Authority responsible for the official control of the food business operation concerned. The laboratory shall provide the test results to the Competent Authority after carrying out the analyses.
- 13.4 The Competent Authority when sampling shall as far as possible, apply the General Guidelines on Sampling of the Codex Alimentarius Commission, CAC/GL 50-2004.

14 Policy on the provision of testing laboratories

- 14.1 The Competent Authority responsible for official control of food and feeds shall have access to the laboratory testing services, to provide information about the safety of products and processes which will help them to make decisions about safety of food and feed. Government shall act to ensure that such facilities are available.
- 14.2 Laboratory testing for the official control of food and feeds may be undertaken by any suitably qualified and equipped laboratory, whether from the private or public sector. Laboratories to be used for the testing for official controls shall have in place an internal quality management system, and be accredited by an internationally recognised accreditation body to the ISO 17025 standard or, alternatively, be successfully participating in proficiency tests independently organized by reference laboratories.
- 14.3 Laboratory testing for other purposes, for example residue monitoring, may be undertaken in other laboratories or used non-accredited tests (for example in screening). Samples for such testing may be taken by the laboratory.
- 14.4 Laboratories which are authorised for the provision of testing service for official control of food and feeds will be nominated by The Gambia Food Safety and Quality Authority, which will seek to apply the *Codex Alimentarius* Commission “Guidelines for the Assessment of the Competence of Testing Laboratories Involved in the Import and Export Control of Foods”. A list of official testing laboratories and the tests for which they are authorised will be published on an annual basis by The Gambia Food Safety and Quality Authority.
- 14.5 Allocation of testing budgets to different areas will use a risk-based approach, to ensure that state funds are directed to those areas where they

can have maximum impact on decisions which affect public health. Risk based sampling and testing priorities and the rationale for them should be expressed in the annual plans of the Competent Authority.

- 14.6 Where tests are not economically feasible to be undertaken within Gambia, the Competent Authority will fund necessary testing in laboratories in other countries through their operational budget.
- 14.7 Risk assessment and reference laboratories are essential scientific services required by the food safety system. Government shall directly support an appropriate level of laboratory provision for the purpose of providing scientific support to risk assessment and reference laboratory.

15 Food Quality

- 15.1 The food control system will distinguish between the safety of foods and feeds, which concerns characteristics of foods which impact on the health and safety of the consumer, and the quality of foods which concerns characteristics other than food safety, but which can impact on the degree of consumer satisfaction.
- 15.2 In general, the Government shall not interfere in the general economic rights of buyers and sellers to enter into contracts for the supply of food of any quality, provided that defined food safety requirements and consumer rights to information are not infringed.
- 15.3 Consumers have a general right to expect that the food and feed which they buy is of the nature, substance and quality demanded by the purchaser. *Inter alia*, this means that they should not be misled as to the true content of the food they buy. For example, species of fish should be correctly labelled, food should not be adulterated with lower value ingredients even though they may be harmless. These will cover considerations such as economic fraud, false or misleading claims regarding foods, and weights and measures. Government shall therefore regulate food quality where there is a justifiable reason to protect these consumer rights.
- 15.4 However, mandatory product specific quality (that is non-safety) standards will generally only be applied in respect of those commodities where there is a need to introduce order to the marketing of a particular product. Where there is such a need, the Government shall consider the introduction of grading standards and/or specific labelling requirements to ensure that consumers are not misled as to the quality of the food which they buy. Only in cases where there is a clear argument in favour of regulation will the Government consider the adoption of minimum legal compositional standards for criteria other than those relating to food safety.
- 15.5 Where the Government establishes regulations which govern the claims and labelling regarding food and feed quality, the Food Safety and Quality Authority shall be responsible for ensuring their application and enforcement, through a system of official controls defined in the legislation.

16 Voluntary standards in the food industry

- 16.1 Government shall ensure that the nationally adopted food safety standards are based on Codex standards, guidelines and code of practices, and partnership and collaboration shall be encouraged among key stakeholders to strengthen the participation of the country in codex standards development activities.
- 16.2 The Government of The Gambia shall support the implementation of voluntary quality standards to be adopted by producers and processors. Examples are standards relating to organic foods, geographic indications of origin, food safety, ethical and environmental conditions. These are seen as valuable business tools and provide a means for producers to organise their production to meet the requirements of their domestic and export markets, and for proving their compliance through certification.
- 16.3 Generally, producers will be free to apply any national or international voluntary standard which they consider to be appropriate to their business requirements. However, Government may monitor the application of such standards, and retains the right to apply controls irrespective of any voluntary certifications.

17 Genetically Modified Organisms and Novel Foods

- 17.1 The Government of The Gambia recognises consumer concern regarding the risk of potential negative impacts on human health and the environment from the introduction of genetically modified organisms to the territory of The Gambia. However, the Government also recognises that there are potential benefits to be derived from the application of modern technologies in agriculture and food processing.
- 17.2 The introduction and use of genetically modified materials for experimental or commercial production, or for distribution for consumption by humans or animals, into the territory of The Gambia should therefore be subject to a strict control on a case-by-case basis. The Government of The Gambia shall therefore pass regulations requiring such actions to be subject to a permit.
- 17.3 The requirement for a permit shall not apply to materials which are derived from Genetically Modified Organisms (GMOs) and which contain only traces of genetic material.
- 17.4 Permits awarded in line with these requirements shall only be granted when the available evidence indicates that the risk of impacts on human health and the environment is acceptably low.
- 17.5 The advice of the Scientific Committee on food safety will be sought in deciding the level of risk presented. The acceptability of the risk will be determined by the FSQA Board, after taking the advice of the Food Control Advisory Committee and the National Environmental Agency and the views of the Stakeholder Consultative Forum.

- 17.6 Where GMOs are permitted to be introduced and used in human food or animal feeds, the Government also undertakes to ensure that consumers are informed through the requirement for specific labelling conditions to be applied.
- 17.7 The Government of The Gambia will monitor the introduction of novel foods in the country and retains the right to apply controls of their safety and quality according to the reference standards and regulations.
- 17.8 Novel Foods introduced into The Gambia must be: safe for consumers and properly labelled, so as not to mislead consumers. If novel food is intended to replace another food, it must not differ in a way that the consumption of the Novel Food would be nutritionally disadvantageous for the consumer.

18 Food safety emergencies

- 18.1 Food safety control/assessment measures in place or to be put in place, together with the continuous risk analysis, ensure that Government can obtain the most cost efficient and effective means of minimising the risks to consumers. However, the Government of the Gambia also recognises that systems of routine official controls cannot provide a 100% guarantee of food safety.
- 18.2 Therefore, the Government of The Gambia considers that it is prudent to establish a system for dealing with food safety emergencies to be applied when the official controls have failed to prevent unsafe food from reaching the market.
- 18.3 A food safety emergency shall be defined as the presentation of a serious risk to the health of significant numbers of consumers or animals being prejudiced as a result of unsafe food or feed being placed on the national or international market by a Gambian food or feed business operator.
- 18.4 The Government of The Gambia shall establish health monitoring systems for domestic animals and consumers, which are designed to ensure that the Food Safety and Quality Authority is informed of the existence of a food safety emergency. These systems should, within the scope of the risk communication activity, seek interaction with international warning and information exchange systems, namely the International Food Safety Authorities Network (INFOSAN) and the Rapid Alert System for Food and Feed (RASFF).
- 18.5 The Food Safety and Quality Authority shall be responsible for drawing up contingency plans which set out the responsibilities and actions in cases of food safety emergencies. The contingency plans will be drawn up in collaboration with the Ministry of Health, Ministry of Agriculture, the Disaster Management Agency, and the National Environment Agency, Fisheries Department, National Nutrition Agency and other relevant bodies.
- 18.6 The Government will legislate to provide adequate powers to respond to



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cases of food safety emergencies, to ensure that adequate measures can be applied to reduce or eliminate the risks to human and/or animal health.

- 18.7 The Food Safety and Quality Authority shall be responsible for coordinating the response to a food safety emergency on behalf of the Government of the Gambia.
- 18.8 In undertaking this task, the Food Safety and Quality Authority will ensure that the public and all relevant authorities are informed in a timely manner with regard to information concerning the nature and extent of the health risks, the options for control measures, the decisions taken and their reasons, and the outcomes in terms of changes to the level of risk to human and animal health.
- 18.9 In this respect the Food Safety and Quality Authority of the Gambia shall, as far as is reasonably practicable, apply the *Codex Alimentarius* Commission Guidelines for the Exchange of Information in Food Control Emergency Situations (C/GL19/1995).
- 18.10 Where a food safety emergency involves food originating from another country, or food of Gambian origin which has been consigned to another country, the Government of The Gambia undertakes to ensure that all information necessary to limit the human health impacts of the food safety emergency are communicated to the country concerned.

19 Capacity strengthening, Education and Training

- 19.1 The Government recognises the importance of the human element in the propagation of food safety risks. It also recognises that there is a need for well informed and technically competent inspectors, to ensure the effective implementation of the system of food safety controls. Government therefore accords a high priority to food safety education and training, at different levels of society.
- 19.2 It is in the interests of all citizens that basic food hygiene principles are acquired by all. To this end the Government will ensure that the primary and secondary school curriculum includes the requirements for basic food hygiene in the domestic situation. This will cover elements such as the risks associated with drinking water from untreated sources, the need for hand washing, risks associated with cross contamination between raw and cooked foods, and the need to protect food from pests like insects.
- 19.3 The Government shall also support the introduction of vocational food safety courses for operators in the food industry at all levels of the production and distribution chain. This will include primary producers (farmers and fishermen), process workers and distributors (including retail and catering operatives). A risk-based approach will be applied to ensure that educational and training resources are applied in the sectors where they can have greatest impact on health and economic wellbeing.

- 19.4 To ensure the effective implementation of food safety policy, and in particular the implementation of inspection and controls designed to protect consumers, it is essential to have available a corps of skilled operators, who possess the technical knowledge and skills to identify food safety risks in the supply chain and take appropriate actions to ensure that consumer health is protected. Therefore, the Government shall support the upgrading of scientific and technical training in food safety within the University of the Gambia and other centers of excellence, so as to ensure a supply of appropriately skilled individuals for both management roles in the food industry, and for the inspection and control functions undertaken by Government.
- 19.5 To build adequate capacity for food safety experts to effectively and efficiently contribute to the work of Codex Alimentarius and other relevant bodies
- 19.6 Government shall continue to support and strengthen the National Codex Committee and the Codex Contact Point to sustain the gains made by the country in the structure of Codex in Africa and at the Commission level by providing a budget line for the proper functioning of the CCP and NCC.
- 19.7 Assistance of international donors will be sought in the development of the appropriate systems for strengthening education and training in food safety and hygiene in line with the policy described in this section.

20 Support for Food Business Operators to achieve compliance

- 20.1 Policy should recognise that compliance with new regulatory measures requires Food Business Operators, FBOs, to invest. Capacity to invest for compliance is limited especially in case of small-scale operators.
- 20.2 Policy should therefore ensure that new regulations which impose new compliance burdens on operators are subject to regulatory impact assessment and appropriate use mitigating measures (e.g., extended compliance deadlines, exemptions and derogations).

21 Implementation arrangements

- 21.1 An action plan shall be elaborated for the purpose of the implementation of the Food Safety and Quality Policy within three months after its approval.
- 21.2 The Food Safety and Quality Authority shall promote and coordinate a working group for the purpose of elaboration of the action plan.
- 21.3 The working group shall include all the main stakeholders referred in the Food Safety and Quality Policy.
- 21.4 The consolidated draft of the action plan shall be approved by the Vice-President.
- 21.5 The Government shall provide the needed resources for the implementation



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of the action plan.

22 Monitoring, Evaluation and Review

- 22.1 A monitoring and evaluation system shall be defined and put in place to monitor the implementation of the Food Safety and Quality Policy.
- 22.2 The Office of the Vice-President shall be in charge of periodically monitoring the implementation of the Food Safety and Quality Policy.
- 22.3 The policy and action plan shall be reviewed every five years or whenever compelling circumstances dictate so.