

Country Profile: Tunisia

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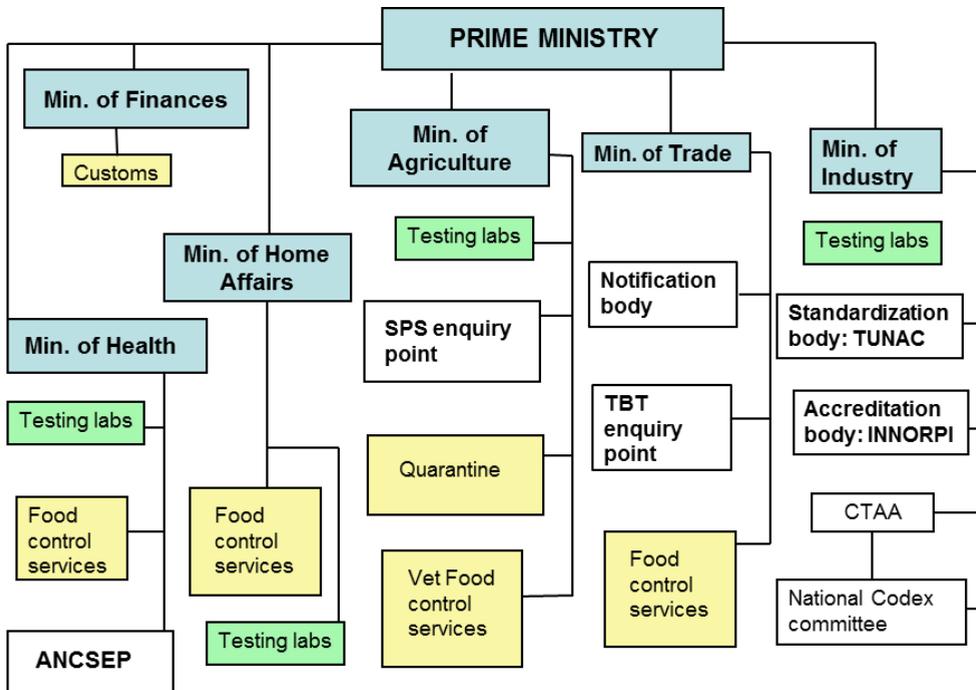
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Country Profile: Tunisia¹

I – Key priorities for risk assessment

- A food law with the new principles related to food safety (risk analysis approach, transparency, precautionary principle, responsibilities, etc.).
- A consumption database.
- Training about qualitative and quantitative risk assessment methodologies.
- Training about risk based control approach.

II – Major public actors involved in food safety (including risk assessment, management and communication)



Main public organisations involved in food safety and roles – Tunisia

Organisation	Main areas of remit (in term of risk assessment/ management/ communication)	Risk assessment	Risk management	Risk communication
Ministry of Agriculture	Plant health, animal health – incl. aquaculture, agricultural products, feed; overview of food issues	x	x	x
Ministry of Trade	Quality and safety control of all products, fraud repression		x	x
Home Affairs Ministry	264 existing municipalities, food hygiene		x	
Ministry of Health	Hygiene services for food control activities	x	x	x
Ministry of Industry	Horizontal commissions that gives agreements to industries to export and open special food factories		x	
Ministry of Finance	The customs are involved in boarding control		x	
Ministry of Tourism	Food control activity		x	

Components of the Food Control System

¹**ANCSEP**: National Agency for coordination between all controllers in the fields of 10 defined products (food, feed, drugs, drinking water, hazardous chemicals ...) (see more information in Appendix V).

²**CTAA**: technical center of food industries (supports the national programmes to promote food industries).

National Codex Committee created in 2000 comes under the Ministry of Industry and its secretariat comes under CTAA.

Testing laboratories involved in food control:

- Under the Ministry of Health: 22 regional hygiene labs, Pasteur Institute lab (national Salmonella reference) and lab of the National Institute of Nutrition and Food Technology. Pasteur Institute food and water lab and two regional labs are involved in an accreditation process.
- Under the Ministry of Home Affairs: Tunis Municipality food lab (accredited).
- Under the Ministry of Agriculture: lab of the National Veterinarian Institute (involved in an accreditation process) and Lab of Quarantine.
- Under the Ministry of Industry: LCAE3 (the main control lab in Tunisia) which is accredited in chemical and microbiological analysis on water but in process for accreditation in microbiological food analysis. They are also accredited in metrology.

¹ Agence Nationale de Contrôle Sanitaire et Environnemental des Produits

² Centre Technique de l'Agro-Alimentaire

- Private sector: some food labs exist and some are accredited for some analysis; they are mainly used by factories for their home control.

Food control services:

All of them (except those of the Ministry of Home Affairs) are built with a central department (coordination, national programmes) and 24 regional services; one in each regional administrative department –governorate– under which they are involved in addition to their head Ministry. All of them have to control many areas, not only food.

- Under the Ministry of Agriculture:
 - The veterinarian services are the “competent authority” regarding EU fishery trade.
 - Quarantine and other plant control services
- Under the Ministry of trade:
 - They play the coordinators role according to the Consumer Protection Act.
 - The metrology services are also under the Ministry of Trade.
- At the Home Affairs Ministry, the control services are included in the 264 existing municipalities and have only local authority. The municipalities have an important role in food hygiene by the control of public establishments (Organic Municipalities Act⁴). But specialized services exist only for the big towns.
- Under the Ministry of Health, the hygiene services are set up everywhere but they play more the role of technical advisors and educational staff than controllers. But, more and more the role of controller is well established. They are mainly technicians, physicians and engineers. They are also the main managers of the food born diseases surveillance.
- Under the Ministry of Industry: There are no control services under this ministry but they are head of some horizontal commissions that gives agreements to industries to export and open special food factories. Even all the ministries involved in control are represented in these commissions; the management is conducted by the Ministry of Industry which is according to its organic text, is a technical advisor and booster of enterprises.
- Under the Ministry of Finance, the customs are involved in boarding control and all the parties have to cooperate with them, but they don't have a technical role, only an administrative one. They are very well organized.
- Under the Ministry of Tourism: the food control activity is more a home control than an official one. In fact they have some prerogatives regarding hotels and restaurants, but they aren't named by the consumer protection Act.

Other components of the Food control system

Consumer Protection Act⁵

It's a harmonised text and a horizontal one. This law dates from 1992 and has the aim to cover all kind of goods including food. It has introduced in our country the responsibility of the buyer (producer or trader) and the obligation to protect and inform the consumer (guarantee). Then the law introduced home control and preventive way in general. The Consumer Protection Act is

³ Laboratoire Central d'Analyses et d'Essais

⁴ Law number 75-33 March 1975

⁵ Law n° 92-117 - December 1992

also based on national and international regulations as references to evaluate facts without discrimination between local, imported or exported goods. This law defines the 4 types of controllers that are involved in: controllers from the ministries of Trade, Agriculture, Home Affairs and Health.

The major lacking for this law is that it isn't food specific.

There are some applying texts of this act; one of the more recent is a decree concerning food packaging⁶, which is the same as EU directory. But our regulations oblige producers and importers to have a sanitary authorisation to use specific packaging for specific food.

Standard Body (INNORPI⁷)

The new standardization act law n° 2009-38 (June 30th 2009) permit activities of standard building, product and system certification with industrial property. The technical committees are well defined and work according to rigorous procedures; they have an ambitious programme to harmonize all standards, especially food ones with codex, ISO and EU. We have all kinds of food standards even they aren't all updated. The new law doesn't permit to make mandatory standards, and encourages specialized departments to produce the appropriate technical regulation with a deadline in 2015.

INNORPI (www.innorpi.tn), is a non-administrative public institution operating under the supervision of the Ministry of Industry, Energy and Small and Medium-sized enterprises. It is in charge of standardization, product and quality systems certification, quality promotion and protection of industrial property.

Accreditation Body (TUNAC)

Created in 1994⁸, TUNAC, the Tunisian Accreditation Council (Conseil National d'Accreditation, CNA) (<http://www.tunac.tn>) is now recognized by ILAC, IAF and is in charge of the accreditation of laboratories and of conformity assessment bodies. It has accredited more than 100 laboratories.

TUNAC is a non-administrative public institution operating under the supervision of the Ministry of Industry.

Food born illnesses surveillance system

The notification of food illness is mandatory⁹ and specialized departments are trying to make it active under IHR2005 by creating a national food alert system connected to the WHO system (INFOSAN).

Regarding the WTO structures

The Ministry of Trade is the body, which most involved in the WTO agreements; they have a directorate of relationship with the WTO and they are the managers of the national commission that discusses the WTO affairs. They also are **the notification body** and some notifications were issued.

There is a TBT enquiry point and a SPS enquiry point (they aren't working mainly by the interactive methods but only by diplomatic routes).

As it was said, still there is no specific law for food and we may use a general law (law n°117 – 1992) also called consumer protection act to deal with risks related to food, nevertheless, Tunisia has its own experience in the field of risk analysis approach related to food.

⁶ Decree n° 1718 August 2003.

⁷ Institut national de la NORmalisation et de la Propriété Industrielle

⁸ Modified by Law 92-2005, octobre 3rd 2005

⁹ law number 92-71 dated on 27 July 1992

III - Food safety alerts management in Tunisia

1. Does the competent authority (or authorities) for food safety have an established mechanism to evaluate and react to food safety crises (crises management mechanism)?	Not really , but into the food law project crises management is set up
2. If the reply to Q1 is yes, does this mechanism include a committee or a body with pre-determined representatives?	No, committee/committees are formed ad hoc , depending on the needs of the crises"
3. If there is an established mechanism for crisis management (the reply to Q1 is Yes):	
3a. Do actors with risk assessment capacity participate directly in this mechanism?	No
3b. Do actors with risk management capacity participate directly in this mechanism?	Yes
3c. Do actors with risk communication capacity participate directly in this mechanism?	Yes

ANCSEP is setting to study to implement national food alert system

IV - Civil Society Organisations

Consumer protection association is an NGO, which plays an important role into the SPS infrastructure but isn't really involved in the control system; it's an interface of it.

Other new consumer organisations NGO were created newly
Maghrebine association for food safety: AMSSA Tunisia, it was created to improve food safety and consumer protection. AMSSA's commitment is to provide objective and independent science-based advice and clear communication grounded in the most up-to-date scientific information and knowledge regarding risks in the food chain.

Appendix - Tunisian Experience with Risk Analysis System¹⁰

The experience began with a policy decision: the creation of the ANCSEP [National Agency of the Sanitary and Environmental Control of Products]. The creation of the agency was announced in a speech by the President of the Republic in 1999. This announcement was made within the context of a meeting of the High Council of Export, thus it was a strong signal for the international harmonization of the trade in products. In fact, it is in the specific context of international crises, particularly food-related, at the end of the 20th century, that the Western countries first began to examine their national systems for control and prevention and hastened to create authorities capable of controlling the risk connected with consumption, as well as the risks connected with the environment. Beginning with conviction, the creation of a national institution permitting the “sustainable” protection of the consumer was essential in Tunisia as in other countries [1].

Conceived as an authority for coordinating controls and placed under the jurisdiction of the Ministry of Public Health in order to ensure its independence with regard to politics and the economy, the ANCSEP has continued to evolve in its activities and its missions, adapting along the way to the expectations of its partners (specifically the national control authorities), to the evolution of the international situation (specifically the partnership agreements and other technical cooperation programs), but also by remaining attentive to scientific developments and strategic concepts.

That is how, from coordinator of controls, its role has evolved “evaluator of health risks”, propelled in this direction by the logic of a historic progression whose stages we will attempt to analyze [2].

The initial period

In fact, among the first studies conducted by the ANCSEP, as early as 2001, is an evaluation of a food safety system in Tunisia in the form of three preliminary studies carried out by experts and concerning, respectively, the legal framework, the control system and the analytical capacities for food products. This evaluation has made it possible to demonstrate the gaps and the insufficiencies at different levels, basically connected with control and prevention processes, the complexity of product circuits, the multiplicity of participants and the absence of a harmonized and multi-disciplinary approach.

Following this report, in 2002 the agency began to develop an overall strategy defining the general directions and the specific objectives for establishing a national harmonized food product control system. The project promoters wanted to use a participative method in the form of PIPO (Planning of Interventions by Objectives¹¹) with which all of the participants had been associated and represented [5]. However, this proposal to update the sector had no indication as regards its application.

The agency learned from this relative failure as coordinator and thus as “unified voice” of the different departments involved in control to make itself available to them and to respond to their needs (consisting for the most part in requests for assessment of problems posed by products¹²) as well as doing its utmost to continue to advance in its mission of implementing a national food safety strategy.

¹⁰ Paper presented at “Sharing an Understanding of Food Safety Regulatory Systems: United States, Middle East and North Africa.” Cairo, September 20-22, 2010.

¹¹ Manual for the application of “PLANNING OF INTERVENTIONS BY OBJECTIVES (PIPO)” General Administration for Development Cooperation, Brussels, March 1991, 2nd edition.

¹² Which, in fact, constitutes a request for assistance in the decision for risk (complicated or new) management.

The second period

The next milestone in this evolution was a second important policy decision made by the Minister of Public Health on a proposal from the ANCSEP. The agency had been given the opportunity during its participation in the regional FAO/OMS conference on food safety in Africa in Zimbabwe (October 2005). It is, in fact, following the work of this conference that a five-year strategic report and food safety action plan for the African region was adopted. This African consensus report was sent to the various Tunisian structures concerned, after having been confirmed by the Minister of Public Health, validating the adoption of the Risk Analysis (RA) approach as the basis for organizing a national food safety system for Tunisia.

This position-taking was in full harmony with the general policy of opening up the country; it specifically made it possible to be “in compliance” with agreements with the WTO13 as well as with the agreements on the application of sanitary and phytosanitary measures (SPS) and those on the technical barriers to trade (TBT), as well as with international requirements, specifically those of the CODEX Alimentarius, the OIE and the IPPC, organizations with which Tunisia is strongly involved. It is in this way that the approach recommended by the Codex and the OIE safety code, for the prevention of food safety and animal disease risks, is based on the three parts of the Risk Analysis:

- Evaluation of risks or Risk Assessment (R Asst) ,
- Risk Management (RM),
- Risk Communication

These three sections, although distinct, are intimately connected and need to be reexamined in an ongoing manner, in the light of new scientific data and data from the field, in order to be able to adapt the strategy for intervention in new circumstances.

The ANCSEP has continued to work on the RA concept and the terms and conditions for its implementation, both on the national and international level.

On the international level, for example, the agency actively participated (as a member of the Tunisian delegation) in the development of the draft CODEX directive devoted to the application of the RA concept to the scale of countries, a directive which was adopted by the Codex

Commission in 2007 under reference CAC/GL 62-2007: “WORKING PRINCIPLES FOR RISK ANALYSIS FOR FOOD SAFETY INTENDED TO BE APPLIED BY GOVERNMENTS” [8]. Note also that since 2005 the ANCSEP had been a designated focal point of the INFOSAN international network of authorities in food safety developed by the WHO in cooperation with the FAO and that it has been a member of its “advisory group” since its creation in 2006.

On the national level, the ANCSEP proposed a draft strategic plan as part of the contribution to the preparation of the 11th national development plan (2007-2011) and which was supposed to accompany the implementation of a main component of the same plan, i.e. the food law, fruit of a policy decision announced in the 2004-2009 presidential program. This is a law equivalent to the European “food law” (EC Regulation no. 178/2002)¹⁴ intended to replace/complete law 92-117 on consumer protection (law dated December 7, 1992) which organizes the control of products based on an approach that is preventive but not food-specific.

This strategic plan has thus been in effect since 2007. It is built on a global and consensual approach of harmonization with international concepts of food safety, while ensuring the adherence of all of the departments participating in food safety control in Tunisia and is developed on three main components:

¹³ Tunisia was a very early member of the GATT discussions; it became a member of the WTO in 1995.

¹⁴ Component under the responsibility of the Ministry of Commerce, main actor in market control and coordinator in the application of the consumer protection law (law 92/117)

Evaluation of the impact of the implementation of the Risk Analysis approach at the national level

This consists of studying by means of an “international expert report” the assessment of the impact of the implementation of the “Risk Analysis” (RA) approach on the current technical-administrative organization with regard to food safety in Tunisia. The study made it possible to describe the current reform of the food policy in Tunisia and to define the significance and the impact of the European legislation, the basis of the reform, on the administrative organization of this policy. The principle of RA symbolizes the main problem posed by this reform: how to create the coordination between the actors who are historically specialized and working independently on distinct legal bases?

This action bears the name of its author: the “DEMORTAIN Study”. It was conducted in May 2007 by organizing brainstorming sessions bringing together the representatives of the different ministries, interviewing top management to analyze the implications of adopting this approach on the articulation processes for assessment and control as well as the elements necessary for the positioning of the ANCSEP in the national landscape with a view towards adapting to the circumstances of each country, while complying with the international rules and requirements. It confirmed the positioning of the agency as an independent Risk Assessment organ [4].

Consolidation of the food control system in Tunisia (Consensual Approach for the strengthening of food control capacities)

The project had adopted FAO-WHO participative methodology¹⁵ developed in 2006, called step- by-step, permitting the capitalization of results at each stage in order to help the countries to identify and assess their needs for strengthening the capacities of national food control systems [9]. The action consisted in determining the needs for strengthening national Risk Management capacities connected with food and the proposal of a relevant consensual organization following a detailed bibliographic study. This management system (official control) was capable in fact of being designed as a whole (unitary system managed by a single structure), but this possibility having been set aside (at least for the short-term) by the majority of the protagonists, a shared organization was adopted, which entails the definition of an effective and complementary distribution between the different participants, i.e. a matrix of areas of responsibility clearly specifying the role of each participant in such a way so as to cover the food chain in a more exhaustive and complementary way by avoiding the overlapping of responsibility. The action was conducted from January to July 2008 [6].

Implementation of a national warning system for food safety

As an “INFOSAN” focal point in Tunisia, the ANCSEP launched a study to implement a national warning system for food safety in synergy with international trends, specifically the joint initiative of the three international organizations, FAO, WHO and OIE, in order to link and coordinate the pre-existing warning and response systems and improve the early warning capabilities for threats caused by animal diseases and food contamination in relation to the health of the population (GLEWS Early warning and rapid response system) [7].

Summary

To summarize, the effective implementation of the three strategic plan components makes it possible to update the national food safety system which is the objective to be obtained. The results of this work have been utilized in order to develop the draft national law on food safety. But, it must be noted, these results were generated by a “historic evolution” which we may diagram according to the engineering research methodology of stages [3] and which explains the result of concrete and adapted solutions. In order to do so a research approach [10] which is similar to Research-Action (an empirical analysis of a situation), but which is distinguished from

¹⁵ www.fao.org/ag/agn/index_en.stm

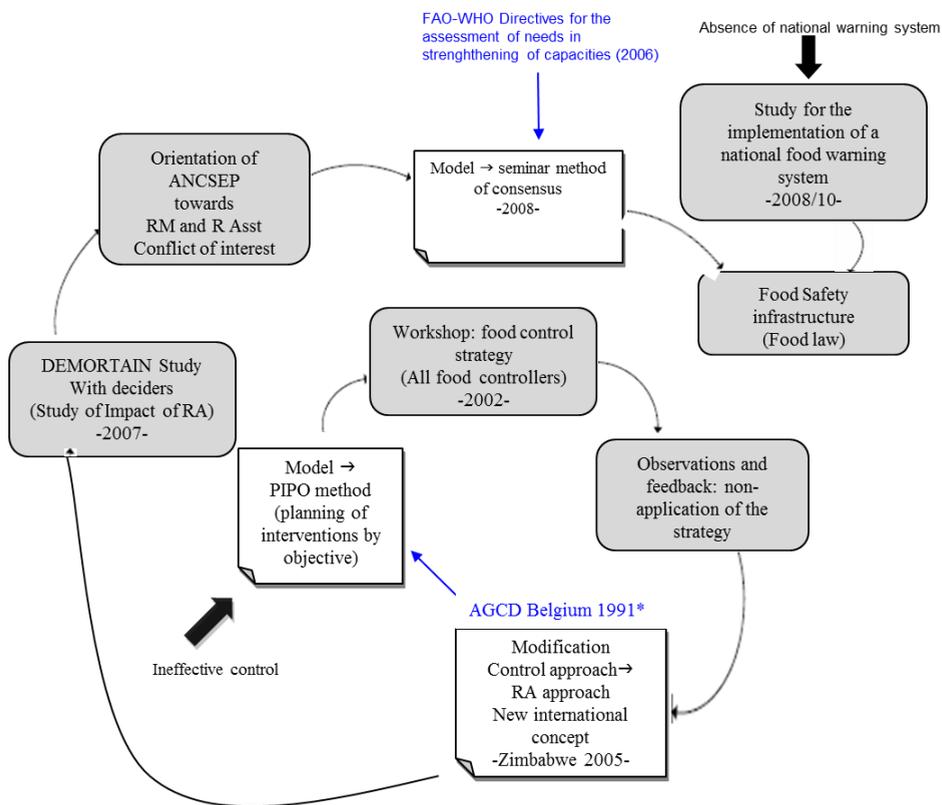
the classical method insofar as “the researcher is also going to be an engineer who, during a research process which loops back on itself designs a tool, builds it, implements it in the field, and evaluates it in order to create both representations of the situation useful to the action, and theoretical knowledge (progressively) generalizable to other situations” (Suchman, 1987) [11].

Perspectives

The current stage, the implementation of the new food law and its consequences, specifically the texts redefining the position and the missions of the agency as Risk Evaluator, will have to be confirmed by a policy decision. This new legislation (to emerge) has opted to base the national system on the concept of RA with two independent entities, one for Risk Management (A coordinators of controls) and one for Risk Assessment (ANCSEP as refunded).

But the national food safety system [SSA] thus built stone by stone, will not cease to evolve under the impetus of feedback from the field and new knowledge, with the same ever-changing movement which permitted its implementation. It may perhaps be necessary to specifically take into account for the evaluation of risks:

- The notion of risk/benefit instead of focusing primarily on the negative health impact.
- The notion of combined risk instead of doing assessments per individual risk as is done currently.



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