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# Strategies, Standards, and Regulations to Increase Access to Safe and Nutritious Foods

## Webinar Transcript

### Lee Gross

Out of all of the World Food Safety Day events today, you could be anywhere, but you've chosen to be with us. Thanks so much. The agenda for our hour together here is, we're going to hear some opening remarks followed by several presentations, three different individual presentations from our great panelists, and then we'll save some time for Q&A, question and answer discussion at the end, and some closing remarks.

As noted before, you can always submit your questions along the way. We encourage a robust discussion in the Q&A, and I know our panelists will do their best to answer and clarify any questions as we go along. It looks like we have a really diverse group here from all over. We really welcome a good discussion. Next slide.

Just to introduce myself, I'm Lee Gross. I'm a senior advisor within the trade and regulatory capacity building division at the US Department of Agriculture's Foreign Agricultural Service. I have the pleasure of moderating this webinar today along with a really great panel. Well, first we're going to hear some opening remarks from Kelley Cormier. She is a food safety division chief in the Center for Nutrition at the US Agency for International Development's Bureau for Resilience and food security. Next, we'll hear from a colleague of mine, Mary Enschede, senior program manager in the trade and regulatory capacity building division at USDA Foreign Agricultural Service.

Next, we'll hear from Fiziya Shakir, director for the Regulatory Cooperation and Partnerships Staff Office of International Engagement Center for Food Safety and Applied Nutrition at the US Food and Drug Administration. Then finally, we'll hear from Regan Plekenpol, program coordinator at Harvard University's Food Law and Policy Clinic. A really great panel today comprises of folks working at both regulatory agencies, academia, development agencies that I hope will bring a diverse group of experience to the topic of food safety. Let me turn it over to Kelley now to provide some opening remarks. Welcome, Kelley.

### Kelley Cormier

Thank you, Lee, and welcome everybody. It really is an honor to kick us off today. As Lee noted, you could be in many different places celebrating World Food Safety Day, but you chose this webinar, and you're in for a treat. I also wanted to acknowledge that Lee mentioned I'm with the US Agency for International Development. We work within the Bureau for Resilience and Food Security to implement the global food security strategy, which at the highest level is designed to reduce hunger, poverty and malnutrition, and we see food safety as central to that.

It's been really exciting over the years, working with some of you to reinforce the need to address food safety risks as part of that agenda. I also wanted to as part of opening this webinar, thank the global nutrition coordination plan. This webinar is organized by the Global Nutrition Coordination Plan, Food

Safety technical working group. It's a group that consists of members from agencies across the US government, and USAID is one of the members. We co-chair this technical working group.

It's exciting to be here with some of our other members and share some of our experiences with all of you. I think you know this already, the theme for this year's World Food Safety Day is food safety standards saves lives. The topic of today's webinar is really germane to that, and I'd like to think that the presentations that you're going to hear today, they also underscore the theme of collaboration and collective action. As you listen to the presenters, I want you to think about those things too because collaboration is truly how we're going to continue to make a difference and increase investment and attention to food safety risks that are so essential.

You're going to hear from colleagues from USDA as you heard. We're going to learn about engagement with the African Union and we'll hear from FDA referring to approaches for international engagement and then learn about the Atlas Project.

I think I'm going to just end there. I really wanted to just kick us off. The hour's going to go really quickly and I hope that there are a lot of questions and a really dynamic discussion to follow. I'm looking forward to it. Thanks. Back over to Lee.

## Lee Gross

Great. Thank you, Kelley. First up is Mary Ensich. Mary, take us away.

## Mary Ensich

Hey, good morning everyone. Happy World Food Safety Day. It's a real pleasure to be here today celebrating with everyone on the call and talking about such an important topic. Before I begin, I would like to say thank you to USA's Global Nutrition Coordination Plan food safety subgroup for inviting me to speak today on African Union's food safety strategy for Africa. Next slide, please.

First, I will provide an introduction context as to why a food safety strategy was developed, then I'll talk about US State's partnership with the AU, followed by the actual strategy itself, and then close with some thoughts on next steps and paving a way for implementation coordination as Kelley Cormier said of the food safety strategy and other frameworks. Next slide.

Before I talk about the strategy, I want to provide some context behind the genesis of the food safety strategy and share some of the development objectives that align with the strategy and adhere to international standards governing trade and the safety of quality of food available to consumers. This year's food safety day theme, Food Standards Save Lives. I'll add and go a step even further and say that not only do they save lives, but they improve them.

Africa is growing in terms of agricultural production and trade. There is a need to monetize food safety systems primarily because of public health and trade imperatives. The African region has the highest per capita of foodborne illness in the world, estimated at 137,000 deaths and 91 million acute illnesses. When it comes to public health, there is an urgent need to improve food safety systems in the continent to protect the health of consumers and safeguard the economies of the African member states.

Secondly, there is high food insecurity across the African continent and it's important to ensure the safety of value chain so as to make safe food accessible. Lastly, in order to build strong trade and development, there needs to be a robust food safety system. Agricultural and food products represent over 75% of the current trade and goods with the African continent. Malabo Declaration's goal of tripling inter-African trade in agricultural products depends on science-based food safety systems that

really inspire consumer confidence and facilitate trade in safe goods. There is a need to raise the overall food safety standards of Africa's agri-food value chain through the application of science-based standards.

It's based on these imperatives that the African Union in collaboration with the RECs, the regional economic communities, and the African member states establish a food safety strategy to address all of these challenges and improve broader food security and development objectives defined by the Malabo Declaration and the agenda 2063, which is one of the flagships of the programs being [unintelligible 00:08:04] established the African Continental Free Trade area agreement.

Similarly, the Global Food Security recognizes that these areas of improvement development which also guide the Feed the Future Initiative and the US Government Global Nutrition Coordination Plan. Next slide, please.

Since 2017, as a result of USDA's unique longstanding relationship with the AU, USDA in collaboration with USAID and FDA, we've responded to the AU challenges and the need to strengthen Africa's food safety system. We've provided support to the AU to deliver on several significant documents that contribute to improved African public health, food security, and trade development outcomes as mentioned previously. These include the sanitary phytosanitary policy framework, an SPS policy framework, the food safety strategy for Africa that I'll be talking about today and the plant health strategy for Africa. We are delighted for our continued trusting partnership with the AU.

USDA as a regulatory agency, we're able to respond to some of these food safety concerns very quickly by tapping to all our resources, working with our sister agencies within USDA, like FSIS, which is the Food Safety and Inspection Service, and other US government agencies, land grant universities and work closely with them on the framework and all these other documents as an opportunity for harmonizing and implementing science-based SPS measures. It is with our strong relationships, transparency and joint programming that we can be an effective voice for food safety. Next slide, please.

That effective voice for food safety expands globally, regionally and at the country level. I wanted to include this slide to show you all at a higher level of all of the organizations and institutions working in food safety in Africa. USDA, as you can see, is a development partner here, second to last, and you can see on the slide, we work closely with the one of the departments within the African Union AUC Derby, which is the Department of Agricultural Rural Development Blue Economy and Sustainable Environment. This is also where the AU-led food safety strategy is housed, and they lead the effort to promote sustainable environmental management, Ag development by boosting member states to support the adoption of measures, strategies, policies and programs on agriculture.

The strategy is really a perfect example of all of these stakeholders coming together from the food safety domain across the continent and the world and providing technical support in one form or the other as part of this consultative process to prepare and develop the strategy. Next slide, please.

It would be remiss of me to talk about the food safety strategy and not talk briefly about the SPS policy framework. As you can see here, the SPS policy framework with its four strategic objectives, creates the foundation and provides continental direction and guidance for the various food safety plant health and animal health strategies. The framework is implemented by using all of these three strategies.

The framework serves as a guidance documents for implementing the ratified AfCFTA's Agreement Annex 7 or people like to say the SPS chapter to promote coordination of policies, plant health, animal health, food safety policies, implements SPS measures in line with international standards and release to mobilize SPS investments across all of member states.

I also want to add that the SPS policy framework is really the APEX document and the AU continues to advocate that all of the development technical partners like USDA, USAD FDA and other institutions

intervening on food safety, plant health and animal health across the continent should use this as a basis for such intervention. Next slide.

Finally, what is the food safety strategy? Broadly speaking, the strategy is meant to implement the US SPS policy framework and support the establishment of science and risk-based food safety policy and regulatory systems. It also recommends enhanced compliance of regulations leading to the creation of safer agro-food value chains across the continent. also to reduce foodborne disease burden in Africa and improve competitiveness of Africa's food commodities.

Looking at the timeline and talking a little bit about USDA support in this, in the very beginning, we provided technical partners. Along with our technical partners, we provided support in developing a four a day AU continental food safety strategy consultation. It was consisted of major stakeholders from all 55 African member states, including participants from the RECs, the international organizations and public and private sectors.

As members of the advisory group which the AU has invited us to be on, we provided support and the development of the strategy coordinated by our team, the US Codex Office, FDA in Texas [unintelligible 00:13:13] University. It was to help ensure the strategy was consistent with international standards and principles of risk-based decision making looking particularly at the language involved in the drafting of the strategy. These were really an opportunity to understand ongoing SPS policy foundation work, develop positive working relationships with existing and new partners on that continent especially with the African Union on the implementation of the FDF, the AFCFTA.

As you can see here, following consultative meetings that USDA helped with several drafts were reviewed and approved by the ministries, by the AA Special Technical Committees in December, 2021. It was later adopted by Heads of State in February '22 and it started-- was launched exactly one year ago today and then made public this year. Next slide, please.

To delve a little deeper into the strategy, but I'll try to be brief for the sake of time. Here you can see the results framework of the strategy with its six strategic objectives. The strategy's overall goal is to contribute to improve public health, food and nutrition security, sustainable livelihoods and economic growth. There are six strategic objectives.

One, is strengthening food safety policy. Two, strengthening and building human infrastructure capacity for food safety control systems. Three is promoting food safety culture. This is where education comes into play influencing behavior so that consumers and food handlers are able to manage the food safety risks. Four is facilitating training. This is where the broader issues of equivalent standardization harmonization are articulated.

Five, the AU looks at issues of standardization and technology development and innovation. Technology is essential part of controlling food safety risks in general. The AU has stressed the need to find innovative waves of deploying these solutions to farms to production sites so as to avoid risk. Lastly the strategy recognizes the importance of strengthening coordination mechanisms and enhanced cooperation investment at the national, regional, continental and global levels. That leads me to my next slide.

This slide shows the comparison between other global strategies and the African Food Safety Strategy. You'll also notice that these institutions are talking about similar issues, sorry for the font might be too small but the governance capacity building and science-based decision making, collaboration, coordination, cooperation on food safety needs. The world is speaking a similar language when it comes to food safety. With that uh being said, food safety is a shared responsibility between governments,

producers and consumers. Everyone has a role to play from farm to table to ensure the food we consume is safe and healthy.

It is now more important than ever to create global standards for food safety that can be at the continental level and internationally, and fall within the context of objectives outlined in a comprehensive agricultural development program that I'm sure a lot of people here are very familiar with AfCFTA, the 2014 Malabo Declaration Agenda 2063 as well as the Global Food Security Strategy and the Feed the Future Initiative. Next slide.

Lastly, what are the next steps? What is the way forward? The AUC is now working to sensitize the strategy and its objectives with stakeholders across Africa and particularly policy and regulatory decision makers but also non-state actors from the private sector and civil society. In addition, the AU is working closely with RECs, AU member states and other partners to ensure that the strategy is included in realized through implementation plans at the regional and national level.

What we at USDA are trying to figure out is where can we be of help? Where can we support the AU and RECs member states in this process? On the regional level, for example, USDA in collaboration with ECOWAS, which is the Economic Community of West African States and partners including support from AU-IBAR, Interafrican Bureau for Animal Resources. We've established a regional Food Safety Regulatory Convergence Forum last July for a better regional coordination harmonization.

As a result of the meeting, Food Safety Regulatory Convergent action plan was developed to address the key issues with the food safety at the REC level and advanced harmonization of standards and ECOWAS that adhere to international standards. Our cumulative work with ECOWAS and AU-IBAR, for example, is really a tributary to the greater implementation stream of the strategies and the SPS policy framework.

While implementation plans are underway with the RECs and member states, it's important to promote the strategies and the SPS policy framework to foster increased African political will, investment in SPS measures, for example, in collaborating with the African Union, our implementing partners [unintelligible 00:18:14] 2063.

We are organizing a continental SPS policy dialogue session during the African Food Safety summit. That's actually happening next week, on June 15th in Nairobi. The dialogue will support the AU year for accelerated implementation of the AfCFTA. We're also going to have a panel with AU representatives, government, private sectors, civil society, donor groups and talk about SPS compliance and promote awareness of continental initiatives like this strategy.

When it comes to increased investment in data collection and reporting efforts such as the AUX index, SPS index is essential to monitoring the strength of Food Safety Systems at the national level to inform decision makers and drive investment as part of the Malabo Declaration and other development commitments. Member states need continued assistance in data collection analysis and reporting under the SPS index while more implied demand-driven research is needed to inform food safety knowledge gaps. It's worth noting that the SPS index replaces the African Food Safety Index which only captured the food safety part of SPS.

I know I'm almost out of time so I'll say in closing that food safety will continue to play an important role in achieving continental commitments and strategies such as the African Union Food Safety Strategy. It's only through a renewed political will, coordinated and effective resource mobilization and targeted technical assistance, can these strategies and these frameworks and all these initiatives and objectives be realized in the years to come.

I really encourage everyone on this call to explore the strategy to better understand how their work in the Feed the Future countries align or could be bolstered by its efforts. The AU has relayed their appreciation to us is open to support, and we need to keep this high up on the agenda because food safety is a shared responsibility. Thank you, everyone.

## Lee Gross

Thanks so much, Mary. Really great to hear what's going on with the African Food Safety Strategy. Thanks so much, everyone. I saw in the chat yes, please, just a reminder to throw your questions into the Q&A chat and we can address them there. We can provide that link to the Food Safety Strategy for Africa. Thanks a lot. Fazila, next, over to you.

## Fazila Shakir

Okay. Good morning and good evening, everyone. My name is Fazila Shakir. I'm the staff director with the Regulatory Cooperation and Partnerships team and the Office of International Engagement with the US Food and Drug Administration's Center for Food Safety and Applied Nutrition. It's my pleasure to speak with you all today. You can go to the next slide.

As we all know, in a global food safety system, if foodborne illness exists somewhere in the world, it can exist anywhere in the world. It's clear that we must work together with our domestic and international partners to ensure people all over have access to safe and healthy food. Our shared mission is to bend the curve of foodborne illness. We all want to give all consumers the confidence they deserve to have that everything that can be done is being done to protect them from unsafe foods. Next slide.

Many of you may be familiar with the 2011 law that revolutionized the US Food Safety System. The Food Safety Modernization Act or FSMA moved to our systems approach from reactive to proactive, and it recognizes that food producers and importers share a primary responsibility for safe food. It instructed FDA to overhaul its food safety program with the major directions of preventive controls, inspection compliance and response, imported food safety and enhanced partnerships.

We've accomplished a great deal in the year since FSMA was signed into law. Because of it, those who grow, produce, pack, hold, import and transport our food are now taking concrete steps every day to reduce the risk of contamination. The result is safer food in this country, whether the food is produced domestically or imported, but there's still work to be done to fully implement all the relevant provisions. Progress is being made on the important remaining rulemakings mandated by FSMA. Next slide, please.

To address this work, we developed the new era of Smarter Food Safety Initiative or New Era for short. We recognize that the food safety system is rapidly evolving to meet the expanding global supply chain and the changing needs of consumers in these modern times and modern times require modern approaches. We are building on what we've achieved through FSMA to create a more digital, traceable and safer food system. Many FDA efforts are being shaped by the New Era principles of innovation, traceability and digitalization. These are being applied as we finalize rules, develop plans and generate new solutions.

These include building on FSMA-mandated rules on food traceability and agricultural water. They also include working to ensure the safety of foods sold through e-commerce and in more traditional retail establishments. Other New Era priorities are promoting food safety culture, improving outbreak response, and considering the best uses of artificial intelligence, data modernization and other technologies. I'd like to expand upon a few tangible examples of the ways that FDA are exploring these principles to bend that curve of foodborne illness through our implementation of FSMA and New Era. Next slide, please.

The first example of this relevant work I'd like to share is what we're doing to advance farm-to-table food traceability across the global supply chain. In the event of a foodborne outbreak, better traceability leads to better safety by enabling rapid trace back to the source of contaminated food, speeding product recalls and better fueling the root cause analysis that can help prevent such contamination from happening again.

FISMA mandated a food traceability rule that lays out additional record-keeping requirements for enhanced traceability of certain foods. That rule was published in November of 2022, and the compliance date is coming up in January 2026. One of our key achievements in recent years was the published of the long-awaited proposed rule to revise certain quality and testing requirements for pre-harvest agricultural water established by the produce safety rule.

We've also developed an online agricultural water assessment builder to help farms understand the proposal and guide them through the assessments for pre-harvest water in an interactive format. We encourage for you all to check it out on the FDA website.

A third example of New Era-inspired work is what we're doing to unleash the power of data. The New Era blueprint includes plans to utilize additional sources of data, improve data quality, and explore platforms that facilitate the sharing of data and information. These include expanded use of information-sharing agreements in the US and other economies with regulatory and public health partners, academic institutions and industry, and others. We're also exploring methods to create data trust generated by industry to strengthen predictive capabilities and inform risk management decisions.

The final example I'd like to share is how we're exploring the incorporation of modern tools and approaches like artificial intelligence and machine learning to prevent or mitigate food safety issues. One way we're doing this is through pilot designed to strengthen our ability to predict which shipments of seafood pose the greatest risk of violation. This information doubles or triples our ability to predict which shipments are violative, which allows us to be more effective in the use of our resources when we're examining products at port of entry. We're looking to apply the lessons learned from the seafood pilot to other commodities as well. Next slide.

We would not be able to achieve any success with any of these initiatives unless we had strong international partnerships, both bilaterally and Multilaterally. CFSAN experts engage with international organizations for many important reasons. The increased safety assurances this involvement provides are particularly important given the volume of imported food we consume in the US. While we focus on partnering with organizations that align with our public health mission and interests, these partnerships allow CFSAN to encourage agencies, laboratories, industries and academic institutions to adopt internationally accepted food safety standards and methods.

Continuing engagement in these initiatives as well as in similar initiatives in the future will ensure confidence in our trading partners abilities to follow prescribed international food safety procedures and policies are met and sustained. Next slide.

One great example is the relationship that FDA has with the World Health Organization. Through our collaborations, we help educate competent authorities in other countries on new technologies to strengthen food safety systems and reduce the threat of foodborne illness. Another example is our engagement with the UN's food and agricultural organization. CFSAN works closely with two FAO groups, the Food Safety and Quality Unit, and the Land and Water Unit. We have separate cooperative agreements with each group to support and improve systems of food safety and water quality in developed and developing countries. Both efforts are geared to helping reduce foodborne illness.

Another example, one closely aligned with the WHO and FAO is Codex. The Codex Elementary Commission or CEC is a joint FAO and WHO Food Standards program that formulates voluntary international standards guidelines and codes of practice that make up the Codex Elementary or food code. As many of you attending today will know, Codex standards are based on sound science provided by independent international risk assessment bodies or ad hoc consultations organized by FAO and WHO that help protect the health of consumers and ensure fair practices in food trade.

The guidelines are voluntary, but they often serve as a basis for national legislation and are specifically referenced in the World Trade Organization's Agreement on sanitary and phytosanitary measures. CFSAN participates and exercises leadership in the CEC by working closely with the US Codex office and the US Department of Agriculture. Numerous delegates from CFSAN serve on various Codex committees including food hygiene and nutrition and food additives. We meet regularly with other CEC members, countries, organizations to advocate for science-based international food safety labeling and other standards.

CFSAN also participates in the working group and contributes annually to the Multi-Donor Trust Fund of the World Trade Organization's Standard and Trade Development Facility, STDF. The STDF is a global partnership that supports developing countries in building their capacity to implement international SPS standards to improve their regulatory oversight systems. It also facilitates the country's ability to gain or maintain access to markets by funding innovative cross-cutting SPS projects and development. The STDF serves both developing and developed economies alike in its role of global coordination platform, a knowledge hub and a network for SPS capacity strengthening.

The last example I'll share is the long history of involvement the FDA has had with the Asia Pacific Economic Cooperation or APEC. APEC is a regional economic forum represented by 21 economies bordering the Pacific Ocean. This is a critical region for the US as APEC economies make up 7 of the 10 top US trading partners and they account for more than 61% of US exports and then more than 67% of imports.

CFSAN provides food safety expertise as well as financial resources to support various work streams under APEC, including but not limited to, export certification, aquaculture safety, food safety modernization, laboratory capacity strengthening and maximum residue level or MRL pesticide harmonization. Next slide.

FDA also works closely with US government agencies that you can see listed on the slide to ensure the safety of the US food supply. We rely on our relationships with interagency partners to work collectively and holistically to strengthen food safety systems around the globe, all towards the goal of producing and treating safe food. A superb example of this interagency coordination is Food Safety for Food Security. FS for FS initiative.

FS for FS is a partnership between USAID, USDA, and FDA. The program is designed in part to improve food safety, nutrition and public health in developing countries. As a result of the work we do together, we've been able to generate resources such as the post-harvest handling manual, an online food safety distance learning module and tools via several phases of APEC whole genome sequencing work.

CFSAN will continue its engagement in FS for FS to promote food safety policy and regulatory environments in developing countries. This includes institutional, farmer, consumer and industry readiness to meet international standards, which we view to be critical to the transformation of global food systems. Next slide.

With that, we'd love to hear from you. The networks listed on the slide will work together with FDA addressing answers to regulation and policy interpretation questions, and the Food Safety Preventive



Controls Alliance, FSPA, addressing scientific and technical questions and interactions as appropriate. General inquiries that don't fit the criteria for FDA FSMA or the FSPA Technical Assistance Network and request for collaboration can be sent to [fda-cfsan-internationalengagement@fda.hhs.gov](mailto:fda-cfsan-internationalengagement@fda.hhs.gov). Next slide.

## Lee Gross

Great. Thanks so much. It's really fantastic to hear about all that FDA is doing on food safety and partnerships and technology. Thanks. Onto our next speaker. Regan, take us away.

## Regan Plekenpol

Great. Hello. Happy World Food Safety Day, everybody. You can pop to the next slide. I am really excited to chat with you today and I'm very excited to see what an international audience we have because this is quite a global project by nature. Excited to hear all of your questions and your perspectives as I share about our Global Food Donation Policy Atlas with a focus on food safety, on World Food Safety Day. Next slide, please.

The key issue that this project addresses, an impetus for this project and this collaboration is this dual global problem. We have this mismatch. We have an insane amount of food being wasted around the world and estimated 1.3 billion tons of food annually. Then on the other hand, we have really high rates of food insecurity and hunger, with more than 820 million people suffering from hunger, and that number is only rising. Next slide please.

One of the solutions that we identified at the Food Law and Policy Clinic here at Harvard Law School, is that food is so highly regulated that laws play a really big role in the food distribution chain, but oftentimes when it comes to food donation and food redistribution, laws are very confusing, vague or in many cases absent altogether.

Our solution and our theory of change, is that clear and comprehensive laws and regulations surrounding food donation activity is not only going to increase food donation, but it will also assuage some of the concerns on the part of food donors, food redistribution intermediaries and recipients of the food that want to make sure that they're getting safe and wholesome food in the most efficient and sustainable way possible. Next slide please.

I'm going to give you a quick overview of what the project is and our methodology, and then I'm going to jump into a little bit more about what we're doing with food safety and an exciting release that we have today on World Food Safety Day.

The Atlas Project is a collaboration between our clinic and the Global Food Banking Network, which a few of you in the audience may be familiar with, and our methodology is really to identify and analyze the current legal landscape in the countries that we're researching. What do laws and regulations and policies look like related to food donation status quo? We started with just a small handful of countries a couple years ago, and now we've come up to 24 countries to date and that list is only growing.

What we do is we just create this legal guide that gives you a basic understanding of what the laws currently look like, and then from there we're able to recommend tailored policy solutions for that specific country context, about how they can adjust or adapt their legal landscape to be more supportive of safe and sustainable food redistribution. We then have a very interesting interactive website where we're able to post that research and information in a way that is facilitating comparing and contrasting between different countries so that people that use these resources can easily spot best practices and understand some of the key differences around the world in different regions.

Then in our Atlas 2.0 work, we actually work on technical assistance and implementation of some of these policy recommendations. We identified that it's all well and good to establish what best practice

might look like, but what's really important and what's really exciting to us is actually working with partners on the ground to move that forward and take steps in the right direction towards implementation of some of those policy best practices. Next slide please.

In interest of time, I won't dive too deeply into the weeds on methodology, but one key important thing I'd like to mention here is that this work is all very much led by the in-country partners. There's only so much research we can do from behind a screen, looking at some of the laws and policies in countries and doing our best to interpret and understand them. The really important part of our methodology is in-country visits, interviews with stakeholders and folks on the ground that are really interacting with these regulations and policies. We can understand that maybe a law is written in a certain way, but that's not always how it's always interpreted and how it's implemented in real life.

We do a lot of stakeholder interviews to talk to food donors, food recipients, intermediary organizations, companies, establishments that are interacting in the food redistribution chain to really understand what the largest areas of friction and those obstacles are and on the other hand, what the largest most exciting opportunities are for policy change. Next slide please.

What was really interesting about this research, is that when we first started years ago, and we went to Chile and India and Canada, we were expecting to see very different issues in each of those contexts, expecting to see very niche and specific problems that that country alone was facing. The really interesting thing is that as we were doing that research, we identified that the same questions and the same concerns were resurfacing time and time again despite the very different international contexts. As we were doing this initial research, we identified these seven policy buckets that most of the concerns for each country fell under. I'll briefly talk you through these different legal areas.

First one is food safety, very germane to our conversation today. This isn't whether or not the country has food safety policy because most cases countries have some semblance of a food safety regulatory framework, but the question here is whether or not that food safety framework speaks specifically to food donation. That's really important because if the food safety legislation is silent on food redistribution of food surplus, then oftentimes donors and intermediaries are not even sure if donation is allowed and they're not sure what they need to do to redistribute food safely and within the constraints of the law.

Oftentimes, that confusion or uncertainty leads people to be, instead of donating safe surplus food in a safe way, they end up disposing it into landfill, which obviously, is not supporting either of those issues we talked about at the beginning of this presentation with huge amounts of food waste and the associated environmental costs and also the social cost of hunger. Food safety is one.

Date labeling is another really hot topic that we hear a lot about in almost every country we do research. Whether or not there's clarity in how expiry date labels are established and whether or not there's a bifurcation that clearly establishes which labels are related to safety, as in these types of food will be potentially harmful to humans if they consume it after a certain time period or which date labels are established by the manufacturer and they relate to quality of the food but not necessarily safety of the food.

The food past that quality date may certainly be safe to consume and redistribute under certain circumstances, but the confusion around what those date labels mean is causing a lot of waste. In many cases, a lot of food that could have been donated ends up in landfill.

Liability is another thing we hear about a lot. It's very important to be clear that liability protection is always in our best practice, will always be contingent upon safe redistribution of food and following all safety guidelines, and not being negligent. If all of those food safety laws are followed and supply chain

actors are not being negligent, there should be protection for food donors and food redistribution organizations, that they're not held liable for potential bad outcomes way down the line once the food has left their hands.

We look at tax incentives and barriers to see if governments offer any kind of tax deduction or credit as an incentive for enhanced donation or on the other hand, in many cases, we see that the tax laws in certain countries can actually add friction to donation, especially when we look at value-added tax and the ways by which that may add financial burden to the donation activity.

We look to see if the governments have any food donation requirement laws. We've been seeing an increasing number around the world of laws that actually mandate supermarkets, for example, to have contracts with food redistribution organizations. When they have a surplus, they're required to donate that surplus to organizations that distribute it to those in need. On the other hand, we also see an uptick of organic waste deterrence policies such as organic waste bans that would put a financial penalty on wasting safe surplus food.

We also look lastly at whether there's any extra incentives or grants for food donation infrastructure or other types of incentives coming from the government to really help develop the food redistribution sector. Finally, we look to see if there's a national strategy or goal or policy around reducing food waste or increasing food redistribution. Those are key issue areas that we look at when we're doing this legal research. Next slide, please.

This is just a quick snapshot of what our map looks like when you go on to our website. It's really fun to play around. It's all very interactive. As you can see, it's color-coded, so you can quickly see in each of those categories, which countries stick out as best practices, and which in the case of these red countries are the ones that don't have policy at all or really lacking policy in that area.

Then, of course, yellow and orange being gradients of moderate limited policy. You can easily see here, when you go into those categories, in this case, its food safety, UK and India stand out as really strong best practice, and I'm going to talk about those examples in just a second. For the interest of time, let's skip through here. Next slide, please.

Here's our food safety landscape. Next slide.

Today, we're really excited to release our issue brief on food safety for donations. This is a deep-dive into the best practices and opportunities, key issues, challenges and policy ideas in this food safety for donation space. This is going to be available on our website as of about right now. I'm really excited to walk you through some of the high-level points in this in this brief, but then I really do encourage you to jump onto our website and take a look at this. It's available right now in English and Spanish. Next slide, please.

The key issues that we identified in this brief-- The main issue is that a lot of times, as I mentioned earlier, is that food safety laws don't explicitly mention food donation. It's rare to see a country where food donation is carved out specifically. This, again, leaves donors really confused and unsure about what in that law applies to them, if anything, if everything.

They're not sure what they are meant to be doing. In many cases, for example, in India, before they released the regulations on food redistribution, when we spoke with people in India, most of them thought food donation was actually illegal because there was no clear law saying that it was legal and what you needed to do in order to safely and effectively donate food within the constraints of the law.

We're not even sure in some cases that food donation is legal. Then we're assuming that most of the provisions in the law apply to food donation even when some of them are not germane to food that is

being redistributed versus food that's being sold. For example, we see a lot of cases where food is unsaleable for a reason that has absolutely nothing to do with safety. For example, a food that has a label that's upside down or a food that has an incorrect net weight or again, like I mentioned with date labels, a food that's past a quality date that still remains completely safe for consumption.

It could be that a food is seized at port for whatever reason, it is safe to consume, but it becomes unsaleable because of that. Then we have this pile of perfectly safe food that then ends up being disposed instead of redistributed. These broad food safety requirements, as well as, in many cases, very limited guidance offered to businesses and nonprofits about what they're meant to be doing to donate food safely, leads again to this disposal of safe edible food that could have been redistributed.

Another important point here is that in many cases where there is liability protection, like I mentioned earlier, for donors and distribution organizations that are redistributing food to those in need, a lot of times that liability protection is contingent upon the following of all relevant food safety laws and of course, non-negligence.

When you're a food donor and you know you're protected but you need to follow all the food safety laws that are relevant to you in order to be covered by that liability protection, that adds an additional concern when you're thinking about whether to dispose or donate your food just because you're going to be risk-averse, of course, and you want to make sure that the end recipient that's getting your food is going to be safe and protected, and you don't want to inadvertently do anything to either break the law or unintentionally do something that's unsafe and pose a risk to that end recipient. Next slide, please.

The key recommendations that we outlined in the food safety issue brief are pretty simple. Adopt a specific food safety law and policy and be very clear about what food donors and food redistribution organizations are meant to be doing when it comes to food donation in a safe way. Explicitly permitting the donation of unsaleable food with labeling or permitting flaws that don't affect food safety is a best practice. Another best practice is allowing the donation of food past a quality-based label. Also being clear in that law what applies and what doesn't apply to donated food.

One example, we just finished our research in Israel, in their food safety legislation, they have a clause that specifically exempts food redistribution organizations from a very specific licensing and permitting requirement that is required for food for sale, but is fairly unnecessary for food that's being redistributed and actually would just cause unnecessary friction to food redistribution. They carved out an exemption for the food redistribution organization saying, that is not necessary for you, and that was able to enhance food donation activity.

Finally, we also recommend designating a department or agency to disseminate guidance, just being very clear, easy-to-understand language to people that are in the food redistribution supply chain so that they're able to be super, super clear on what is required of them, and that clarity will cause more confidence when they want to redistribute food to those in need. Next slide, please.

I won't dive into here, but this is an example of in that issue brief that I just mentioned that we published today, there's very specific line-by-line guidance on what we would say a best practice would look like for a food safety policy for food donation. If you are in the audience and you are a policymaker or you're someone who's doing advocacy work in your country and you want to see a food safety donation law or clause amendment in your current food safety legislation, this will walk you through exactly what should be included and best practices in doing so.

Just going to wrap up here. Some strong practice examples you can read about on the website are India that has a specific regulation for redistribution of surplus food and the Food Safety Standards and

Authority Agency in India is very, very involved with food redistribution activity and really heralds and supports that activity. There are great best practice. Next slide, please.

UK is also a strong practice in specific guidance that they offer. I really encourage you to go look at the UK guidance online. They are very specific about hygiene practices and handling and transportation required for food redistribution. Next slide, please.

As well as date labeling, being very clear about which date labels are related to safety, which are related to quality, and then explicitly permitting the donation and redistribution of food that is still completely safe to consume even if it's passed a best before quality date. Next slide, please.

Just wanted to mention that we have issue briefs and webinars on our website on all of those topics I talked about earlier. Not just food safety, we have all of these different topics that you'll see here. I encourage you if any of those other conversations were exciting to you to please go on our website and peruse these resources as well. Next slide, please.

That is it from me. I included my email address here. I'm very excited to hear from you, especially given that we have such an international audience. If anyone's excited about learning more about this project or getting involved in the project, I would be thrilled to hear from you. Please don't be a stranger. Please reach out. I think the link to our website has already been posted in the chat. Thank you so much for having me and hearing about our exciting project.

## Lee Gross

Great. Great work, Regan. That's really exciting actually. We've got a few questions up in the chat. I'm going to download some of the labeling data from my own friends and family. First question is, "This food donation guidance seems to be targeted to private industry donors. How might these materials also implicate humanitarian food donation and food assistance?" Question from Vanessa Pike.

## Regan Plekenpol

The guidance should be tailored to all audiences that are involved. UK is a great example. They have language that's specific to different stakeholders, but all of this should be germane to anyone that's in the redistribution chain. If I understood your question correctly.

## Lee Gross

Question from Solomon, "Please, how can we access food donations from your organization in Nigeria? What are the requirements? Does Nigeria has eligibility?" I guess the broader question there is, have you guys reviewed Nigeria?

## Regan Plekenpol

I believe we have. Yes, Nigeria is on our list and would love to connect with you separately if you have more questions about our research. Please do email me because we can talk about this for hours and I'm cognizant of the time, but yes.

## Lee Gross

Absolutely. Nigeria just passed new food safety legislation. We'll have to check to see whether it's in there. Great. If you have additional questions for our panelists, please drop them in the chat or in the Q&A. We'll make sure we get-- There was a question earlier. I think Mary provided an answer to on the Africa Food Safety Strategy. Really it was about how that food safety strategy at a continental level in

Africa can apply at a national level. I see a number of folks representing countries and whatnot. I think Mary's answer about modernization, there's a number of elements within that strategy. Any other questions for the group before we wrap up? This is your chance.

I think all the panelists have provided contact information. We've got a lot of great-- Well, the webinar today will be recorded. There'll be lots of opportunity to follow up. Thank you so much to all our panelists. It's really exciting. A really diversity of presentations from a food safety perspective. We thank all of our attendees for joining from all over the world. Thank you so much. Have a great day.

## Regan Plekenpol

Thank you all.



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