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Newsletter

Food Safety in Georgia: *Reforms Undertaken in 2010, Challenges and Perspectives*

Roundtable Discussion

On 10 March 2011, Eurasia Partnership Foundation (EPF) conducted a roundtable discussion on the important reforms undertaken toward ensuring food safety in Georgia, concentrating on the issues of implementation of the new regulations, and future prospects in this area.

The purpose of the roundtable

The regulation of sanitary and phytosanitary spheres directly impact the health of the Georgian population. It is also important for Georgian entrepreneurs, especially, for small- and medium-sized businesses. The reforms have to be undertaken in a way that Georgian entrepreneurs can introduce food safety systems for the production and distribution of their produce without incurring exorbitant costs and undergoing major difficulties. At the same time, reforming the sanitary and phytosanitary fields is one of the preconditions for Georgia's closer integration with the European Union, namely, for the development of trade relations and attraction of foreign direct investments (FDI) from the European continent.

Eurasia Partnership Foundation, in the framework of its European Integration Program, pays great attention to food safety issues and has supported a range of initiatives that have been carried out, in part to foster reforms in this area. The March 10 roundtable discussion aimed at conducting a dialogue between the Government of Georgia (GOG), the civil society, and business sector on sanitary and phytosanitary issues, support cooperation of the stakeholders, enhance the Georgian public's awareness of these issues, and increase public participation in this field.

The course of the meeting

EPF Country Director, Ms. Ketevan Vashakidze, made opening remarks and provided the audience with a short overview of the Foundation's activities in the sphere of food safety.

Ms. Natia Samushia, Adviser to the Prime Minister of Georgia and Mr. Tornike Mgaloblishvili, Deputy Head of the National Service of Food Safety, Veterinary and Plant Protection talked about the reforms undertaken in 2010 in food safety field, presenting the position and the vision of the Georgian government on this matter. Ms. Nino Chokheli, Senior Fellow at the Georgian Foundation for Strategic and International Studies (GFSIS), presented the results of a study conducted with the support of EPF, entitled *Implementation of European Neighborhood Policy in Sanitary and Phytosanitary Fields*. She underlined the problems existing in the field and provided the audience with the possible means for their solution. Later, Mr. Kakhaber Koniashvili, the director of the Association Dairy Georgia, reviewed the results of EPF-supported project devoted to food safety issues, outlining the recommendations elaborated in the framework of this project.

Representatives of the Government of Georgia, diplomatic missions, business community, local civil and international organizations, and the media attended the roundtable and shared their views about the issue. The representatives of civil society organizations, as well as business associations, noted that **progress was achieved in food safety regulation field in 2010**, but the results of the implemented reforms were still to be seen. During the roundtable discussion, some key problems and challenges were identified.

CSO representatives expressed their concern that **the process of drafting the food safety national strategy was insufficiently transparent**. Despite the fact that meetings devoted to food safety issues were conducted to bring together representatives of the government, CSOs, and business organizations, the text of the strategy was inaccessible to the public until after it was officially approved, depriving the CSOs the opportunity to provide specific recommendations to the government.

In response to this, the government representatives stated that many qualified specialists (local as well as foreign) took part in the preparation of the strategy. The final text was also agreed with the EU. According to the GOG, the strategy was constantly amended during the work process, and as a result, it would have been difficult to organize public discussions on the strategy's preliminary texts.

A concern on **the efficiency of foreseen inspection scale of food product manufacturers'** was also raised on the roundtable. According to the data as of December 2010, there are 16,250 foodstuff-related enterprises officially registered in Georgia, but the number of farmers producing and selling agricultural goods exceeds 100,000. In 2011, it is planned to inspect only 200 enterprises which is quite an insignificant number for the food safety situation to be improved in the country. Moreover, even though the functions of the National Service of Food Safety were enhanced to certain extent, its budget has decreased by 37%. Although the Service was granted the right to generate income from some of its activities, it is hard to tell how these income-generating activities will further contribute to the effective operation of the Service.

The urgency of the food safety issue is also demonstrated by the following. Georgia is included into the EU Rapid Alert System for Food and Feed (RASFF). In 2011, within the framework of this system, 6 cases were already identified, when Georgian production was not admitted to foreign markets. When such cases occur, the National Service of Food Safety carries out inspection and, if necessary, addresses the law enforcement bodies to remove the harmful goods from the market or production.

Lack of adequate resources (human as well as technical) for inspecting the imported foodstuff on customs-exit points still remains a problem. The roundtable participants noted that a great share of the products on the Georgian market are imported and mostly from developing countries, where the food safety control system raises serious doubts.

One of the major deficiencies of the food safety strategy and system noted by the participants is the **capacity limitations of the food safety laboratories and the lack of vision of how to solve this problem.** But as the government representatives stated, they are working toward this direction. The government is also working on further concretization of the food safety strategy.

During the roundtable, the participants also noted that even though the inspection of food product manufacturers has started, the entrepreneurs, violating the legislation are not being fined. The government representatives noted that entrepreneurs need time to get sufficient information about new requirements of law and prepare for implementation of new regulations. With this concern in mind, it was decided that **the sanctions for the export-oriented companies will be entered into force on July 1, 2011 and for companies operating on the domestic market – from June 1, 2012.** The National Service for Food Safety, Veterinary and Plant Protection, with the assistance of the International Finance Corporation (IFC) is implementing an **information campaign for entrepreneurs on the new requirements of the food safety law.** The Georgian Employers' Association also organizes regular meetings of representatives from the National Service with businesses. But more needs to be done in this direction.

The government representatives stated that **the food safety issues cannot be resolved only by the efforts of the state bodies. Indeed, the consumers have to be actively engaged in the process, as well as the private sector and professional associations.** However, a **major obstacle hindering consumers' activism is the difficulty of seeking remedies for the violations of consumers' rights.** The procedures currently stipulated in the law are difficult (lengthy and costly) to follow for the ordinary consumer. According to the Center for Strategic Research and Development Georgia (CSRDG), even the state agencies lack sufficient knowledge of the procedural requirements and are not able to provide information, as to when law enforcement agencies are supposed to get involved in ensuring the adherence to the established food safety standards. Furthermore, the mandate given to the National Service of Food Safety does not foresee carrying out inspections on the basis of individual complaints. The inspection of the enterprises is conducted according to a pre-approved inspection plan, which is developed based on the

consideration that certain businesses may pose significantly higher risks to public health, and thus should be inspected by the authorities. However, according to the government, individual appeals are also taken into consideration when preparing the annual inspection plan.

As it currently stands, in case of an individual appeal, the National Service can only take action, if the consumer presents food safety laboratory report which proves that a product at hand does not meet the specific food safety norm(s). Afterward, the National Service will refer this complaint to the financial police with a request to remove the harmful product (and its production) from the market. But the abovementioned procedure is also not clearly defined in the law and leads to misunderstandings.

The only other way for a consumer to defend his or her rights is to appeal to the judicial authorities, but in this case too, a laboratory report is required. To acquire this report, a product has to be purchased according to a special rule. The number of laboratories to undertake such testing are limited and their services are costly (the prices range from GEL100 to GEL1000), making it inconceivable for the Georgian consumers to protect their rights and make the government to take concrete actions.

Recommendations

As a result of the discussions, the following recommendations were developed by CSO and business sector representatives:

- Enhance information campaigns designed to raise the awareness of business sector about the legislative requirements in Sanitary, Veterinary, and Plant protection fields.
- In parallel to the implementation of the food safety strategy, develop relevant sectoral strategies and state programmes mitigating the negative effects of the introduction of the new system.
- Enhance capacities of the National Service of Food Safety, Veterinary and Plant Protection in terms of human resources, as well as material and financial resources, so that the state control of food safety is not fragmented.
- Pay special attention to the capacity-building of the food safety testing laboratories and select relevant reference laboratories in a timely manner.
- In parallel to the enhancement of control on the domestic market and local food producers, toughen the control on imported food as well, in order to ensure public health and to protect local companies from unfair competition.
- Ensure the transparency of the policy making process, so that the business sector and CSOs have more opportunities to be involved in the process.
- Improve the reaction mechanism on consumers' complaints, namely, make it clearer for all stakeholders and provide the customers with real mechanisms to advocate for and protect their rights.

The government representatives generally shared the recommendations and stated that the work toward improvement of food safety system is in progress. They expressed their readiness to continue cooperation with the CSOs and business community on this issue.

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