

TERMS OF REFERENCE OF THE PREPARED FOODSTUFF PRODUCT WORKING GROUP

Background

The ASEAN Consultative Committee on Standards and Quality (ACCSQ) was formed by the ASEAN Economic Minister in October 1992 with the aim of removing technical barriers to trades in order to facilitate the implementation of the Common Effective Preferential Tariff (CEPT) Agreement and to realize the ASEAN Free Trade Area (AFTA)

At the 4th Senior Economic Officials Meeting (SEOM) held in Medan, Indonesia on 8-10 September 1997, the SEOM approved the revised TOR of the ACCSQ, which among others, authorized the ACCSQ to involve regulatory bodies in the ACCSQ in order to achieve its mandate of eliminating technical barriers to trade.

The Special Meeting of the ASEAN Ministers on Agriculture and Forestry (SOM-AMAF) held on 24- 26 April 2001 in Siem Riep, Cambodia agreed on the need for MRAs for prepared foodstuff and requested ACCSQ to provide input on the proposal. As follow up, ACCSQ conducted a Regional Seminar on Prepared Foodstuff held on 25 November 2002 in Manila, Philippine, which as the outcome, recommended ACCSQ set up a working group to look into possible MRAs for Prepared Foodstuff. As a follow-up, the 21st ACCSQ Meeting held on 3-4 March 2003 in Brunei Darussalam agreed to form the Product Working Group (PWG) on Prepared Foodstuff, with Indonesia as the Lead Country. At the 16th PFPWG Meeting on 5 – 6 December 2012 in Kuala Lumpur Malaysia, PFPWG agreed that its scope of work will be on HS Code 16 – 22.

With the adoption of ASEAN Food Safety Policy in 2015 and the ASEAN Food Safety Regulatory Framework (AFSRF) in 2016 by the AEM, AMAF and AHMM, the PFPWG has been tasked to coordinate the development of instruments for implementation of AFSRF, with the establishment of a Task Force on AFSRF consists of official representatives from trade, agriculture and health.

Article 1: Objectives and Scope of the Prepared Foodstuff Product Working Group (PFPWG)

The PFPWG will assist the ACCSQ in conducting its tasks and works in particular in prepared foodstuff through, among others, the following measures:

- 1.1 Exchange of information on standards, regulations, procedures and mandatory requirements in Member States related to prepared foodstuff;
- 1.2 Identify areas for possible harmonisation of technical requirements/standards, and MRAs;
- 1.3 Develop, implement and monitor the sectoral MRAs;

- 1.4 Support implementation of ASEAN Food Safety Policy and coordinate the development of instrument for implementation of AFSRF with other relevant Sectoral Bodies;
- 1.5 Identify the technical infrastructure, that includes conformity assessment, to support initiatives in prepared foodstuff sector; and
- 1.6 Identify technical assistance and capacity building needed to support initiatives in prepared foodstuff sector.
- 1.7 Engagement with relevant private sector organisations/councils to review trade related implementation issues in prepared foodstuff sector.

Article 2: Structure

- 2.1 The PFPWG will be composed of:
 - 2.1.1 The PFPWG Chair and Vice-Chair. Both Chair and Vice-Chair shall not represent the same ASEAN Member States;
 - 2.1.2 One Head of Delegation (HOD) from relevant Government Agencies / Regulatory Bodies designated by each Member States to PFPWG. The HOD may be accompanied by delegates/experts designated by each Member States;
 - 2.1.3 The representative(s) from the ASEAN Secretariat;
 - 2.1.4 Any Representative of ACCSQ or its WGs/PWGs may participate at PFPWG Meetings as observers.
- 2.2 PFPWG may form expert committee(s) or task force(s) to assist its work to carry out certain specific activities.
- 2.3 PFPWG may invite the following Parties to its Meetings on specific Agenda Item with approval by the Heads of Delegation:
 - 2.3.1 Representative from international/regional organisations with relevancy with the work of PFPWG;
 - 2.3.2 Representative from any relevant ASEAN Sectoral Bodies;
 - 2.3.3 Representative from ASEAN Dialogue Partners;
 - 2.3.4 Relevant representative from Private Sector Organisations/Councils. Participation of private sectors organisations/councils shall follow the Rules of Procedure for Private Sector Engagement (PPE) under ASEAN Economic Community, endorsed by 23rd AEM Retreat on 9 March 2017, Pasay City, Philippines. **ANNEX 1**
- 2.4 The latest PFPWG organizational structure appears as **ANNEX 2**

Article 3: The Duties and Responsibilities of Chair, Vice-Chair.

- 3.1 The Chair of the PFPWG shall be responsible to the ACCSQ. The Chair shall preside at every meeting of the PFPWG and ensure that

all interests are heard, keep discussion to the point, judge when a consensus of opinion has been reached and express it by summing up progress in order that the minutes are clear and precise.

- 3.2 Prior to any discussion, the Chair shall consult with the members of the PFPWG on the subject to be covered during the discussion.
- 3.3 Any policy issues which might arise during discussion at the PFPWG, The Chair shall report to the ACCSQ for further consideration.
- 3.4 The Vice-Chair shall assist the Chair in implementing the above duties and responsibilities and shall assume these duties and responsibilities when the Chair is not available.

Article 4: Frequency of Meetings and Reports

- 4.1 PFPWG will meet at least once a year;
- 4.2 Any member of the PFPWG can request for a meeting with the approval of the Chair and the Vice- Chair.
- 4.3 At the conclusion of each meeting, PFPWG will determine the time, date and venue of its next meeting. PFPWG may hold a seminar/workshop/forum either back-to-back with PFPWG Meeting or as separate event, whichever appropriate.
- 4.4 Members shall be given at least 1 month notice of meeting;
- 4.5 Attendance by representatives from at least six member states shall be required to constitute a quorum.
- 4.6 PFPWG shall report its recommendations and proceedings to the ACCSQ, and continue to share updates to to SOM-HD and SOM AMAF.

Article 5: The Term of Office

The tenure for the Working Group 1 chairmanship shall be for a period of one year and followed by alphabetical order