

TERMS OF REFERENCE

CONSULTANCY SERVICES TO FACILITATE IMPLEMENTATION OF ISO/IEC 17065:2012 AT THE NATIONAL CERTIFICATION BODY OF JAMAICA AND TO TRAIN AUDITORS IN A SELECTED FOOD SAFETY MANAGEMENT SYSTEM CERTIFICATION SCHEME

1. BACKGROUND

1.01 In 2019, merchandise exports for Jamaica amounted to USD1.58 billion (bn), equivalent to 38% of the country's Gross Domestic Product (GDP)^{1/}. As a subset, food exports amounted to USD219 million (mn) or 13.8% of Jamaica's total exports^{2/}. Overall, the Jamaican economy is reliant on the export of goods to key markets in the European Union (EU), United Kingdom (UK), United States of America (USA), CARICOM and Dominican Republic. Total exports to these markets in 2019, amounted to USD558.5 mn, USD49.9 mn, USD615.5 mn, USD99.8 mn and USD1.4 mn respectively. As a share, food exports accounted for 11.4%, 95%, 24.5%, 51.5% and 60% of the total export value to the respective markets^{3/}.

1.02 Food supply chains are increasingly globalised and complex. Consequently, there is an increasing consumer awareness of foodborne illnesses and health implications with an assignment of legal responsibility to food chain operators to guarantee food safety. Key export markets like the EU, UK and USA, which continue to play leading roles in setting food safety standards, require that food imports should meet specific technical requirements and conformity assessment procedures to guarantee food safety^{4/}. These are typically embodied in specific food safety management systems (FSMS) to which food producers have to be certified^{5/}.

1.03 There is great potential for Jamaica to increase food exports to the Caribbean Forum (CARIFORUM) countries, the EU, UK and USA due, in part, to growing demand from the Caribbean diaspora and market access opportunities made available under trading agreements such as the CSME and the CARIFORUM–EU EPA. The potential remains untapped however as Jamaican exporters continue to face challenges in meeting technical requirements of key markets such as the UK, EU and USA. The BSJ estimates that approximately 80% of food exporters are not certified to any FSMS that would enable their goods to enter the US and/or EU markets. The pervasive lack of FSMS certification increases the risk of border interceptions and rejections. For example, the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAF) indicated that during the period 2015–2018, there were a total of 22 interceptions of Jamaican products at the US borders and 43 interceptions at EU borders^{6/}. Interceptions were due to the presence of plant pests, absence of a phytosanitary certificate (plant passport), presence of prohibited objects or harmful organisms, and non-compliance with special requirements for agro-food products such as wood pellet and packaging. Those interceptions resulted in border rejections and revenue losses.

^{1/} Statistical Institute of Jamaica (2020). Merchandise Trade Data. Retrieved from <https://statinja.gov.jm/>.

^{2/} Trade Economics (2019). Retrieved from <https://tradingeconomics.com/>.

^{3/} Jamaica Manufacturers and Exporters Association (2020). Export Data for 2019. Received via email correspondence.

^{4/} A conformity assessment involves testing, inspection, and certification of products or services.

^{5/} A food safety management system is a systematic approach to controlling food safety hazards within a food business in order to ensure that food is safe to consume.

^{6/} Between 2015-2019, Jamaican exporters to the EU experienced 43 interceptions compared to 8 during the same period for Trinidad and Tobago. This is the second highest rate of export interceptions in the CARIFORUM region after the Dominican Republic (for countries where data is available) according to the European Union Notification System for Plant Health Interceptions (EUROPHT). See https://ec.europa.eu/food/plant/plant_health_biosecurity/europhyt/interceptions_en

Persistent interceptions can result in a trade ban using information gathered through the EU-Rapid Alert System for Food and Feed (RASFF) and the US-Import Refusal Report (IRR). Trade bans negatively affect the brand of the exporting company and by extension the reputation of the exporting country as well.

1.04 Micro, Small and Medium Enterprises (MSMEs), which account for 80% of employment in Jamaica and represent more than 90% of all enterprises listed on the Jamaica Tax Register^{7/}, are particularly challenged to access FSMS certification schemes. The constraints faced are three-fold and extend to MSMEs across the CARIFORUM region:

- (a) There has been a proliferation of FSMS certifications schemes, none of which are universally accepted in the key markets identified above. These include but are not limited to HACCP–Hazard Analysis and Critical Control Points; FSSC 22000–Food Safety System Certification; ISO 22000–Food Safety Management System; BRCGS–British Retail Consortium Global Standard for Food Safety; SQF–Safe Quality Food Programme; GLOBALG.A.P.–Global Good Agricultural Practices. In addition to the foregoing, the Global Food Safety Initiative (GFSI), has been established as a benchmarking scheme to provide a collaborative platform to recognise different food safety standards. In this vein, GFSI recognises food safety standards such as: FSSC 22000, GLOBALG.A.P., BRC and SQF^{8/}.
- (b) Unavailability of an appropriate and relevant range of FSMS certification services in Jamaica and a limited number of qualified auditors to support FSMS implementation and certification by firms^{9/}.
- (c) As a consequence of the (2) above, few MSMEs can afford the high costs associated with the procurement of external certification services with fees as much as USD1,500 per day for the conduct of a compliance audit plus the requisite expenses associated with the audit team’s travel.

1.05 There is very little documentation on the extent to which gender exacerbates the severity of the constraints to access described above, however anecdotal evidence^{10/} generally points to the following concerns:

- (a) Prevailing gender norms present barriers to women’s participation in the development of standards.
- (b) Dominance of male representation in standard-setting affects the way that standards are produced, with insufficient consideration of women specificities in the deliverables.

^{7/} MSME and Entrepreneurship Policy (2019).

^{8/} GFSI only recognises some schemes, and with others like HACCP, only partial technical equivalence is recognised. HACCP for example, is science-based and only addresses intentional food safety issues. GFSI-recognised schemes (such as IFS, FSSC22000 and BRC), on the other hand, are regularly updated to reflect the reality of today’s business environment and its challenges such as the requirement to fight food fraud and incorporate unannounced audits.

^{9/} The NCBJ contracts the services of individuals to carry out certification audits on its behalf. These personnel are referred to as “external auditors” and they from both the public and private sector.

^{10/} Economic Commission for Europe Steering Committee on Trade Capacity and Standards Working Party on Regulatory Cooperation and Standardisation Policies: Gender mainstreaming in standards https://unece.org/DAM/trade/wp6/documents/2016/ECE_CTCS_WP6_2016_03E.pdf.

- (c) Standards are generally presumed to be gender-neutral and are developed without recognising the differences between male and female standard users.
- (d) There is a lack of explicit gender policies and implementation strategies in standard organisations.
- (e) Little knowledge about the gender impacts of standards exists due to the lack of sex-disaggregated data.

1.06 Food safety is an important element of the quality infrastructure. Food regulations address elements of safety and quality subject to both the World Trade Organisation (WTO) Sanitary and Phyto-Sanitary (SPS) and Technical Barriers to Trade (TBT) Agreements. In line with international best practices, national standards bodies in developing countries now adopt an integrated approach for implementing mandatory food standards to address food safety as part of quality infrastructure. Jamaica has embraced many policies and strategies to strengthen the National Quality Infrastructure (NQI)^{11/} and to assist exporters in enhancing their capacity to gain market entry. These are well articulated in the National Export Strategy (2015–2019), the National Food Safety Implementation Plan (2017) and the National Quality Policy (2017).

1.07 Jamaica's NQI is administered by a number of Government agencies. BSJ, an agency under MICAFA, is a statutory body established by the Standards Act of 1969, with additional responsibilities under the Processed Food Act (1959) and Weights & Measures Act (1976), to lead in promoting standardisation in production and services relating to conformity assessment (certification, testing and calibration) and metrology. BSJ is the lead agency dealing with FSMS and in providing testing and calibration services. BSJ also facilitates trade as a technical information centre and national enquiry point for the WTO TBT Agreement, the CARIFORUM-EPA and also serves as the focal point for the United States Drug Administration to coordinate Jamaica's preparedness to comply with the requirements of the US Food Safety and Modernisation Act. Through its Kingston headquarters and four regional offices, BSJ also undertakes outreach activities and advocacy to stakeholders such as consumers, manufacturing, agriculture and retail industries.

1.08 NCBJ is a subsidiary of BSJ, that provides certification services. It is an internationally recognised certification body that is currently certified to ISO/IEC 17021-1:2015 which allows the organisation to certify management systems (such as ISO 9001) as a Third-Party Conformity Assessment Body^{12/}. NCBJ has also been involved in a national Certification of Agricultural Produce programme, designed to certify local agricultural produce destined for domestic and export markets, based on the farmer's use of Good Agricultural Practices with a view to ensuring compliance with food safety standards, quality guidelines and good environmental practices. However, a key challenge is that NCBJ is not accredited to ISO/IEC 17065:2012^{13/} which would pave the way for NCBJ to provide certification in internationally recognised FSMS and expand the range of FSMS certifications available to Jamaican and other CARIFORUM food exporters.

^{11/} Quality infrastructure (QI) refers to the public and private institutional framework needed to implement standardisation, metrology, accreditation, and conformity assessment services (including inspection, laboratory testing, and product, process, and personnel certification).

^{12/} ISO (the International Organisation for Standardisation) and IEC (the International Electrotechnical Commission) form the specialised system for worldwide standardisation.

^{13/} This International Standard contains requirements for the competence, consistent operation and impartiality of product, process and service certification bodies. Certification bodies operating to this International Standard need not offer all types of products, processes, and services certification.

2. OBJECTIVE

2.01 The objective of this consultancy is to facilitate the implementation of ISO/IEC 17065:2012 at the NCBJ towards accreditation, which is required for the organisation to provide FSMS certification services to food manufacturers/exporters; and to train external auditors in ISO/IEC 17065:2012 and the selected FSMS requirements towards certification. Such auditors will support the NCBJ to provide FSMS certification services to food manufacturers/exporters

3. EXPECTED OUTCOME

3.01 The following outcomes are expected:

- (a) Enhanced capacity of the NCBJ to provide new certification services to national and regional clients;
- (b) CARIFORUM and local food industry firms will be certified to selected FSMS by the NCBJ.
- (c) Enhanced capacity of the NCBJ to provide new certification services to national and regional clients; and
- (d) CARIFORUM and local food industry firms will be certified to selected FSMS by the NCBJ.

4. SCOPE OF SERVICE

Component I: Accreditation to ISO/IEC 17065:2012

4.01 The individual Consultant will support NCBJ in implementing ISO/IEC 17065:2012 towards accreditation through the following activities:

- (a) Conduct a technical audit/gap analysis of the requirements of the standard including but not limited to an assessment of:
 - (i) The adequacy of the number and competence of staff.
 - (ii) The quality management system.
 - (iii) Certification process requirements.
- (b) Prepare a technical audit/gap analysis report, with concrete recommendations for closing the observed gaps, and produce an implementation plan.
- (c) Assess the training needs of staff at NCBJ based on the gap analysis carried out and formulate an overall training programme.
- (d) Conduct a pre-assessment of auditors to be trained to identify gaps and develop a training plan^{14/}.

^{14/} NCBJ will select and evaluate competent individuals based on education, work experience, and competencies. Evaluations will be conducted using various methods such as interviews, simulations and review of records.

- (e) Design and deliver training in ISO/IEC 17065:2012 and the selected FSMS Standard requirements.
- (f) In consultation with technical and managerial staff, create templates and other forms, etc. that comply with the respective standard and are acceptable to NCBJ.
- (g) Review the preliminary and revised drafts of all documentation submitted by NCBJ (e.g., the quality manual, standard operating procedures, work instructions, forms, and personnel records), provide detailed feedback and approve final documentation.
- (h) Design and deliver training to internal auditors^{15/}.
- (i) Perform Internal Witness Audits of auditors.
- (j) Conduct internal audit.
- (k) Assist the NCBJ to close non-conformances.
- (l) Conduct Management Review.
- (m) Perform an Initial Office Assessment.
- (n) Assist the NCBJ to prepare the accreditation application for submission to the American National Standards Institute (ANSI) National Accreditation Board (ANAB).

Component II: Training and certification of auditors in FSMS

4.02 The Consultant firm will support NCBJ in the pre-assessment and training of auditors in the requirements of ISO/IEC 17065:2012 and the selected FSMS towards certification through the following activities:

- (a) Prepare an ISO/IEC 17065:2012 training manual.
- (b) Deliver training for selected auditors and NCBJ's personnel involved in the accreditation and certification, using a mix of virtual and in-person training (where feasible), in ISO/IEC 17065:2012 and the selected FSMS Standard requirements.
- (c) Deliver training for selected auditors and NCBJ's personnel involved in the accreditation and certification, using a mix of virtual and in-person training (where feasible), in the following areas:
 - (i) Food Defense.
 - (ii) Food Fraud.

^{15/} Based on the standard requirement the same approach will be used for both internal and external auditors NCBJ will identify and judge competent individuals based on education, work experience, and competencies. Evaluations will be conducted using various methods such as interviews, simulations and review of records.

- (iii) HACCP.
- (iv) Prerequisite Programme
- (v) FSMS Lead Auditor
- (vi) Food Technology
- (vii) Food Packaging Technology
- (d) Conduct Witness Audits
- (e) Evaluate auditors
- (f) Certify external auditors

5. **REPORTING REQUIREMENTS AND DELIVERABLES**

5.01 The Individual Consultant will report to the Manager, NCBJ and will be required to submit/deliver the following:

Deliverables	When
An Inception Report containing a detailed work plan and schedule for each laboratory, including equipment requirements and physical infrastructure development requirements; and An outline of the training plan.	Two weeks after commencement of assignment.
Prepare gap analysis reports and implementation plans for each laboratory, inclusive of equipment procurement and physical infrastructure preparedness to be so guided in implementation by the consultant.	Eight weeks after commencement of assignment.
Draft Training Manual on ISO/IEC 17065:2012 and the selected FSMS Standard requirements for NCBJ review.	Ten weeks after commencement of assignment.
Final Market Needs Assessment Report with summary data analysis and recommendations.	12 weeks after commencement of assignment.
Revised Training Manual on ISO/IEC 17065:2012 and the selected FSMS Standard requirements.	14 weeks after commencement of assignment.
Facilitate a forty-hour training workshop for at least two participants from each laboratory and submit the training report.	Within four weeks of the delivery of the equipment.
Conduct Training on ISO/IEC 17065:2012 and the selected FSMS Standard requirements (virtual and in-person).	Within four weeks of the delivery of the equipment.
Prepare and submit Training Report on ISO/IEC 17065:2012 and the selected FSMS Standard	Within eight weeks of the delivery of the equipment.

Deliverables	When
requirements, with training materials.	
Develop copies of templates, calculation spreadsheets and forms complying with respective standard and acceptable to the laboratory and the CARICOM Regional Organisation for Standards and Quality (CROSQ).	Within eight weeks of the delivery of the equipment.
Prepare a Mid-Term Progress Report containing detailed feedback on the progress of each laboratory and technical assistance provided to reinforce learning and training report from attachments, and a schedule of next steps for approval.	Within 12 months of project implementation.
Provide detailed feedback on the final draft of the Quality Management System (QMS) documentation.	Within four weeks of receiving the draft QMS documentation from each laboratory.
Provide an analysis of the performance of each laboratory with concrete recommendations to improve the results and assist to implement those recommendations.	Within three weeks of receipt of the draft report of the inter-laboratory comparison and internal audit report.
Prepare and submit end-of-project report.	Within four weeks of the completion of the peer reviews.

6. DURATION

6.01 It is estimated that this consultancy will require 141 person-days per year over a period of 24 calendar months.

7. QUALIFICATIONS / EXPERIENCE OF THE CONSULTANT

7.01 The assignment will be carried out by a firm whose team should possess the following:

Lead Auditor

- (a) At least a post-graduate degree in Natural Sciences, Applied Sciences, Engineering or any related field.
- (b) At least ten years' experience working with quality institutions, particularly in the areas of accreditation and conformity assessment.
- (c) At least five years' experience in conducting lead auditor training.
- (d) Experience in guiding organisations in the implementation of ISO/IEC 17065:2012
- (e) Working knowledge of food safety management systems.

- (f) Certification as a lead assessor for relevant standard and management systems.
- (g) Working knowledge of Caribbean quality institutions would be an asset.
- (h) Good communications, facilitation and change management skills.
- (i) Excellent technical and report-writing skills.
- (j) Fluency in written and spoken English.

8. SUPERVISION OF THE CONSULTANT

8.01 The consulting firm will report to the Manager, NCBJ.

8.02 The deliverables/reports referred to in sections 4 and 5 must be submitted to the Manager, NCBJ and the Project Coordinator identified in the contract.

8.03 The Manager, NCBJ will be responsible for approving deliverables/reports. The Project's Steering Committee will review and provide comments on the inception, draft final and final reports.