

3 Mandatory and voluntary standards – an overview

Mandatory standards are set by governments and are enforced by liability rules in case of non-compliance.

Voluntary standards are set by various stakeholders to harmonise national food safety regulations or to meet specific attributes.



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While tariff and quota regulations tend to decline, the opposite is true for mandatory technical regulations and voluntary private standards. Growing concerns about consumer protection and global competitiveness, both of which are closely linked to food quality and safety, resulted in an ever expanding number of standards and regulations released by manifold organisations. In line with the globalisation of food markets, different levels of standards have to be observed, be they mandatory or voluntary. As explained before, four levels of standard ruling/standard setting organisations can be distinguished (see also Graph 2 on the following page):

- **multilateral** standard ruling (e. g. WTO)
and multilateral standard setting organisations (e. g. Codex Alimentarius)
- **supranational** standard setting organisations (e. g. trading blocs such as the EU)
- **national** standard setting organisations (e. g. EU Member States)
- **private** industry and trade (e. g. collective and corporate standards)

Mandatory and voluntary standards become increasingly interlinked. Nowadays, standards set or ruled by multilateral bodies have an increasing impact on standardisation policies at other levels:

- Standards elaborated by the Codex Alimentarius Commission (CAC) of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO), the International Plant Protection Convention (IPPC), the World Organisation for Animal Health (Office Internationale des Epizooties – OIE) and the International Organization for Standardization (ISO) are recognised by the World Trade Organization (WTO), which by itself is not a standard setting but a standard ruling organisation. Members of the WTO have to adapt their standardisation policies at multilateral and national levels based on these references.
- Although voluntary, standards elaborated by the International Organization for Standardization (ISO) have become an integral part of an increasing number of standards at all levels. ISO's work is strictly regulated by the organisation's own procedures and the WTO's 'Code of Good Practice for the Preparation, Adoption and Application of Standards' (Annex 3 to the Agreement on Technical Barriers to Trade).
- The same applies to several codes of good practice established by the Organisation for Economic Cooperation and Development (OECD), the International Electrotechnical Commission (IEC) or the United Nations Economic Commission for Europe (UN/ECE).
- Voluntary standards increasingly become de facto requirements ('soft law'¹⁴) for producers, processors and distributors as their importance for competitiveness in international markets has significantly increased over time.

As a consequence of these increasing interdependencies, the distinction between different standard setting levels becomes volatile, and the distinction between mandatory and voluntary standards becomes irrelevant in practice.

The following graph provides an overview of the different levels of and linkages between standards, which are, in fact, relevant for approaching the EU market.

¹⁴ The term 'soft law' refers to quasi-legal instruments which do not have any binding force, or whose binding force is somewhat 'weaker' than the binding force of traditional law, often referred to as 'hard law', in this context. Source: http://en.wikipedia.org/wiki/Soft_law



BRC	British Retail Consortium
CAC	Codex Alimentarius Commission
EU	European Union
EurepGAP	European Retailer Produce Working Group 'fruit and vegetables' Good Agricultural Practices
GFSI	Global Food Safety Initiative
HACCP	Hazard Analysis Critical Control Point
IEC	International Electrotechnical Commission
IFS	International Food Standard
IPPC	International Plant Protection Convention
ISO	International Organisation for Standardisation
MRL	Maximum Residue Level
NZ GAP	New Zealand Good Agricultural Practices
OECD	Organisation for Economic Cooperation and Development
OIE	World Organisation for Animal Health
QS	Qualität und Sicherheit (Quality and Safety)
SQF	Safe Quality Food
UNECE	United Nations Economic Commission for Europe
WTO	World Trade Organisation

Graph 2: Approaching the EU market
– Overview of different levels of food standards