



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

Canadian Food Inspection Agency



Our vision:

To excel as a science-based regulator, trusted and respected by Canadians and the international community.

Our mission:

Dedicated to safeguarding food, animals and plants, which enhances the health and well-being of Canada's people, environment and economy.

Strengthened oversight over Imports under the Food Safety Action Plan

Food Forum for Industry and Government in Southwestern Ontario

***Matt Bell, A/Chief Legislation, Food Safety Strategies
Directorate, CFIA***

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Purpose

- 1) To update FFIGS members on developments concerning the regulatory proposal for imported food sector products
- 2) To initiate discussion around key concepts related to this proposal, and
- 3) Better understand potential challenges for industry in meeting the requirements of the proposed requirements

Imported Foods – Trends in Canada

- Canada is the 6th largest importer of agricultural and agri-food products in the world.
- Over 40% of food products sold in Canada are imported; in addition, most domestic products contain imported ingredients
- 45% increase in food imports in last nine years
- Increasing scale and complexity of global supply chain, distribution and sourcing of ingredients
- Due to supply chain complexity, food safety incidents can be broad and far-reaching



Objectives under FSAP

Enhance and modernize import control activities within the Non-Federally Registered Sector (NFRS):

- Focus on prevention and mitigation of food safety risks, before they become a larger problem
- Raise awareness of food safety requirements and best practices with importers and strengthen engagement
- Support industry development of modern food safety control measures – emphasis on prevention
- Enhance recall capacity

Ultimate Outcome:

The risk of unsafe or non-compliant NFRS products entering the Canadian marketplace is managed and reduced

Current Legislative Framework – Non-Federally Registered Sector (NFRS)

Food and Drugs Act

- Canada's keystone legislation governing food safety, consumer protection
- Establishes safety, nutritional standards for all food sold in Canada



Consumer Packaging and Labelling Act

- Applies to pre-packaged food products
- Includes requirements for basic food label information, net quantity, metrication and bilingual labelling

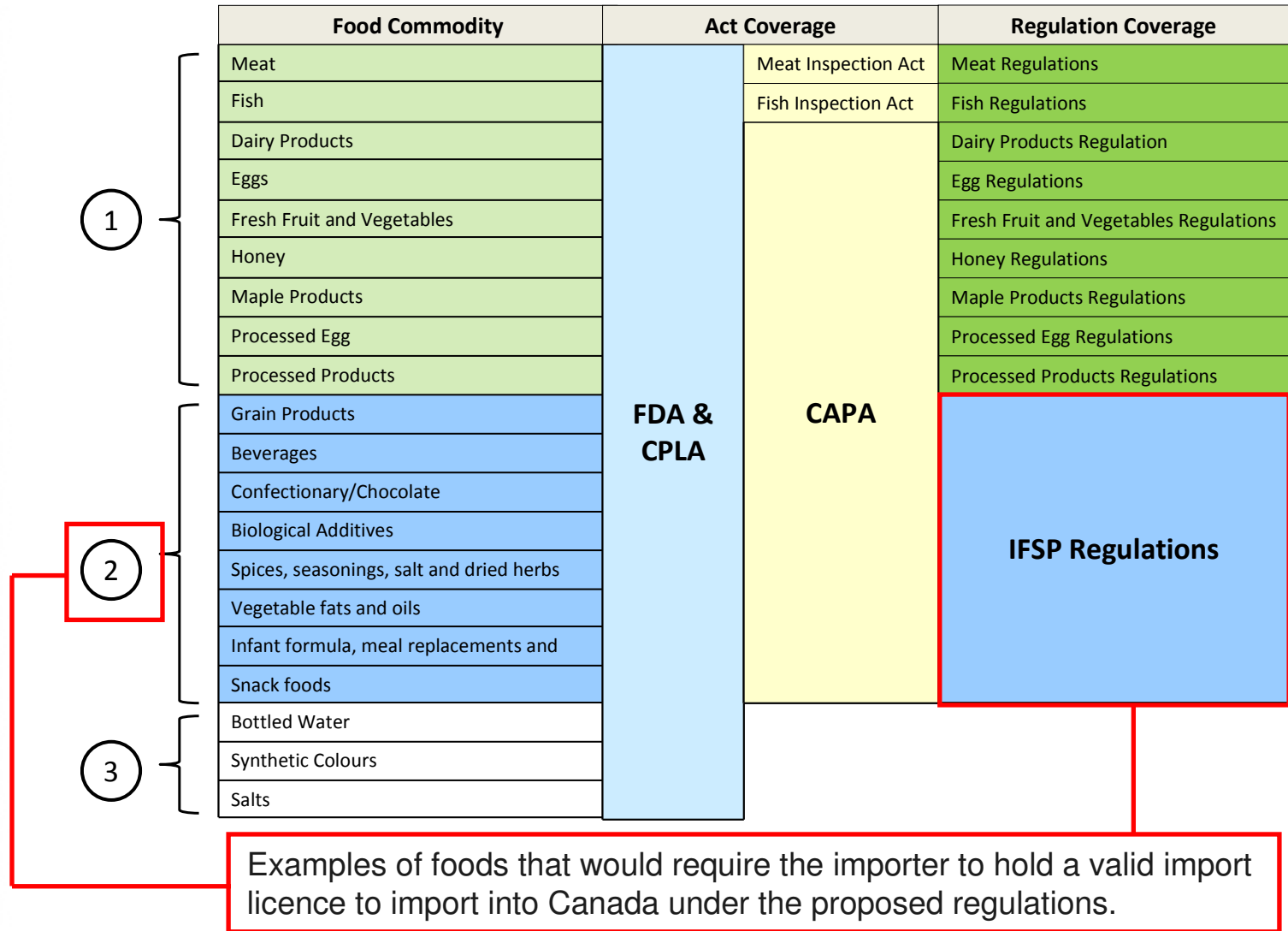
What will change?

- **The CFIA is working to launch the largest licensing initiative in its history.**
- Under the proposed *Imported Food Sector Products Regulations*, importers of most NFRS products would be required to have:
 - Licence to import
 - Preventive Food Safety Control Plan (PFSCP)
 - Recall procedures
 - Record keeping
 - Notification of unsafe food

New authorities will enable Agency to:

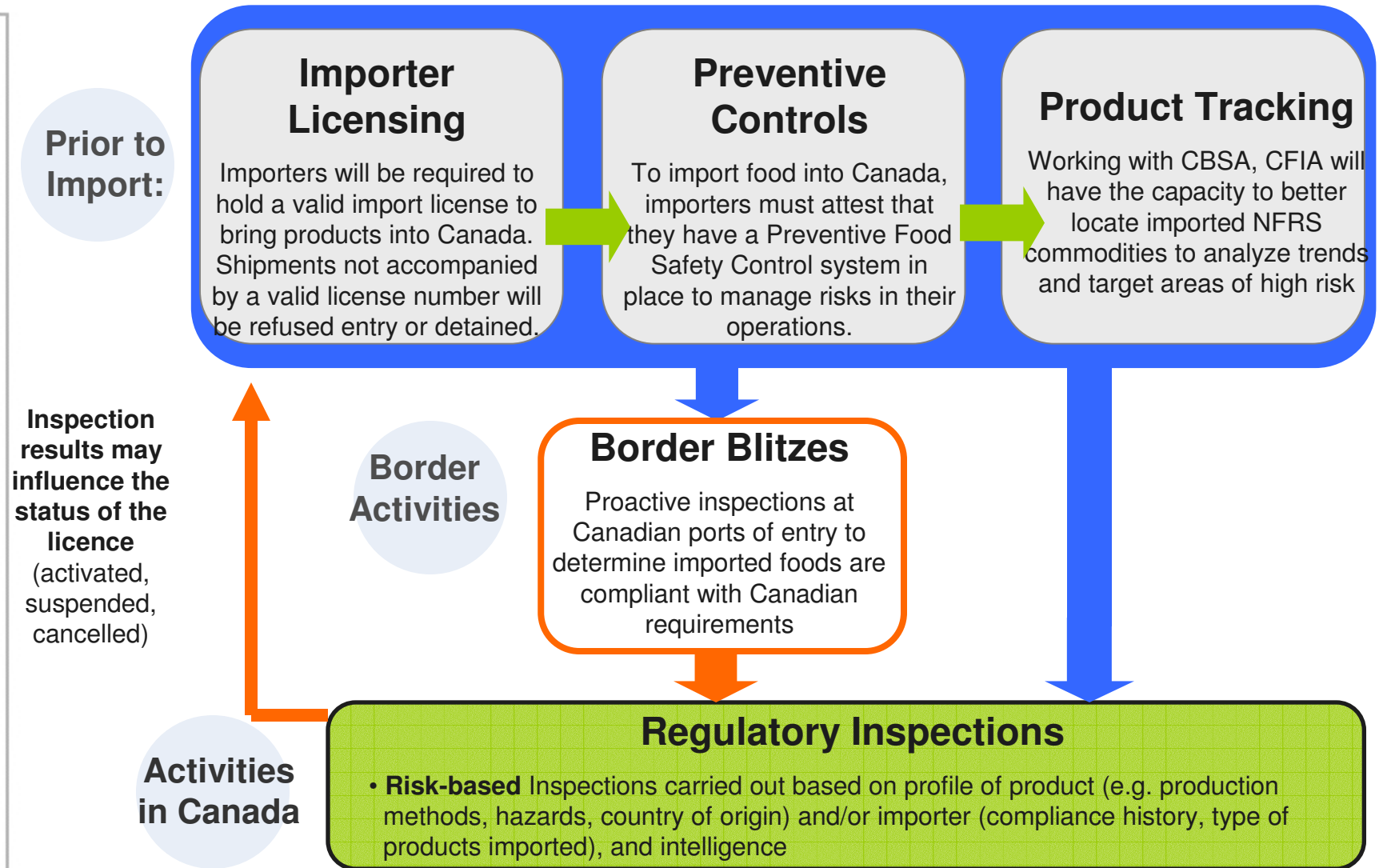
- rapidly identify and communicate with importers of NFRS products, and
- target resources to areas of greatest risk.

Scope of the Regulatory Proposal



FDA = Food and Drugs Act **CPLA** = Consumer Packaging and Labelling Act
CAPA = Canada Agricultural Products Act **IFSP** = Imported Food Sector Product Regulations (proposed)

Import initiatives – Program Design



Proposed Importer Obligations

1) Preventive Food Safety Control Plan (PFSCP)

- Licence holders must develop, implement, maintain a written PFSCP
- PFSCP sets out the measures necessary to reduce the risk of foods being unsafe, and address as applicable, but is not limited to:
 - Equipment Maintenance and Calibration
 - Premises Maintenance
 - Water Safety
 - Personnel Hygiene and Practices
 - Sanitation
 - Pest Control
 - Transportation, Shipping, Receiving, Handling and Storage

The outcome based approach will provide importers with the flexibility that they need to design a PFSCP based on managing food safety risks within the context of their business activities and needs



2) Recall plan

- Shift from voluntary measure (Good Importing Practices) to mandatory requirement
- Current guidance: “Food Recalls: Make a plan and action it! Importer’s guide”

3) Maintenance of records

- licence holder must maintain all records demonstrating compliance with the proposed regulations
- Records may be in hard copy or electronic
- Records should be retained for 3 years or 1 year after expiry of imported product, whichever is longer

4) 24 hour notification

- Proposal: an importer would have to notify the CFIA within 24 hours of becoming aware that an imported NFRS product poses a hazard to the public.
- Guidance currently under development to clarify:
 - What constitutes a hazard and at what point an importer should contact the CFIA
 - How industry should notify the CFIA

Importer application information requirements

- Licence new/renewal
- Applicant's legal name & address
- Emergency contact information (if different from above)

Attestation:

Condition of licensing:



Attest - I have developed, implemented and maintain a preventive food safety control plan



➤ to facilitate service delivery, the CFIA is developing an on-line licensing portal to issue and administer these import licences



Licensing fee

- To support licensing regime, the CFIA intends to implement a User Fee for issuance of the licence
 - License would be valid for two years
- 70-day consultation period commenced April 20, 2012
- To view the proposal and comment:
 - Visit <http://inspection.gc.ca>
 - “CFIA proposal for a service standard and user fee for Food Safety Action Plan: Importer Licensing”



Licensing: International Context

- The proposed regulation, with its emphasis on importer accountability, is similar to approaches taken by trading partners (e.g. United States and European Community)
 - Importer licensing is an import control tool that is included in *Codex Alimentarius* guidelines
 - Preventive controls are internationally recognized as a tool to enhance food safety systems
- Canada is working with USFDA, in the context of the Regulatory Cooperation Council, as both are developing new importer regulations
- Canada has notified the WTO of the regulatory proposal and solicited comments from other WTO members

Meeting expectations of Industry

- Conducting in-depth consultations with businesses to better understand their issues and needs
- “Connecting the dots”: developing clear, plain language guidance
- Minimize amount of information CFIA requires during application process
- Strong client-focused approach through single window/web-based system to pay for and obtain licence
- Impacts on small business will be assessed as part of the “Small Business Lens” initiative mandated by Treasury Board
- Gradual approach to implementation: proposed trader education period for businesses to comply following entry into force of Regulations



Next Step: Engagement

Objectives

1. To increase awareness of the Regulations and the requirements, and communicate the Agency's expectations
2. To work with regulated parties to understand the range of business models and the challenges industry faces to meet the regulatory requirements
3. To identify the right compliance tools and develop them in a manner that is most useful to a wide range of the regulated community

Engagement activities

- Targeted discussions have continued following the pre-consultation in 2010.
- *“Notice of Intent with respect to a proposal to establish an Importer Licensing regime”* - published in *Canada Gazette*, Part I April 20, 2012
- Assist regulated parties in the NFRS to self-identify
 - *“A Guide to Identifying Food Products Affected by the Proposed Imported Food Sector Product Regulations* - posted April 20, 2012
- Establishing a Stakeholder Advisory Council (spring 2012) to provide advice on program development

Engagement opportunities

- Forming targeted working groups consisting of micro, small, medium and large enterprises to understand the range of business models and the challenges industry faces to meet the regulatory requirements – spring/summer 2012
- Publication of regulatory proposal in *Canada Gazette, Part I* - targeted for fall 2012 - launches a formal 75-day comment period
- Multi-lingual information materials in development recognizing the cultural diversity within the import sector



Capacity Building – supporting small/micro enterprises

- Working with partners to identify opportunities to assist importers under this regulatory proposal to build capacity to develop and implement a PFSCP
- Collaboration with food technology centres and micro and small importers in this sector to develop PFSCP models
- Plain language guidance documents in development
 - Importer's guide
 - Program Description Document

Food for thought...

The vast majority of Canada's importers provide safe food products.



- Need to balance strengthened oversight of imports & further enhancements to food safety requirements with avoiding unnecessary administrative burden on industry, facilitating trade/consumer choice
- The proposed new licensing regulations will:
 - ✓ Further strengthen accountability of importers for the safety of their products
 - ✓ Allow the CFIA to better identify and engage importers of NFRS products
 - ✓ Enhance importer's ability to quickly identify, respond to, and advise the CFIA of potentially unsafe imported food

For more information:

www.inspection.gc.ca

↳ Food

↳ Non-federally Registered Sector

↳ Imports

- ↳ ✓ Notice of Intent (CG I)
- ✓ News Release
- ✓ Background information
- ✓ User Fee Proposal
- ✓ Pre-consultation Report



Comments on regulatory proposal:

IMFD/DAIM@inspection.gc.ca

Comments on the user fee proposal:

CFIA_Cost-Recovery.ACIA_Recouvrement-des-couts@inspection.gc.ca

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