

Unprecedented Change

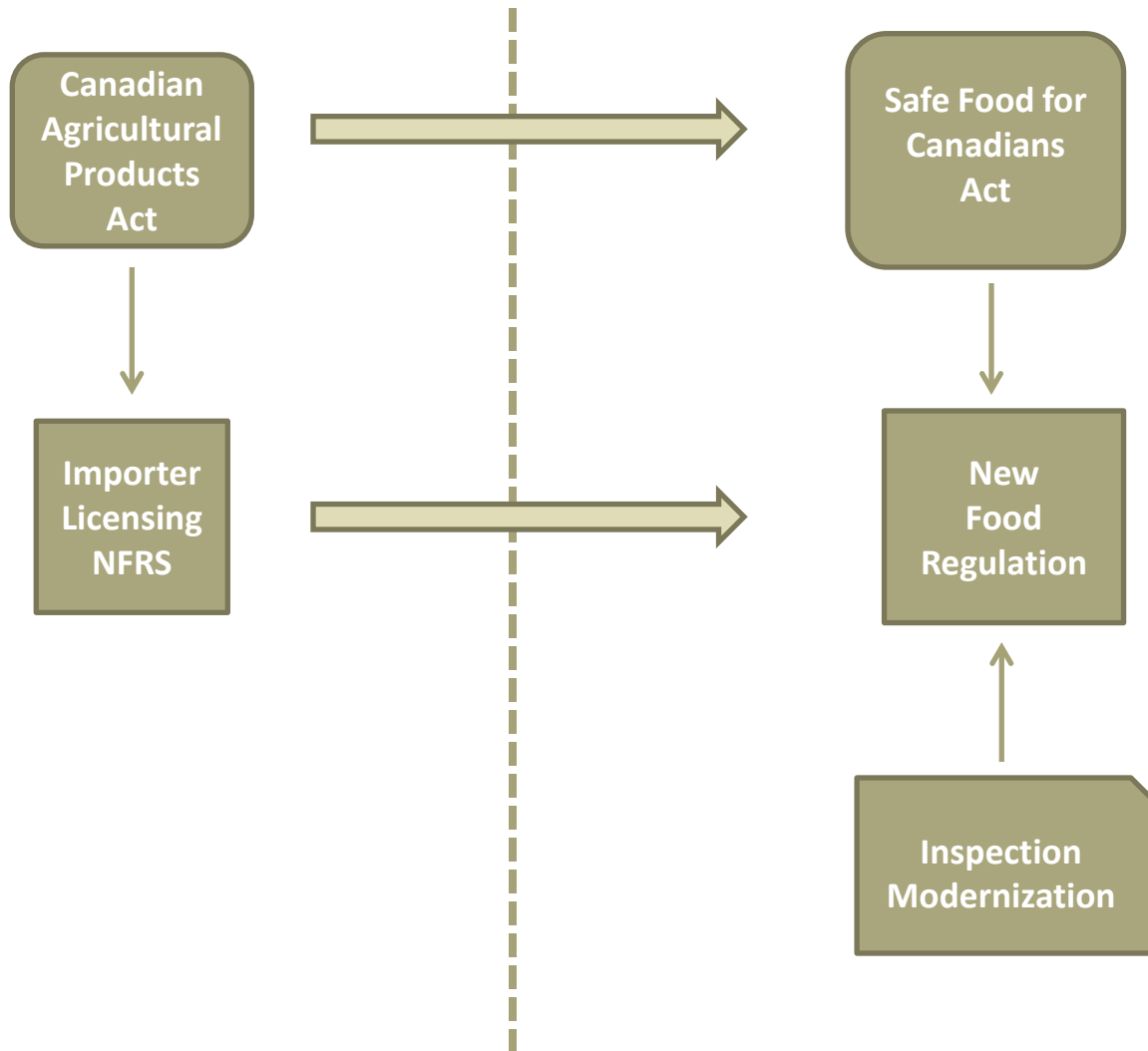
Canadian Spice Association AGM

May 10, 2013

Unprecedented Change

- **Importer Licensing: non-federally registered sector**
- **Safe Food for Canadians Act**
- **Single Food Regulation**
- **Inspection Modernization**

Unprecedented Change



NRFS-IMPORTER LICENSING

NFRS Scope of Products Under Importer Licensing

	Food Commodity	Act Coverage	Regulation Coverage			
①	Meat	FDA & CPLA	Meat Inspection Act	Meat Regulations		
	Fish		Fish Inspection Act	Fish Regulations		
	Dairy Products		CAPA		Dairy Products Regulation	
	Eggs				Egg Regulations	
	Fresh Fruit and Vegetables				Fresh Fruit and Vegetables Regulations	
	Honey				Honey Regulations	
	Maple Products				Maple Products Regulations	
	Processed Egg				Processed Egg Regulations	
	Processed Products				Processed Products Regulations	
②	Grain Products		FDA & CPLA	CAPA	IFSP Regulations	
	Beverages					
	Confectionary/Chocolate					
	Biological Additives					
	Spices, seasonings, salt and dried herbs					
	Vegetable fats and oils					
	Infant formula, meal replacements and					
Snack foods						
③	Bottled Water	FDA & CPLA				IFSP Regulations
	Synthetic Colours					
	Salts					

Examples of foods that would require the importer to hold a valid import licence to import into Canada under the NFRS proposed regulations.

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

NFRS Importer Licensing

- ✓ Have a license to import
 - ✓ Separate legal entity
- ✓ Residence in Canada
- ✓ Have a Preventive **Food Safety** Control Plan (PFSCP)
- ✓ Have a Recall Plan
- ✓ Maintain records in Canada
- Liability for product safety, compliance, fees
- Distinguish between importation & production

NFRS Importer Licensing

Attestations

- Provide information to the CFIA if it is determined that a food hazard exists within 24 hours
- Aware of the import requirements ? Regulatory requirements ?
- Products comply with the regulations ?

NFRS Importer Licensing

License Application

- On-line application
- Company and contact[s] information
- Product information
- Attestation PFSCP-post licensing audit
- Pay fee
- “Instantaneous license” – 10 working days
- License valid for 2 years
- 2 year prohibition against reapplication upon cancellation

SAFE FOOD FOR CANADIANS ACT & SINGLE FOOD REGULATION

Safe Food for Canadians Act

- Royal Assent Nov. 22, 2012
- Agricultural Products Act, Meat Inspection Act, Fish Inspection Act, Consumer Packaging and Labelling Act
- Regulatory framework to come into force

Safe Food for Canadians Act

New Authorities

- Licensing & registration
- Incorporation by reference
 - Accessible
 - Notification of revision
- Exemptions from the Act
- Disclosure – CBI & personal information without consent
 - to identify or respond to a risk of injury to human health associated with a food commodity
 - food recall
- Increased inspector powers
 - Videos & photographs
- Administrative Monetary Penalties [AMPs] for food
- Increase penalties

Safe Food for Canadians Act

Prohibitions

4. It is prohibited to **import** a food commodity that is
- (a) has in or on it any poisonous or harmful substance;
 - (b) is unfit for human consumption;
 - (c) consists in whole or in part of any filthy, putrid, disgusting, rotten, decomposed or diseased animal or vegetable substance;
 - (d) is adulterated; or
 - (e) was manufactured, prepared, preserved, packaged or stored under unsanitary conditions
6. (1) (2) It is prohibited to manufacture, prepare, package, label, sell, **import** a product that is labeled or packaged in **contravention of a provision of the regulations**

Safe Food for Canadians Act

Prohibitions

10. (3) It is prohibited to send or **convey** a prescribed food commodity **unless the food commodity meets the requirements of the regulations.**

12. It is prohibited **to have in their possession** a prescribed food commodity, **unless it meets the requirements of the regulations.**

Single Food Regulation

- Dairy Products Regulations
- Egg Regulations
- Fresh Fruit and Vegetable Regulations
- Honey Regulations
- Livestock and Poultry Carcass Grading Regulations
- Organic Products Regulations
- Maple Products Regulations
- Processed Egg Regulations
- Processed Products Regulations
- Consumer Packaging & Labelling Regulations
- Meat Inspection Regulations
- Fish Inspection Regulations
- **Licensing & inspection modernization**

INSPECTION MODERNIZATION

Inspection Modernization

- Licensing of all domestic food manufacturers
- Importer licensing extended to federally registered sector: meat, seafood, dairy, honey, maple, eggs, fresh & processed fruits and vegetable
- Single license option
- Risk-based inspection
 - Graduated risk categorization: high, medium, low
 - Inspection frequency: risk, compliance history, surveillance & intelligence

Inspection Modernization

- Inspector generalists & “Centers of Excellence”
- Reduced CFIA support for Critical Action Requests
- Redress & appeal process
- Transparency: inspection reports, license status, recall
- Export certificates: streamline certificate issuing, electronic certificates
- Information management investment

Inspection Modernization

License Requirements

- ✓ Apply & pay fee – same as NFRS
- ✓ License pre-inspection & instantaneous
- ✓ Residence in Canada
- ✓ Have a Preventive Control Plan (PCP)
- ✓ Have a Recall Plan
- ✓ Maintain records in Canada
- ✓ Product information
- ✓ Production, import & export volumes

Inspection Modernization

Attestations

- Commitment to notify the CFIA when food commodities not meeting food safety requirements are in the marketplace
- Commitment to updating my business profile when changes are made that impact the information provided in this license application.

Questions ?

Keith Mussar

kmussar@hotmail.com